OUTREACH SESSION BY THE NA(CWC)

8 September 2011

Outline

- 1. Overview of Chemical Weapons Convention
- 2. Controlled Chemicals and Activities
- 3. NA(CWC) Licensing Regime
- 4. Annual Declarations
- 5. Transfer Requirements
- 6. Implementation of New Forms
- 7. Upcoming changes in TradeNet version 4.1
- 8. Recap on other permit requirements

Overview of Chemical Weapons Convention (CWC)



Chemical Weapons Convention (CWC)

- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons, and on their Destruction
 - $\circ~$ Complete destruction of all declared CWs
 - Ensuring non-proliferation of CWs through the verification of chemical industry
 - International cooperation in the peaceful uses of chemistry
 - Assistance and protection against threat or use of CW

Chemical Weapons Convention (CWC)

Status of Participation: (as of 1 Sep 2011)

- 188 State Parties
- 2 Signatory States
- 5 Non State Parties

Singapore's Ratification

• Ratified to CWC in 1997

List of State Parties are available on the Organisation for the Prohibition of Chemical Weapons' website.

Chemical Weapons

• Toxic chemicals

- "Any chemical which, through its chemical effect on living processes, may cause death, temporary loss of performance, or permanent injury to people and animals."

• <u>Precursor</u>

- "Any chemical reactant which takes part in any stage in the production by whatever method of a toxic chemical."

Organisation for the Prohibition of Chemical Weapons (OPCW)

- Oversees global implementation of CWC
- Consolidates declarations
- Conducts inspections.
- Ensures destruction of chemical weapons

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CWC Controlled Chemicals and Activities



Chemicals under the CWC

- 1. Scheduled Chemicals
 - $\,\circ\,$ Schedule 1 / 2 / 3 Chemicals
 - Further categorised into suffixes (e.g. S1A, S1B, etc)
 - Suffix A: Chemical warfare agent
 - Suffix B: Precursor for chemical warfare agent
- 2. Unscheduled Discrete Organic Chemicals (DOCs)

List of Scheduled Chemicals are available on the NA(CWC) website.

Scheduled Chemicals

	Schedule 1	Schedule 2	Schedule 3
No. of chemicals	12 chemicals or groups of chemicals	14 chemicals or groups of chemicals	17 chemicals
Type of chemicals	Chemical warfare agents & their final- stage precursors	Potential chemical warfare agents & other chemical weapons precursors	Old chemical warfare agents and other chemical weapons precursors
Commercial applications	Little or none	Moderate	High



Unscheduled Discrete Organic Chemicals (DOCs)

- Any chemical belonging to the class of chemical compound consisting of all compounds of carbon, except for its oxides, sulfides and metal carbonates.
 - $\,\circ\,$ Excludes oligomers and polymers

Unscheduled Discrete Organic Chemicals (DOCs)

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- 2 Types of Unscheduled DOCs:
- PSF containing DOCs
 DOCs that contain the elements:
 <u>P</u>hosphorus, <u>S</u>ulfur or <u>F</u>luorine.
- Non-PSF containing DOCs

Controlled Activities



Controlled Activities

Controlled Activity	Definition
Production (of a chemical)	Refers to the <u>formation</u> through <u>a chemical reaction or by a</u> <u>biochemical or biologically mediated reaction</u> , and includes forming the chemical by any such reaction as an intermediate, a by-product or a waste product during the manufacture of any product
Processing (of a chemical)	Refers to a <u>physical process</u> , such as formulation, extraction and purification, in which a chemical is not converted into another chemical
Consumption (of a chemical)	Refers to the <u>conversion</u> of any chemical(s) into another chemical via a <u>chemical reaction</u>

Controlled Activities

Controlled Activity	Definition
Import / Export	Refers to the transfer of chemical(s) between a destination in the local territory and other destinations in <u>another</u> <u>territory</u>
Local Transfer / Distribution	Refers to the transfer of chemical(s) between a destination and other destinations within the <u>same territory</u>

Important Definitions

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- Polymer
- Oligomer
- Plant Site
- Plant
- Unit

Definition of Polymer

- Under IUPAC Gold Book <u>Polymer</u> is a molecule of high relative molecular mass whereby
 - a) The structure of which essentially comprises the multiple repetition of units derived, actually or conceptually, from molecules of low relative molecular mass.
 - b) In many cases, especially for synthetic polymers, a molecule can be regarded as having a high relative molecular mass if the addition or removal of one or a few of the units has a negligible effect on the molecular properties.
 - c) However, for certain macromolecules, the properties may be critically dependent on fine details of the molecular structure.

