

PORTUGUESE EXPORT CONTROL SYSTEM

- a. Portugal has a multi-department export control system, in which the Ministry of Foreign Affairs is responsible for the political and diplomatic aspects of exports of strategic goods and technologies, the General Directorate for Customs is responsible for the licensing of exports of dual-use goods and technologies and the General Directorate for Armament and Defence Equipment is responsible for the licensing of exports of military goods and technologies. The Police is responsible for the licensing of exports of non-military firearms.
- b. All four departments coordinate their activities.
- c. The General Directorate for Customs operates with regard to European Regulation 1334/2000, concerning exports of dual-use goods and technologies.
- d. Any requests for licenses for import, export or transit of military goods and technologies are processed by the Portuguese Ministry of Defence in accordance with the following legislation:
 - (1) Decree-Law 371/80, 11 September: Definition of rules for the exports of war materiel and imports of components;
 - (2) Decree-Law 1/86, 02 January: The Minister of Defence must authorize the transfer of technology or the sale of patents, models, designs and technical assistance as well as the participation of experts in foreign education and training programs;
 - (3) Decree-Law 436/91, 08 November: Definition of rules for the control of imports and exports of goods that may affect the national strategic interests;
 - (4) Decree ("Portaria") 439/94, 29 June: List of goods and technologies that may affect the national strategic interests, subject to prior licensing and certification;
 - (5) Decree-Law 397/98, 17 December: Access of private companies to the trade of military goods.
- e. In the case of infringement, sanctions are imposed as follows:
 - (1) Decree-Law 1/86, 02 January: The Minister of Defence may revoke an export licence due to the higher National Defence interests.
 - (2) Decree-Law 436/91, 08 November: all those who are responsible for false statements or omit mandatory information from the international export or import certificates will be punished with up to two years in prison; all those who export, temporarily export or re-export goods and technologies that may affect the national strategic interests without the emission of an international export certificate or by means of a certificate obtained through false statements will be punished with a prison sentence from one month up to five years, if there is no higher penalty applicable to the fault by force of other legislation; attempted infringements will be punished.



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- (3) Decree-Law 397/98, 17 December: infringement may imply the banning of private companies from further trade of military goods.”
- f. Portugal is a member of the following arms treaties and conventions and military goods and technologies export control regimes, among others:
- EU Working Group for Conventional Arms Exports (COARM)
 - Wassenaar Arrangement)
 - Missile Technology Control Regime (MTCR)
 - Chemical Weapons Convention
 - Conventional Weapons Convention
 - Proliferation Security Initiative