

2. Export Controls

Section 3 of the Act provides that the Governor in Council may establish a list of goods, to be called an Export Control List (ECL), including therein any article the export of which he deems it necessary to control for any of the following purposes, namely,

- (a) for national security reasons;
- (b) to promote further processing of natural resources;
- (c) to limit or keep under surveillance the export of any raw or processed material that is produced in Canada in circumstances of surplus and depressed prices that is not a produce of agriculture;
- (d) to implement an intergovernmental arrangement or commitment; or
- (e) to ensure adequate supply and distribution.

The first of the above provisions relates to goods having a military or strategic nature or value which, if made available to certain destinations, might be used to the detriment of the security of Canada and its allies. For export control purposes, military and strategic goods have been broadly defined as follows:

- a) Military goods are systems or equipment specifically designed for military use. This includes offensive military equipment (system or device capable of enabling an attack to be delivered - e.g., combat aircraft, armed vehicle, arms and ammunition) as well as defensive military equipment (any other equipment when built to military specifications).
- b) Strategic goods are equipment of a commercial civilian nature that could have a military application, either directly (e.g., computers, telecommunication systems