Definition of Oligomer

- Under IUPAC Gold Book <u>Oligomer</u> is a molecule of intermediate relative molecular mass that
 - a) Consist of a structure which essentially comprises a small plurality of units derived, actually or conceptually, from molecules of lower relative molecular mass; and
 - b) Has properties which do vary significantly with the removal of one or a few of the units.

Definition of Plant Site

- Local integration of one or more plants, with any intermediate administrative levels, which are under one operational control, and includes common infrastructure, such as:
 - a) administration and other offices;
 - b) repair and maintenance shops;
 - c) medical centre;
 - d) utilities;
 - e) central analytical laboratory;
 - f) research and development laboratories;
 - g) central effluent and waste treatment area; and
 - h) warehouse storage.

Definition of Plant

- Relatively self-contained area, structure or building containing one or more units with auxiliary and associated infrastructure, such as:
 - a) small administrative section;
 - b) storage/ handling areas for feedstock and products;
 - c) effluent/ waste handling/ treatment are;
 - d) control/ analytical laboratory;
 - e) first aid service/ related medical section; and
 - f) records associated with the movement into, around and from the site, of declared chemicals and their feedstock or product chemicals formed from when, as appropriate.

Definition of Unit

 Combination of items of equipments, including vessels and vessel set up, necessary for the production, processing or consumption of a chemical.

NA(CWC) Licensing Regime

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NA(CWC) Licensing Regime

• NA(CWC) Licence is required for:

Controlled Chemical	Production	Import, Export	Processing, Consumption	Storage, Local Transfer
Schedule 1	\checkmark	\checkmark	\checkmark	\checkmark
Schedule 2	certain exemptions applicable	certain exemptions applicable	\checkmark	×
Schedule 3	certain exemptions applicable	certain exemptions applicable	×	×
DOCs	with conditions on production quantity	×	×	×

NA(CWC) Licensing Regime

• NA(CWC) Licence is required for

Type of DOCs	Quantity to be produced / year
Total DOCs (incl. both PSF and non-PSF containing DOCs)	> 200 tonnes
Any one PSF DOCs	> 30 tonnes

Licence Exemptions – Schedule 2 and 3 Chemicals

Schedule 2 –

Licence NOT required for:

 Production, Processing, Consumption for a permitted purpose, the Import and Export to <u>State Parties</u> of mixtures containing <u>30%</u> or less (by weight) of Schedule <u>2B</u> chemical

Schedule 3 – Licence NOT required for:

 Production for a permitted purpose, the Import and Export to <u>State Parties</u> of mixtures containing <u>30%</u> or less (by weight) of a Schedule 3 chemical

Identification of DOCs Requiring Licence

- Plant sites that <u>exclusively</u> produce hydrocarbons or explosives do not require licence
- In multistep processes, the following require a licence, for
 - $\,\circ\,$ final product that is a DOC; or
 - $\,\circ\,$ last intermediate that is a DOC
- Intermediate DOC supplied to another plant require a licence



No NA(CWC) Licence required. Reason: Site <u>exclusively</u> produces hydrocarbons.





NA(CWC) licence required for MTBE and Propene. Reason: Site produces MTBE (not exclusively producing hydrocarbon).

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Administrative Note for NA(CWC) Licence Application and Amendment

- Apply for NA(CWC) Licence through submission of application forms
- Licence is valid till the **end of calendar year**
- Renewal period starts from <u>Nov Dec</u>
- Amendment application is available for following activities:
 - Addition of chemical;
 - Addition of product;
 - Addition of activity; and
 - Increase maximum aggregate of chemical

Old Licence Forms	Changes	New Licence Forms
 Import and Export Production, Processing, Consumption, Storage and Local Transfer 	Categories	 Schedule 1 Chemical Schedule 2 Chemical Schedule 3 Chemical Unscheduled DOC
Not required	Alternative Contact Person	Required
Provide in the spaces within forms	Information on Chemical Reactions and Process Flows (for Production of DOCs)	Submit in separate attachment

Licence Application and Licence Amendment forms are available on the NA(CWC) website.

