

General Export Authorization Certificate for After Repair of Certain Strategic Goods

Reference Code: GEN-2022-B

Amended as of 06 January 2023

This General Authorization is hereby issued pursuant to Section 9(d) of the Strategic Trade Management Act (STMA), and Rule 1, Section 4(a)(3) of the STMA Implementing Rules and Regulations (IRR).

I. Purpose

The item/s on List A of this authorization may be exported to the countries on List B provided that any of the following requirements are met:

- A. that the item/s for after repair will be exported back to the end-user/customer;
- B. that the item/s for after repair are exported to an affiliate/subsidiary/branch included in the External Organizational Chart submitted to the Strategic Trade Management Office (STMO) during registration;
- C. that the item/s being exported to the end-user/customer is beyond repair; or,
- D. that the item/s require further repair by other service providers contracted by the owner or exporter of strategic goods.

II. Exclusion

This General Export Authorization shall not be used for the export of items for after repair under any of the following conditions:

- A. If the exporter has been informed by the STMO that the items are or may be intended, in their entirety or in part:
 - 1. for use in connection with the development, production, handling, operation, maintenance, storage, detection, identification, or dissemination of chemical, biological or nuclear weapons, or other nuclear explosive devices or the development, production, maintenance, or storage of missiles capable of delivering such weapons;
 - 2. for a military end-use and the purchasing country or country of destination is subject to an arms embargo imposed through its listing as an embargoed



destination or sanctions list under United Nations Security Council Resolutions (UNSCRs), or STMO's List of Prohibited End-Users; or,

3. for use as parts or components of military items listed in this authorization without authorization or in violation of an authorization.
- B. If the exporter is aware that the items in question are intended, in their entirety or in part, for any of the end-uses referred to in paragraph II.A.1;
 - C. If the exporter has grounds for suspecting that the items in question are or may be intended, in their entirety or in part, for any of the uses referred to in paragraph II.A.1.a, unless the exporter has made all reasonable inquiries as to the end-use of the item/s and is satisfied that the items will not be used for WMD purposes; or,
 - D. If at the time of export, the exporter has been served a notice which suspends or revokes their ability to use this authorization, unless the period of suspension has expired.

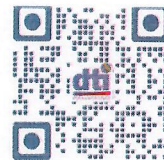
III. Conditions Before the Use of General Export Authorization for After Repair

All the following conditions shall be mandatorily complied with before an exporter may use the General Export Authorization:

- A. The exporter must be registered with the STMO;
- B. The item/s for export after repair are listed in List A and the country of destination is listed in List B;
- C. The strategic goods or technology are not known, believed, suspected, or intended to be used in relation to a nuclear, chemical, or biological weapons program, or their delivery systems;
- D. The export does not violate any provisions of the STMA, its Implementing Rules and Regulations, and related issuances, including *DTI MC No. 20-13 (MC on STMO's List of Prohibited End-Users)*;
- E. Coincidental improvements or replacement of obsolete parts and components may be allowed, provided these do not result in any enhancement to the functional capability of the item and add any new additional functions that will change the NSGL code classification of the item; and,
- F. The replacement of a new model may be permitted provided it has the same NSGL code classification as that of the replaced item.

IV. Responsibilities of Person Using the General Export Authorization

The exporter shall mandatorily comply with the following conditions after using the General Export Authorization:



- A. Submit an annual report to the STMO on the usage/ utilization of the General Export Authorization on or before June 15 of every year;
- B. Keep records of the transaction and/or books of accounts, business and computer systems, and all commercial and technical data related to the transaction for ten (10) years from the date of the completion of the transactions, including those enumerated under Section 5.2. of *DTI MC No. 22-13 (MC on Guidelines on the Use of General Authorization)*;
- C. Notify the consignee of the conditions of authorization;
- D. Notify the STMO of any changes to the declared period of return of the item;
- E. Immediately inform the STMO if he/she becomes aware of information concerning the use of goods, in whole or in part, for the development, production, use, maintenance, stockpiling, detection, identification, or dissemination of weapons of mass destruction, means of their delivery, for military purposes in an embargoed destination, or for purposes of endangering national security;
- F. Stop the export of any item/s under this authorization, if the authorization user has been served a notice from the STMO which suspends or revokes their ability to use the authorization; and,
- G. Cooperate with the STMO and allow the records or documents of covered transactions to be audited, inspected, and/or copied by an authorized STMO officer.

