



Export Control Update: Amendments in the SCOMET list

May 6, 2019

Vide Notifications issued on April 24, 2019, various amendments have been introduced in the list of SCOMET items (Appendix 3 to Schedule 2 of ITC(HS)), export of which is generally permitted only under a specific authorisation issued by the Director General of Foreign Trade (DGFT).

Updates in the SCOMET list to align the same with 2018 updates of WA and NSG lists – effective from July 23, 2019¹

Various amendments have been introduced in the Commodity Identification Notes, definitions, SCOMET entries, etc. of the SCOMET list to incorporate 2018 updates of the Wassenaar Arrangement (WA) and Nuclear Supply Group (NSG) control lists.

Apart from amendments in definitions, Entry or Category specific amendments have been introduced in respect of SCOMET Categories 1 (Toxic chemical agents and other chemicals), 4 (Nuclear related other equipment, etc.), 6 (Munitions list), 8 (Special materials, Electronics, Computers, Telecommunications, etc.).

Under Category 8, various amendments have been introduced in the Category 8A502 covering cryptographic controls, the key ones being:

- Scope of covered encryption algorithms has been widened to include post-quantum / quantum-safe / quantum-resistant asymmetric algorithms;
- A new exclusion has been introduced for specified end-point devices or associated networking equipment with limited information security functionality for securing non-arbitrary data such as temperature, pressure, voltage, etc.;
- The scope and coverage for cryptographic activation token as well as associated software and technologies has been widened and restructured.

The above amendments would come into effect from July 23, 2019 (i.e. 90 days after the date of issuance of the Notification).

Addition of Entry 1E under Category 1 to amend export policy for specified chemicals – effective from April 24, 2019²

Exports of specified chemicals (Chloropicrin: Trichloronitro Methane and Methyldiethanolamine) are now permitted to be made to State Parties to the Chemicals Weapons Convention (CWC) without an export authorisation, but subject to post-facto reporting in the manner prescribed.

We trust you will find this an interesting read. For any queries or comments on this update, please feel free to contact us at insights@elp-in.com.

¹The text of this Notification may be accessed at https://dgft.gov.in/sites/default/files/Noti%203%20dt%2024.04.2019_0.pdf

²The text of this Notification may be accessed at https://dgft.gov.in/sites/default/files/Noti%2002%20dt.%2024.04.2019%20Eng._0.pdf

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