

INTERNATIONAL EXPORT CONTROL CONFERENCE
Stockholm, Sweden
September 2005

REPUBLIC OF POLAND

Brief information on amendments to the Polish export control system

The Polish delegation would like to inform briefly about amendments to our legislation in the field of export control which took place last year after Poland's accession to the EU.

The basic national act – *Law of 29 November 2000 on the international trade in goods, technologies and services of strategic importance for the national security and maintenance of international peace and security* was amended on 2 July 2004 and it came into force on 3 August 2004.

The amendments mainly resulted from the fact that starting from the 1st May 2004 the *Council Regulation (EC) No 1334/2000 setting up a Community regime for the control of exports of dual-use items and technology* is directly binding in the Polish legal system. In view of that we had to introduce provisions enabling full implementation of the Community regulation, which refer to the use of general national authorizations and the Community General Export Authorization, application of the Community control lists included in the annexes to the regulation and its further amendments, harmonized license forms for individual and global authorizations. We also withdrew from issuing licenses on paper for import of dual-use goods and introduced monitoring of import for some items concerning telecommunications and “information security” instead and extended control of services to technical assistance and brokering according to the relevant Council Common Position and Joint Action.

The recent amendments of legislation concerning export control and the retained previous legal solutions, which proved to be efficient in practice, create the present export control system in Poland.

The essential feature of this system is that one legal act covers the scope of control including.

- weapons of mass destruction
- SALW
- MANPADS
- CWC
- Conventional arms
- Dual-use goods

- Brokering services
- Technical assistance
- Intangible transfers of technology

The main condition for the submission of an application for an export license is the implementation by enterprises of Internal Control Programs (ICP), being subject to a certification procedure according to EN ISO 9001:2000 standards, which are based on three principles:

- know your foreign partner,
- know the technical specifications of the goods you trade in,
- be aware of what your product can be used for.

The ICP allows:

- the build up of co-operation between the enterprise and the export control authority,
- the scrutiny of intelligence data on partners and goods,
- the production of records and their submission for inspection.

Summing up we wish to stress that co-operation with industry on developing awareness and compliance is one of the main long-term goals of the Poland's export control system.