

- manufacture of silica-based optical fibres, provided they are specially designed to produce non-militarized silica-based optical fibres that are optimized to operate at a wavelength not exceeding 1,370 nm.
11. Governments may permit, as administrative exceptions, the shipment to the People's Republic of China of equipment embargoed by 1052.a.2. as follows:
    - a. Optical fibre or "optical fibre preform" characterization equipment using semiconductor "lasers" with a wavelength not exceeding 1,370 nm;
    - b. Equipment for the manufacture of silica-based "optical fibre preforms", optical fibres or cables.
  12. 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;
    - e. When submitting export requests under the provisions of this Note, the Government of the exporting country will provide a statement identifying:
      1. The equipment or system to be provided;
      2. The intended application; *and*
      3. The location of the equipment.
    - f. The Committee will approve the case if no member country has raised an objection within four weeks of the receipt of complete information on the application.
  13. The Committee will favourably consider the export of optical fibre cables and optical fibre transmission equipment or systems embargoed by 1051.b. or 1051.e., provided:
    - a. The equipment or system is intended for general commercial international traffic in an international civil submarine optical fibre telecommunication system linking the importing country with a COCOM member country;
    - b. It is to be installed in a permanent circuit under the supervision of the COCOM member country licensee;
    - c. No means are to be provided for the transmission of traffic between points in one or more proscribed countries other than COCOM-agreed countries;
    - d. The total length of optical fibre cable to be installed within the proscribed country, excluding cable in territorial waters, does not exceed 10 km or the shortest distance which is practical for installation;
    - e. The "digital transfer rate" at the highest multiplex level does not exceed 565 Mbit/s;
    - f. The "laser" transmission wavelength does not exceed 1550 nm;
    - g. The equipment is not embargoed by 1051.b.4.b. to e. or 1054.2.;
    - h. Spare parts shall remain under control of the COCOM member country licensee;
    - i. The COCOM 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;
    - j. There will be no transfer of embargoed technology;
    - k. Systems installation, operation and 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;
    - l. Upon request, the licensee shall carry out an inspection to establish that:
      1. The system is being used for the intended civil purpose;
      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.
  14. The Committee will favourably consider the export of technology embargoed by this Category and of instrumentation, test equipment, components and specially designed "software" therefor, and materials and components embargoed by this Category or other Categories on this List, for modification or production of "stored programme controlled" circuit switching equipment or systems provided:
 

**N.B.:**  
Technology for general purpose computers is not eligible for treatment under this Note, i.e., it remains governed by Category 4;

    - a. The characteristics of the "stored programme controlled" circuit switching equipment or systems are limited to those which release them from embargo or make them eligible for treatment under relevant Administrative Exceptions Notes;
    - b. Modification of the "stored programme controlled" circuit switching equipment or systems is not permitted if any aspect of the design would result in exceeding the performance thresholds or features of the relevant Administrative Exception Notes;
    - c. Testing of large scale integrated (LSI) circuits or those with higher component densities is limited to go/no go tests;
 

**N.B.:**  
Sub-paragraph (c) above does not preclude exports of equipment or technology which would be possible according to the provisions of other Categories.
    - d. The specially designed "software" is that necessary to utilize the transferred technology, instrumentation and test equipment;
    - e. The manufacturing of the load tape by the licensee is limited to the addition to the generic "software" of the specific customer data and site parameters;
    - 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-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 "stored programme controlled" circuit switching equipment or systems;
      5. The "production" technology, "production" equipment and produced equipment or systems will be for civil end-use only;
    - h. System integration testing will be performed by the supplier or licensor, if it requires test tools which provide the licensee with the capability to recover source code or upgrade the system beyond the performance thresholds or features of the relevant Administrative Exceptions Notes;
    - i. The Committee shall approve the case if no member country has raised an objection within four (4) weeks of the receipt of complete information on the application;

**N.B.:**  
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.
  15. The Committee will favourably consider the export to COCOM-agreed countries of technology embargoed by this Category, and of instrumentation, test equipment, components and specially designed "software" therefor, and materials and components embargoed by this Category or other Categories on this List, for the modification or "production" of telecommunications equipment or systems eligible for treatment under Note 4, 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 4;
  - m. The Committee will approve the case if no member country has raised an objection within four weeks of the receipt of complete information on the application.