



An Roinn Fiontar,
Turasóireachta agus Fostaíochta
Department of Enterprise,
Tourism and Employment

Export Controls Operations

Shane Smith, Deputy Director, Licensing
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Agenda

- Brief overview of licence types
- Guidance on using the Export Authorisation System (EAS)
- How we assess applications
- Tips for when making an application
- The future

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Licence Types

Licence Types (Slide 1)



Dual Use

- Regulation 2021/821 & Control of Exports Act 2023
 - *Individual Dual Use*
 - *Global Dual Use*
 - *Brokering Dual Use*
 - *Technical Assistance*
 - *UGEA*

Licence Types (Slide 2)



Military

- Control of Exports Act 2023 & S.I. 416/2024 (Military List)
 - *Military Export Licence*
 - *Brokering Military*
 - *Firearms*
 - *Global Transfer (Directive 2009/43 & S.I. 268/2023)*

Anti-Torture

- Regulation 2019/125 & S.I. 201/2021

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2 EAS

EAS (Slide 1)



- EAS went live in August 2024
- Overall pretty positive on the exporter side
- Responsible Officer (RO)
 - *Responsible for company profile*
- Authorised Officer (AO)
 - *Need to be an AO to make an application, even if RO*
- Can only be one company profile and one associated RO
- RO adds/deletes AO's

EAS (Slide 2)



- Making an application
 - *Provide all required information*
 - *Applications cannot be amended once submitted*
 - *We cannot amend applications or licences once submitted/issued*
 - *If there is a mistake or value/qty is too low, a new application is required*
 - *Likewise if a new item/country is to be added*

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3 Assessment

Assessment (Slide 1)



- We seek geo-political obs on dual use and military applications from Department of Foreign Affairs and Trade (DFAT)
- We review all applications for dual use and military licences against the 8 criteria of the EU Council Common Position 2008/944/CFSP, including:
 - *Human rights considerations*
 - *Internal situation in country*
 - *Regional instability*
 - *Diversion risk*

Assessment (Slide 2)



- If goods leaving from another MS, must consult (DU)
- Various sources of information – open source, intelligence, previous denials by other MS etc.
- If we have concerns, we will reach out to you for further information
- If those concerns are not outweighed or satisfied, we may have to deny
- Is there a risk that items/technology/knowledge could be used to violate human rights, contribute to regional instability, be diverted for another use, to another end user or another destination etc?

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4 Tips

Tips (Slide 1)



- Ensure you have allowed enough value/qty for the duration of validity of licence – we cannot amend licences
- For Globals, no need to enter a value or quantity
- End User Certs
 - *Ensure they are dated and signed within the last 6 months*
 - *Must be stamped and/or on headed paper*
 - *Must include satisfactory information on the end use*
 - *Under review*

Tips (Slide 2)



- Provide as much information as possible on end use
- For higher risk destinations or end users, be prepared to provide information on the due diligence you carried out on the end user – better still, provide it as part of your application
- If you don't have space in EAS fields, upload a document(s) before you submit!
- Consider sanctions regulations – are items on common high priority list in Regulation 833/2014?

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5 Future

Future (Slide 1)



- Examining:
 - *Global reports – will be a standard reporting template*
 - *UGEA's – will be requesting all users to register/reapply in EAS if not already*
 - *UGEA reporting*
 - *End user certs – template may be amended to make it more fit for purpose*

Thank You!