



# SCOMET Update: Amendments in the Hand Book of Procedure 2023 concerning Category 5B

INSIGHTS

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Dear Reader,

We are writing to you with an important update concerning the procedure to export certain UAV items falling under category 5B of the SCOMET list.

<b>Background</b>	<p>The Government of India maintains a list of SCOMET items i.e., dual-use items having the potential for both civil/industrial application as well as weapons of mass destruction. Currently, the said list organizes the SCOMET items under eight (8) categories.</p> <p>Certain aerospace systems, equipment, including production and test equipment, and related Technology and specially designed components and accessories thereof are categorized under category 5, whereby the export of these items is prohibited or permitted under an authorization unless specifically exempted.</p> <p>The procedure to seek such authorizations is provided under the Hand Book of Procedure 2023 (<b>HBP</b>).</p>
<b>Scope of Public Notice</b>	<p>On June 23, 2023, the Government of India, vide Public Notice No. 19/2023 amended the procedure stipulated under the HBP 2023 to seek authorization for the export/re-export of certain Unmanned Aerial Vehicles including drones, remotely piloted air vehicles, and autonomous programmable vehicles specified at 5B(a)(ii), and not covered under SCOMET categories/sub-categories 5B(a)(i) &amp; 5B(b), 6A010, 8A912 and capable of a range equal to or less than 25 km and delivering a payload of not more than 25 kgs (excluding the software and technology of these items) (hereafter referred to as <b>UAV items</b>).</p> <p>Prior to the amendment, for exporting/re-exporting the UAV items, the exporters were required to seek authorization for each export of such items.</p> <p>Post amendment, the exporter can seek General Authorization for Export of Drones (<b>GAED</b>) to export/re-export the UAV items. The GAED will allow the exporters to seek a one-time general authorization/license, which will be applicable for three (3) years for exporting/re-exporting UAV items.</p> <p>This is one of the many steps recently being taken by the Indian Government to liberalize the SCOMET licensing policy/procedure.</p> <p>The relevant Public Notice is available <a href="#">here</a>.</p>
<b>Next Steps</b>	<p>To obtain authorization to export the SCOMET items, the exporters would need to submit an application in the prescribed format of Appendices and ANF (as applicable) to the Directorate General of Foreign Trade (<b>DGFT</b>). The procedure to file the said application is laid down under the Hand Book of Procedure 2023, which is available <a href="#">here</a> and <a href="#">here</a>.</p>

For any queries or comments on this update, please feel free to contact us at [insights@elp-in.com](mailto:insights@elp-in.com).

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