



United States Department of State  
*Bureau of Political-Military Affairs*  
*Directorate of Defense Trade Controls*  
Washington, D.C. 20522-0112

## **Open General License No. 1**

### **Qualifying Retransfers within Australia, Canada, and the United Kingdom**

(a) The Directorate of Defense Trade Controls (DDTC), pursuant to the International Traffic in Arms Regulations (ITAR) § 126.9(b), hereby provides the following Open General License No. 1. Open General License No. 1 licenses the retransfer (as defined in ITAR § 120.51) of unclassified defense articles to:

- (1) the Government of Australia, the Government of Canada, or the Government of the United Kingdom;
- (2) members of the Australian Community as defined in ITAR § 126.16(d), at all locations in Australia;
- (3) members of the United Kingdom Community as defined in ITAR § 126.17(d), at all locations in the United Kingdom; or
- (4) Canadian-registered persons as defined in ITAR § 126.5(b).

(b) The retransfer of any unclassified defense article to any of the parties listed in section (a) is subject to all the following requirements, limitations, and provisos:

- (1) Requirements. The transferor shall:
  - (i) comply with the requirements of ITAR § 123.9(b);
  - (ii) maintain the following records of each retransfer: a description of the defense article, including technical data; the name and address of the recipient and the end-user, and other available contact information (e.g., telephone number and electronic mail address); the name of the natural person responsible for the transaction; the stated end use of the defense article; the date of the transaction; and the method of transfer;
  - (iii) ensure that such records are made available to DDTC upon request; and

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- (i) the defense articles to be retransferred were originally exported pursuant to a license or other approval issued by DDTC pursuant to section 38 of the Arms Export Control Act (AECA), the Defense Trade Cooperation Treaty between the United States and Australia (ITAR § 126.16), or the Defense Trade Cooperation Treaty between the United States and the United Kingdom, (ITAR § 126.17);
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- (v) defense articles may not be retransferred under this license if they will be used to support the design, development, engineering, manufacture, production, assembly, testing, repair, maintenance, modification, operation, demilitarization, destruction, or processing of a missile, UAV, space-launch vehicle, item listed on the MTCR Annex, or item listed as MT on the USML in ITAR part 121;
- (vi) technical data may only be retransferred under this license for the purpose of organizational-level, intermediate-level, or depot-level maintenance, repair, or storage of a defense article;
- (vii) any major defense equipment (as defined in ITAR § 120.8) valued (in terms of its original acquisition cost) at \$25,000,000 or more and any defense article or related training or other defense service valued (in terms of its original acquisition cost) at \$100,000,000 or more, may only be retransferred under this license for the purpose of:

- i. maintenance, repair, or overhaul defense services, including the repair of defense articles used in furnishing such services, if the retransfer will not result in any increase in the military capability of the defense articles and services to be maintained, repaired, or overhauled; or
  - ii. a temporary retransfer of defense articles for the sole purpose of receiving maintenance, repair, or overhaul;
- (viii) the retransfer must take place wholly within the physical territory of Australia, Canada, or the United Kingdom;
- (ix) any retransfer of a defense article other than technical data is for end use by, or operation on behalf of, the Government of Australia, the Government of Canada, or the Government of the United Kingdom; and
- (x) Open General License No. 1 may not be utilized by persons to whom a presumption of denial is applied by DDTC pursuant to ITAR §§ 120.1(c) or 127.11(a), including, among other reasons, for past convictions of certain U.S. criminal statutes or because they are otherwise ineligible to contract with or receive an export or import license from an agency of the U.S. Government.

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### Entry into Force

Open General License No. 1 is valid for one year, effective August 1, 2022 through July 31, 2023. The Department may later consider reissuing Open General License No. 1 prior to July 31, 2023 and extend the period of validity, or otherwise amend the license.

Open General License No. 1 is limited to transactions described herein, all other transactions subject to the ITAR require a license or approval as described in the ITAR.

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Please direct any questions regarding Open General License No. 1 to the Office of Defense Trade Controls Policy at telephone (202) 663-1282, or email [DDTCCustomerService@state.gov](mailto:DDTCCustomerService@state.gov).



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