V. Penalties for Non-compliance

Noncompliance with the conditions set forth under paragraphs III and IV of this General Export Authorization shall subject the exporter and/or parties involved to the penalties provided for under Sections 19, 20, 22, 23, 24, and 25 of the STMA.

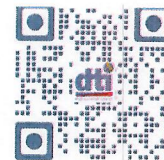
VI. Validity

This General Export Authorization shall be valid for a lifetime, unless revoked or suspended by the STMO.

VII. Effectivity

This General Authorization shall take effect immediately.


ATTY. JANICE SACEDON-DIMAYACYAC
OIC-Director
Strategic Trade Management Office



LIST A: List of Strategic Goods for After Repair

- 3A001
- 3A002
- 5A002 except 5A002.c-e

LIST B: List of Countries of Destinations for After Repair

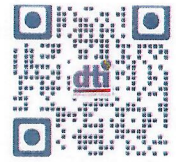
- I. **Countries of Destination** – This General Export Authorization shall be valid for the following countries of destinations:

Argentina	Iceland	Norway
Australia	India	Poland
Austria	Ireland	Portugal
Belgium	Israel	Romania
Brazil	Italy	Singapore
Bulgaria	Japan	Slovakia
Canada	Latvia	Slovenia
Czech Republic	Liechtenstein	South Africa
Denmark	Lithuania	South Korea
Estonia	Luxembourg	Spain
Finland	Malaysia	Sweden
France	Malta	Switzerland
Germany	Mexico	Taiwan
Greece	Netherlands	United Kingdom
Hungary	New Zealand	United States of America

- II. **Intra-company Transfers** – Intra-company transfers may also be possible to the countries of destination specified below, provided that:

- a. The registered person has an audited Internal Compliance Program (ICP) or self-certified copy of the ICP, along with an undertaking thereon;
- b. The consignee is an affiliate/subsidiary included in the External Organizational Chart submitted to the STMO during registration; and,
- c. The consignee, if not included in the External Organizational Chart, must have an existing contract with the exporter to manage the items on its (exporter) and its affiliate's/subsidiary's behalf, as the repair/maintenance or replacement service provider.

Albania	Azerbaijan	Benin
Algeria	Bahamas	Bhutan
Andorra	Bahrain	Bolivia
Angola	Bangladesh	Botswana
Antigua and Barbuda	Barbados	Brunei Darussalam
Armenia	Belize	Burkina Faso



Cameroon
Cape Verde
Chad
Chile
Colombia
Comoros
Congo-Brazzaville
Costa Rica
Croatia
Cyprus
Djibouti
Dominica
Dominican Republic
Ecuador
El Salvador
Equatorial Guinea
Eswatini (Swaziland)
Ethiopia
Fiji
French Guiana
Gabon
Gambia
Ghana
Grenada
Guam
Guatemala
Guyana
Honduras
Indonesia
Jamaica
Jordan
Kazakhstan

Kenya
Kiribati
Kuwait
Kyrgyzstan
Laos
Lesotho
Madagascar
Malawi
Maldives
Marshall Islands
Mauritania
Mauritius
Micronesia
Monaco
Mongolia
Morocco
Mozambique
Namibia
Nauru
Nepal
Niger
Nigeria
Niue
Oman
Pakistan
Palau
Panama
Papua New Guinea
Paraguay
Peru
Puerto Rico
Qatar

Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the
Grenadines
Samoa
San Marino
Sao Tome and Principe
Saudi Arabia
Senegal
Seychelles
Sierra Leone
Solomon Islands
Sri Lanka
Suriname
Tajikistan
Tanzania
Thailand
Timor Leste
Togo
Tonga
Trinidad and Tobago
Turkmenistan
Tuvalu
Uganda
United Arab Emirates
Uruguay
Uzbekistan
Vanuatu
Vietnam
Zambia