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This document is a translation. The Swedish original is the valid version.

## ***Tasks and decision-making power within export control***

This is a control document decided by the President (registration number V2021-0715). The control document is valid from 17 November 2021. The control document regulates division of tasks and responsibilities concerning work with export control within the university. The Research Support Office within the Central University Administration is responsible for revision of the document and may reply to questions about it.

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## **1 Introduction**

KTH's activities may include technology that require export licenses. This is regulated in, for example, regulation (EU) 2021/821 of the European Parliament and of the Council, the Swedish Act (2000:1064) on Control of Dual-use Items and Technical Assistance, the Ordinance (2000:1217) on Control of Dual-use Items and Technical Assistance.

KTH has an export control programme which is developed based on the EU commission's recommendation (EU) 2021/1700 and regulation (EU) 2021/821 of the European Parliament and of the Council. The export control programme is a separate document that may be found on KTH's website for export control and is managed by the Research Support Office.

## **2 Division of tasks and decision-making power within the university**

The President has the final responsibility for KTH's activities in relation to export control. In the following, the President delegates tasks concerning KTH's export control management. Issues of principal character for the university must be resolved by the President.

All staff is obligated to report suspicions about previous, ongoing or possible future violations of export control legislation to the export control function at the Research Support Office.

### **2.1 Vice President for research**

Vice President for research shall:

- Continuously keep the President informed on KTH's export control situation.
- Decide on issues of export control that is not of principal character for the university and is not included in the mandate of the Head of School.
- Decide on issues concerning approval and signature of license applications, notification of tenders, end-user certificates, agreements and other documents with legal effects that specifically concerns export control of military equipment. (Cannot be further delegated.)
- Decide on issues concerning approval and signature of license applications, agreements and other documents with legal effects that specifically concerns export control of dual-use items in parts of KTH that is not organized as part of schools. (Cannot be further delegated.)
- Decide on issues concerning approval and signature of license applications and other documents with legal effects that specifically concerns export control of dual-use items where it is known that the end-use concerns weapons of mass destruction, military purposes and cyber surveillance. (Cannot be further delegated.)

### **2.2 Export control function at the Research Support Office**

The university's work with export control is supported and coordinated by the Research Support Office. The office manager, or whomever at the Research Support Office that the office manager decides, must be especially trained in export control.

Export control officer at the Research Support Office must:

- Support the Vice President for research and Heads of Schools in issues concerning export control.
- Advise and inform the school's coordinators and other staff on issues concerning export control.
- Sign requests for advance notice and other documents without legal effects that specifically concern export control.
- Prepare and administrate applications, licenses, requirements for reports/feedback, annual declaration, responses to exposure drafts and other similar relations on export control with the Inspectorate for Strategic Products, Radiation Safety Agency and other governmental authorities.
- Survey the national and international development of export control and its regulation with special focus on legislation in Sweden and EU, but also concerning parties and countries important to KTH's collaborations.
- Draw up and when necessary revise KTH's export control programme.
- Ensure that a lawful register is upheld for exports and transactions of export-controlled products.

### **2.3 Head of School**

Activities that include export-controlled products are primarily carried out within the research, education and collaborations of KTH's schools. It is important that export control procedures have a clear leadership and organization within each school.

Head of School shall:

- Ensure that the school's staff have the prerequisites necessary for exercising the responsibilities imposed by this document (section 2.5) and the KTH export control programme.
- Decide on issues concerning approval and signature of license applications and other documents with legal effects that specifically concerns export control of dual-use items within the school's activities and where it is not known that end-use concerns weapons of mass destruction, military purposes or cyber surveillance. (May be further delegated to Head of Department.)
- Ensure that transactions that is suspected to violate export control legislation is stopped until the suspicions may be dismissed.

### **2.4 School coordinator of export control**

The Head of School, or whoever the Head of School assigns, shall be coordinator of export control within the school.

The school coordinator of export control shall:

- Annually compile the school's sales of export-controlled products and report it to the export control function at the Research Support Office.

- Send copies of commercial documents (bills, delivery notes etc.) and other documentation that especially concerns transactions of export-controlled products, including technical assistance, to the export control function at the Research Support Office.
- Inform the Head of School on the school's export control situation.
- Be the school's contact person for export control issues towards other staff at KTH.
- Inform the export control function at the Research Support Office when an activity within the school needs special support on export control.
- Always inform the export control function at the Research Support Office when an activity include military equipment or when information that the intended end-user of a thing, software or information will use it for military purposes, for any aspect of weapons of mass destruction or for cyber surveillance has been received.

## **2.5 Staff within the school**

Tasks concerning export control assumes awareness about specific transactions and knowledge of technical details. Consequently, awareness and dedication of all staff is necessary.

Each one that in their work come into contact or is planning to come into contact with export-controlled thing, software or information shall:

- Work according to KTH:s export control programme and this control document.
- Continuously assess if support on export control issues is needed, for example before publication or starting a course, and then contact the export control function at the Research Support Office.
- Assist in the administration of licenses, requirements for reports/feedback, assessments and similar processes by providing clear information on concerned technology, collaboration partners and other relevant aspects.
- Inform the receiver of an export-controlled thing, software or information about its export control status when the product is sent or otherwise distributed.
- When responsible for operations, inform the school's coordinator of export control when the operations may be sensitive from an export control point-of-view. It may be about dual-use items or military equipment being part of the activities. The case may also be that information about that a thing, software or information that is planned to be transferred will be used for military purposes, for any aspect of weapons of mass destruction or for cyber surveillance.
- When responsible for operations, report all sales of export-controlled products (including technical assistance), for example contract research and contract education, to the school coordinator of export control, or ensure that this is done.
- When responsible for operations, inform concerned co-researchers, other staff, doctoral students, consultants and other concerned parties when there are export-controlled products within the set of operations, and which routines that should be followed.

## **2.6 Staff at the central university administration and the office of the President**

Tasks concerning export control assumes collaboration with other parts of the central university administration and the office of the President, which must assist the export control function at the Research Support Office by adapting present system support and routines in order to facilitate compliance of the export control legislation.

Also, each one that in their work come into contact or is planning to come into contact with export-controlled thing, software or information shall:

- Inform the export control function at the Research Support Office about any activities that may be sensitive from an export control point-of-view, and that are not organized within a school.
- Inform the receiver of an export-controlled thing, software or information about its export control status when the product is sent or otherwise distributed.
- Report all sales of export-controlled products in activities that you are responsible for and that are not organized within a school to the export control function at the Research Support Office.