<u>Old</u> form	at TYPE OF ACTIVITIES	RELEVANT FORMS TO BE SUBMITTED
	 Any company / organisation intending to conduct the relevant activities involving Schedulad chemical(s): Import • Export Local transfer or distribution 	
	Any company / organisation intending to conduct the relevant activities involving Scheduled and Unscheduled Discrete Organic Chemical(s):• Production • Processing 	
	A combination of the above activities	 Cover form Forms A and Forms B

New format

REQUIRED FORMS FOR SUBMISSION

Any company / organisation intending to conduct activities involving Scheduled chemicals and/or unscheduled Discrete Organic <u>Chemicals are required to</u> submit the relevant forms:

NA(CWC) Licence Application Cover form

- Form A.1 for Schedule 1 chemical
- Form A.2 for Schedule 2 chemical
- Form A.3 for Schedule 3 chemical
- Form A.4 for unscheduled Discrete Organic Chemical

*NEW** Forms categorised according to Schedules

NEW* Sections E and F of the Application Cover Form for

Alternative Contact Person

SECTION E DETAILS OF ALTERNATIV	E CONTACT PERSON	
(14) Name of Alternative Contact Person: (I	Dr/Mr/Ms/Mrs/Mdm)*	(15) Designation:
(16) Citizenship: (Please indicate according	jly)	(17) NRIC No. / Passport No.:
	ners ease specify nationality:	
(18) Contact No.: (19)	FaxNo.:	(20) E-mail Address:
SECTION F DECLARATION		
(21) I, (Name of Alternative Cont		RIC No./Passport No.
representing		hereby declare that:
(Cor	npany/ Organisation Name)	
a) I have read and understood the terms a 3 Chemicals and Unscheduled Discrete		ce of the NA(CWC) Licence for Schedule 1, 2,);
		and/or Unscheduled DOCs included in this Singapore Customs, annually or on an ad-hoc
c) I have ensured that all information give	n in this application are true :	and correct.
Signature of Alternative Contact Perso	Date (dd/mm/vvv	y) Company / Organisation Stamp
eightaire ei / alemaare oonaer eise		,, company organisation stamp

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NEW* Provide information in separate attachment for production of DOC

Chemical Reaction Involved in the Production of Chemical (Please provide the information in separate attachment.) Please note the following. (a) Information on the chemical reaction should be provided in the following manner: E.g. Chemical A + Chemical B → Chemical C + Chemical D Chemical D → Chemical E + Chemical F (where Chemical F is the DOC in this application)

- (b) Please provide the principles employed for the procedure with regard to the production of each DOC.
- (c) All chemical structures provided in the reaction procedure must be in its structural formula. Please note that molecular formula will not be accepted.
- (d) All chemicals mentioned in the reaction procedures must be provided with its chemical name, preferably in its IUPAC name and if available, the CAS Registry No. Any acronyms used in the reaction procedures must be defined accordingly.
- (e) Information pertaining to the reaction parameters, such as temperature and catalyst to be used, are <u>not</u> required to be included in this description.

Block Diagram of the Process Flow for the Production of Chemical

(Please provide the information in separate attachment.)

Please note the following:

- (a) Please provide the name of each plant, if applicable that is involved in the production of the above chemical.
- (b) All chemicals mentioned in the Block Diagram must be provided with its chemical name, preferably in its IUPAC name and if available, the <u>CAS</u> Registry No. Any acronyms used must be defined accordingly.
- (c) Information pertaining to the reaction parameters, such as temperature and catalyst to be used, are <u>not</u> required to be included in the Block Diagram.
Reminders for Licence Application and Amendment Application

- Reference to previous submission of supporting documents valid up to <u>3 years</u>
- For description of chemical reactions and process flow diagrams, reaction parameters are <u>not</u> <u>required</u>

• Please note <u>units</u> used:

Types of Schedule	Units
Schedule 1 chemicals	μg
Schedule 2 chemicals	Kg
Schedule 3 chemicals	Tonnes
Unscheduled DOCs	Tonnes

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Annual Declarations



Annual Declarations

- Annual Declaration of **Past** Activities (ADPA)
- Annual Declaration of Anticipated Activities (ADAA)
- Ad-hoc Declaration of Additionally Planned Activities

Annual Declaration of Past Activities

- To declare activities taken place in previous year
- Declaration Period: <u>1 31 Jan</u> of the following year
- Activities requiring declaration:

Activity	Schedule 1	Schedule 2	Schedule 3	Unscheduled DOC
Production	\checkmark	\checkmark	\checkmark	\checkmark
Processing	\checkmark	\checkmark	×	×
Consumption	\checkmark	\checkmark	×	×
Storage	\checkmark	×	×	×
Import / Export	\checkmark	\checkmark	\checkmark	×
Local Sale / Distribution	\checkmark	×	×	×

Annual Declaration of Anticipated Activities

- To declare anticipated activities for the following year
- Declaration Period:
 - **<u>15 Jun 15 Aug</u>** (for Schedule 1)
 - o <u>15 Jun 15 Sep</u> (for Schedule 2 & 3)
- Activities requiring declaration:

Activity	Schedule 1	Schedule 2	Schedule 3
Production	\checkmark	\checkmark	\checkmark
Processing	×	\checkmark	×
Consumption	×	\checkmark	×
Storage	×	×	×
Import / Export	×	×	×
Local Sale / Distribution	×	×	×

Ad-hoc Declaration of Additionally Planned Activities

- To declare activity that are not declared in ADAA
- Declaration Period:
 - At least 200 days before activity commences (Schedule 1)
 - At least 20 days before activity commences (Schedule 2 & 3)
- Activities requiring declaration:

Activity	Schedule 1	Schedule 2	Schedule 3
Production	\checkmark	\checkmark	\checkmark
Processing	×	\checkmark	×
Consumption	×	\checkmark	×
Storage	×	×	×
Import/Export	×	×	×
Local Sale / Distribution	×	×	×

Declaration Requirements – Plant Sites

 Indicate declaration of owner/ company operating site clearly

E.g.

- Owner: ABC Pte Ltd
- Operator: XYZ Pte Ltd

Name of Owner, Company or Enterprise operating the Plant Site:

Common Errors in Annual Declarations

For Import and Export Declaration:

• Wrong units used such as litres, m³, etc.

Types of Schedule	Units
Schedule 1 chemicals	μg/g
Schedule 2 chemicals	Kg
Schedule 3 chemicals	Tonnes
Unscheduled DOCs	Tonnes

Common Errors in Annual Declarations

For Production, Processing and Consumption Declaration:

• Wrong product group code

 Product group code should describe the production activities that make the site declarable, not the ultimate use end products manufactured at site.

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New Annual Declaration Forms

Existing Declaration Forms	Changes	New Declaration Forms
 Schedule 1 chemicals Schedule 2 chemicals Schedule 3 chemicals 	Categories	 Annual Declaration of Anticipated Activities (ADAA) Annual Declaration of Past Activities (ADPA)
None	Sub-categories	By Schedules
In sequence: 1. Plant site and plant 2. Chemical	Declaration of Plant Sites	In sequence: 1. Plant Site 2. Plant 3. Chemical
Declare by month	Declaration of Import and Export	Declare by permit

New Declaration forms will be used from 2012 onwards.

i.e. for ADPA 2011, please use the new declaration forms.

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Transfer Requirements of Scheduled Chemicals

Transfer Requirements of Scheduled Chemicals to Non State Parties

Schedule 1 chemicals	 <u>Not Allowed</u> for any concentrations 			
Schedule 2 chemicals	 <u>Only allowed for:</u> products containing 1% or less of a Schedule 2A or 2A* chemical; products containing 10% or less of a Schedule 2B chemical; or products identified as consumer goods packaged for retail sale for personal use or packaged for individual use; End-User Certificate (EUC)required 			
Schedule 3 chemicals	 Requires <u>End-User Certificate (EUC)</u> unless: products containing 30% or less of a Schedule 3 chemical; and products identified as consumer goods packaged for retail sale for personal use, or packaged for individual use. 			

Transfer Requirements of Schedule 1 Chemicals

- Advance notification of 45 days prior to <u>import /</u> <u>export</u>
 - Except for Saxitoxin (< 5mg) used for medical / diagnostic purposes, 5 days prior to transfer
- Advance notification of 14 days prior to <u>local</u> <u>transfer</u>
- Submit notification through Transfer Notification form
 - T-1A form (prior to transfer)
 - T-1B form (after transfer)

Implementation of New NA(CWC) Forms



Other New Forms

- 1. NA(CWC) Licensee Contact Information Form (*NEW)
- 2. Product Enquiry Form
- 3. End-User Certification

All forms are available on the NA(CWC) Website.

Upcoming changes in TradeNet[®] Version 4.1



Key changes affecting CWC permit requirements

- A. Implementation of ASEAN Harmonized Trade Nomenclature 2012 (AHTN 2012)
 - ✓ Changes to CWC HS codes
- B. Introduction of new permit fields:
 - ✓ Customs Procedure Code (CPC)
 - ✓ Processing Codes (PC) 1, 2 and 3

A. Implementation of ASEAN Harmonized Trade Nomenclature 2012 (AHTN2012)

- HS codes of 18 Schedule 1 chemicals are affected
- HS codes of 5 Schedule 2 chemicals are affected

Detailed list AHTN2012 codes for CWC chemicals will be uploaded on the NA(CWC) website.

