

END USER UNDERTAKING (EUU) Form (for SIEL/SITCL applications required by Export Control Organisation)

Guidance for UK Licensees

An undertaking is required when applying for a Standard Individual Export Licence (SIEL) or Standard Individual Trade Control Licence (SITCL) issued by the UK's Export Control Organisation, part of the Department for Business, Innovation and Skills. This undertaking forms part of the required supporting documentation for End-Use Control purposes which is provided when making a licence application to the ECO.

Please note that we will only normally accept undertakings as valid within 6 months of the date of the application.

There are two types of undertaking forms available. Which one you – the licensee - obtain in support of your application depends on how the items will be used.

If goods are being shipped (whether via a consignee or not):

- for their **end-use** or if an end-user is **incorporating** the goods (ie installing them into another product or higher level system) – then you should obtain an End-User Undertaking (EUU) Form.
- to be **held in stock** for future delivery or re-sale – then you should obtain a Stockist Undertaking (SU) Form.

If the overseas company chooses not to use the relevant template, then you should advise them that the UK Authorities (ie ECO) require an original (not 'digital') signed and dated undertaking in English on their headed paper providing the same information and assurances.

IT IS THE UK LICENSEE'S RESPONSIBILITY TO ENSURE THAT:

- The **correct** undertaking type - i.e. EUU or SU - is supplied with your licence application to cover the relevant scenario. An **incorrect** undertaking type will not be accepted by ECO and will therefore need to be resubmitted, which is likely to result in your application being delayed or withdrawn.
- All sections of the undertaking are completed **legibly and in English** (or accompanied by an authorised translation, **including header details**, if written in a foreign language) by the End User or Stockist End User on their **original official headed paper** (where the End User is a company or a legal entity). The English translation should be verified by the licensee - that is the owner of the business applying for a licence, or a partner, director or company secretary of the firm, or anyone authorised to sign the licence application on behalf of the company. Alternatively, if you prefer, translations may be verified by a member of the Institute of Translators or a Notary Public.
- The undertaking form needs to be **signed and dated by a person properly authorised by the End User organisation or Stockist End User organisation** to sign on their behalf (the responsible official). 'Digital' signatures are not acceptable.
- The same responsible official of the End User organisation or Stockist End User organisation should also complete, sign, date and attach a **covering letter** (ie: see Annex A to either EUU or SU Form). This letter must be on their **original** official headed paper. It should also be accompanied by an authorised translation if written in a foreign language (please see above regarding verification of authorised translations). If the End User or Stockist End user is an individual then the documents do not have to be on letter headed paper

- Copies of the relevant form and covering letter should be attached to the completed licence application on ECO's SPIRE database – <https://www.spire.bis.gov.uk>
- The **original** EEU or SU together with the Covering Letter must be obtained and kept by you at your premises. These **original** documents may be requested by ECO at any time.
- To help reduce further 'requests for information' from ECO during licence processing you should establish as part of your standard procedures whether the items are being shipped to an end user or a stockist and forward the relevant guidance to them about which form to complete and how to complete it correctly.
- If we request a revised EEU during processing of your application, it should include **all** of the EEU pages and be newly dated.
- Be mindful of references to any unfamiliar abbreviations or acronyms particularly those referring to consignees or end-users. To avoid requests for information (RFIs) from ECO which might delay your application, acronyms should be spelt out in full.

Guidance for end-users to complete template and covering letter

This End User Undertaking (EUU) Form and Annex A must be provided when you order goods which are to be **used by you** (whether via a Consignee or not). Both documents must be completed on your company's letter headed paper. Please note that if you are an individual these documents do not have to be on letter headed paper.

Please read the following 'Explanation of Terminology' carefully for guidance on completing the EUU form.

