

specially designed to produce non-militarised silica-based optical fibres that are optimized to operate at a wavelength not exceeding 1,370 nm.

10. Governments may permit, as administrative exceptions, the shipment to the People's Republic of China of minimum quantities of semiconductor "lasers" designed and intended for use with a civil fibre optic communication system which would be either unembargoed or eligible for Administrative Exceptions treatment under Note 3 to this Category, having an output wavelength not exceeding 1,370 nm and a CW power output not exceeding 100 mW.
11. Governments may permit, as administrative exceptions, the shipment of telecommunications equipment for optical fibres embargoed by 1051.b.4.a., provided the transmission wavelength does not exceed 1370 nm.
12. Governments may permit, as administrative exceptions, the shipment of cables, fibres and specially designed components and accessories therefor embargoed by 1051.e. provided:
 - a. Quantities are normal for the envisaged end-use; *and*
 - b. They are for a specified civil end-use.
13. Governments may permit, as administrative exceptions, the shipment of optical fibre test equipment embargoed by 1052.a.3. using a transmission wavelength not exceeding 1370 nm.
14. Governments may permit, as administrative exceptions, the shipment of digital radio equipment or systems embargoed by 1051.b.1. or 1051.b.6. provided:
 - a. The equipment or system is intended for general commercial international traffic in an international civil telecommunication system, one end of which is in a member country;
 - b. It is to be installed in a permanent circuit under the supervision of the member country licensee;
 - c. No means are to be provided for the transmission of traffic between points in a single proscribed country other than the Czech Republic, Poland, and Slovak Republic;
 - d. The "digital transfer rate" at the highest multiplex level does not exceed 156 Mbit/s;
 - e. The equipment does not employ either of the following:
 1. Quadrature Amplitude Modulation (QAM) techniques above 64 QAM; *or*
 2. Other digital modulation techniques with a "spectral efficiency" exceeding 6 bit/s/Hz;
 - f. The equipment is not embargoed by 1051.b.5., 1051.b.8 or 1154.;
 - g. Spare parts shall remain under control of the member country licensee;
 - h. The member country licensee or his designated representative who shall be from a non-proscribed country shall have the right of access to all the equipment;
 - i. There will be no transfer of embargoed technology;
 - j. Supervision of systems installation and of maintenance shall be performed by the licensee or the licensee's designated representative, who shall be from a non-proscribed country, using only personnel from non-proscribed countries, until such time as the Committee agrees otherwise;

N.B.:

1. Supervision of maintenance includes:
 - Preventive maintenance at periodic intervals;
 - Intervention for major malfunctions.
2. This is not meant to require that only nationals from the exporting country should install the system.
- k. Upon request, the licensee shall carry out an inspection to establish that:
 1. The system is being used for the intended civil purpose; *and*
 2. All the equipment exported under the provisions of this Note is being used for the stated end purpose and is still located at the installation sites;

After each inspection, the licensee shall report his findings to his authorities within one month. The Government of the exporting country must report any deviation from these conditions to the Committee;

1. Governments will notify the Committee 30 days in advance of issuing the licence.

15. The Committee will favourably consider the export to the Czech Republic, Poland, and Slovak Republic of technology embargoed by this Category, and of instrumentation, test equipment, components and specially designed "software" therefor, and materials and components embargoed by the Industrial List, for the modification or "production" of telecommunications equip-

ment or systems eligible for Administrative Exceptions treatment under Note 1, provided:

N.B.:

Technology for general purpose computers is not eligible for treatment under this Note, i.e., it remains governed by Category 1040.

- a. The characteristics of the telecommunications equipment or systems are limited to those eligible for treatment under Note 1;
- b. Modification of the telecommunications equipment or systems is not permitted if any aspect of the design would result in exceeding the performance thresholds or features of Note 1;
- c. Testing of large scale integrated (LSI) circuits or those with higher component densities is limited to go/no go tests;

N.B.:

Note 15.c. does not preclude exports of equipment or technology which would be possible in accordance with the provisions of other Categories.

- d. The specially designed "software" is that necessary to use the transferred technology, instrumentation and test equipment;
- e. All "software" shall be exported in machine executable form only;
- f. "Development" technology is not included;
- g. The contract includes explicit conditions to ensure that:
 1. The "production" technology or "production" equipment is not re-exported or exported, either directly or indirectly, to another proscribed destination;
 2. The supplier or licensor may appoint a representative who is entitled to verify that the "production" technology and "production" equipment or systems serve their intended use;
 3. Any modification of the capabilities or functions of the produced equipment must be approved by the supplier or licensor;
 4. The supplier's or licensor's personnel have right of access to all the facilities directly involved in the "production" of the telecommunications equipment or systems;
 5. The "production" technology, "production" equipment and produced equipment or systems will be for civil end-use only and not for reexport to proscribed destinations other than the Czech Republic, Poland, and Slovak Republic;
- h. System integration testing will be performed by the supplier or licensor if it requires test tools which would provide the licensee with the capability to recover "source code" or upgrade the system beyond the performance thresholds or features of Note 1;
- i. End-use reporting of the installed telecommunication equipment or systems will be provided in accordance with the provisions of Note 1;
- j. The Committee will approve the export of equipment described in this Note if no member country has filed an objection within four weeks of the receipt of complete information on the case;

N.B.:

1. No export under the Favourable Consideration provisions of this Note shall establish a precedent for the approval of exports under other Categories in this List.
2. For each licence granted under this Note, the Government of the exporting country will require that the importer:
 - a. Provide end-use assurances backed by his national authorities;
 - b. Make available information as requested by the exporting country; *and*
 - c. Allow on-site inspection if requested by the exporting country.
16. The Committee will favourably consider the export of radio relay communications equipment, specially designed components and accessories, specially designed test equipment, "software" and technology for the "use" of equipment or materials therefor, embargoed by 1051., 1052., 1053., 1054. or 1055., provided:
 - a. It is for fixed installation and civil application;
 - b. It is designed for operation at a "digital transfer rate" not exceeding 156 Mbit/s;
 - c. The equipment does not employ either of the following:
 1. Quadrature Amplitude Modulation (QAM) techniques above 64 QAM; *or*
 2. Other digital modulation techniques with a "spectral efficiency" exceeding 6.3 bit/s/Hz;
 - d. It operates at fixed frequencies not exceeding 9 GHz;