- 1 The UK Licensee is the person or body who is either exporting the goods abroad, or brokering the movement of the goods concerned, each of which may be direct to you or via a separate consignee.
- 2 If not known, the Licensee's Reference can be left blank for completion by the Licensee.
- 3 The Consignee is the person or body, who is the first recipient of the goods .This can be yourselves or it can be another person or body within your country or in another country. If you are both the Consignee and the End User, then you must enter your own details in boxes (c) and (d).
- 4 As the End User you will be receiving the goods for **end-use** so boxes (e) and (f) must be completed. If you incorporate the goods into another product or higher level system, then you are still the End User for the purposes of the movement of the items.
- 5 The End User in this section refers to the entity at the time of shipment.
- 6 The goods in this section refer to those at the time of shipment. **NB:** If goods are being incorporated into another product or higher level system then this information should be included in Section 3.
- 7 The UK Authorities need to understand what the goods are and so a detailed description of the main item or items is required. If, for example, the main item or items are accompanied by a long list of spares, components or accessories, you should also indicate this in section 2.
- 8 If the goods are to be 'incorporated' by you (ie: installed into another product or higher level system) then that product/higher level system, its use and ultimate end user (which may be within or outside your destination) should be described where known in Section 3.
- 9 Section 4 must be signed and dated by you as the End User since you are using the goods mentioned in Section 2. This includes where you incorporate the goods into another product or higher level system. This section should be signed and dated by a person within your organisation with authority to sign on behalf of the company/organisation. 'Digital' signatures are **not** acceptable
- 10 For an up-to-date list of applicable destinations subject to arms embargoes, please go to the [export control pages of the Businesslink website](#) and access the link to "Current Export Restrictions"

SECTION 1 – PARTIES

(a) Name of UK Licensee ¹	(b) Licensee's Reference ²
(c) Name of Consignee ³	(d) Consignee's Address
(e) Name of End-User ⁴	(f) End-User's Address
(g) Is the End user the armed forces or internal security forces of the country ? ⁵ Please DELETE an option: Yes/No	(h) Specific location where goods will be used or based (if known) and if different from (f) ⁶

SECTION 2 – GOODS

(a) Quantity of Goods	(b) Description of the Goods ⁷ (for consumable goods, include length of time supplies are expected to last)
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(If you need to use continuation sheets, each must carry the licensee's reference, and must be signed and dated by the same person who signs this form.)

SECTION 3 – END-USE OF THE GOODS

Please set out the specific purposes for which the goods are to be used by the end-user (including, if applicable, where the goods are being incorporated) ⁸

SECTION 4 – END-USER UNDERTAKING ⁹ (to be completed by the person or body named in 1(e) and 1(f))

We – the person or body named at 1(e) and 1(f) – certify that we are the end-user of the goods described in Section 2, which are to be supplied by the licensee named in 1(a). We further certify that we shall use the goods for the purposes described in Section 3; that the goods will not be used for any purpose connected with chemical, biological or nuclear weapons, or missiles capable of delivering such weapons; that they will not be re-exported or otherwise re-sold or transferred if it is known or suspected that they are intended or likely to be used for such purposes; that the goods will not be re-exported or otherwise re-sold or transferred to a destination subject to UN, EU or OSCE embargo where that act would be in breach of the terms of that embargo ¹⁰; and that the goods, or any replica of them, will not be used in any nuclear explosive activity ⁱ or unsafeguarded nuclear fuel cycle ⁱⁱ.

Sign Here _____ Date _____
(Signature of official of End User)

Print Name _____
(Add Name of Signatory in Capitals)

Role _____
(Add Job Title of Signatory in Capitals)

Note

- i includes research on or development, design, manufacture, construction, testing or maintenance of any nuclear explosive device or components of subsystems of such a device.
- ii includes research on or development, design, manufacture, construction, operation or maintenance of any reactor, critical facility, conversion plant, fabrication plant, reprocessing plant, plant for the separation of isotopes of source or special fissionable material, or separate storage installation, where there is no obligation to accept IAEA safeguards at the relevant facility or installation, existing or future, when it contains any source or special fissionable material; or of any heavy water production plant where there is no obligation to accept IAEA safeguards on any nuclear material produced by or used in connection with any heavy water produced therefrom; or where any such obligation is not met.

Model covering letter for End User Undertaking [to be amended where indicated]

[NAME AND ADDRESS OF END USER ON THEIR ORIGINAL HEADED PAPER]

[DATE]

End User Undertaking relating to the UK licence application made by [**STATE NAME OF LICENSEE**]

I attach a completed End User Undertaking made on the EUU Form

Yours sincerely

[TO BE SIGNED BY THE SAME SIGNATORY WHO COMPLETED AND SIGNED THE END USER UNDERTAKING (EUU) FORM TOGETHER WITH THEIR ROLE]