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B. Introduction of new permit fields

In each permit application, you may declare up to:

- ✓ 5 Customs Procedure Codes (CPC)
- ✓ 5 sets of Processing Codes (PC)1, PC2 and PC3 for each CPC

1.	CPC	1. PC1	1. PC2	1. PC3
		2. PC1	2. PC2	2. PC3
		3. PC1	3. PC2	3. PC3
		4. PC1	4. PC2	4. PC3
		5. PC1	5. PC2	5. PC3
2.	CPC	1. PC1	1. PC2	1. PC3
		2. PC1	2. PC2	3. PC3
5.	СРС	1. PC1	2. PC2	3. PC3

Customs Procedure Code (CPC) = CWC

Applicable for:

- ✓ Imports of CWC chemicals
- ✓ Exports of CWC chemicals to <u>Non State Parties</u>,
 - Schedule 2A chemicals < 1%
 - Schedule 2B chemicals < 10%
 - Schedule 3 chemicals < 30%

CPC	PC1	PC2	PC3	No change to existing information required by NA(CWC):	
CWC				 To continue to provide: Valid CWC HS Code Valid NA(CWC) Licence number Valid CWC Product Code End-User Certificate (for exports to non-State Parties) 	
				Page	56

Customs Procedure Code (CPC) = STS (Strategic Trade Scheme) and CWC

- Applicable for exports of CWC chemicals subject to Strategic Goods Control (SGC):
 - ✓ For outward declarations to <u>State Parties</u>,
 - Schedules 1 / 2A* chemicals any concentration
 - Schedules 2A / 2B / 3 chemicals > 30%
 - ✓ For outward declarations to <u>Non State Parties</u>,

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- Schedule 2A* chemicals < 1%
- Schedule 3 chemicals > 30%

CPC = STS and CWC (applicable for STS Tier 1 shipments)

CPC	PC1	PC2	PC3	No change to existing information required by NA(CWC) and SGC
STS and CWC	STS1			 To provide: Valid CWC HS Code Valid NA(CWC) Licence number Valid CWC Product Code End-User Certificate (for exports to Non-State Parties) Other SGC requirements

CPC = STS and CWC (applicable for STS Tier2 shipments)

CPC	PC1	PC2	PC3	No change to existing information required by NA(CWC) and SGC
STS and CWC	STS2	Valid Tier 2 permit number		 To provide: Valid CWC HS Code Valid NA(CWC) Licence number Valid CWC Product Code End-User Certificate (for exports to Non-State Parties)

CPC = STS and CWC (applicable for STS Tier3 shipments)

CPC	PC1	PC2	PC3	No change to existing information required by NA(CWC) and SGC
STS and CWC	STS3	Valid Tier 3 permit number		 To provide: Valid CWC HS Code Valid NA(CWC) Licence number Valid CWC Product Code End-User Certificate (for exports to non-State Parties)

Recap on Other Permit Requirements



Item Description

- Specify the <u>Chemical Name</u> and <u>Concentration</u> of CWC chemical (e.g. Triethanolamine 95%)
- Trade Name and PO number may also be provided as additional information

CA/SC Product Code and CA/SC Code 1

• CA/SC Product Code: to declare the CWC <u>Product</u> <u>Code</u> found in the licence

(e.g. Product Code of Triethanolamine: S3BB06)

• CA/SC Code 1: to declare the <u>concentration</u> of CWC chemical in the product

CA/SC Product Code: S3BB06		
CA/SC Code 1	CA/SC Code 2	CA/SC Code 3
95%		

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Implementation of TradeNet[®] Version 4.1



TradeNet[®] (TN) Version 4.1

- Implementation Date: 1 Jan 2012
- Parallel Run of 2 TN versions in Dec 2011
 i.e. traders may submit permit applications using TN
 4.0 or TN4.1
 - × Parallel Run is **<u>NOT</u>** Applicable for CWC shipments

Parallel run is not applicable for CWC permit applications

- Permit applications containing CWC goods can only be submitted in one TN Version, based on the period specified:
 - ✓ Version 4.0 before 19 Dec 2011
 - ✓ Version 4.1 effective 19 Dec 2011
- If you are submitting your own TN permit applications, remind your TN vendor not to decommission the Version 4.0 software too early
- More details will be announced by Singapore Customs

Useful Links

1. NA(CWC) Website:

http://www.customs.gov.sg/nacwc/topNav/hom/

2. <u>TradeXchange®:</u>

https://www.tradexchange.gov.sg/tradexchange/d efault.portal

3. <u>CWC State Parties:</u>

http://www.opcw.org/about-opcw/memberstates/

4. List of Scheduled Chemicals: http://www.customs.gov.sg/nacwc/topNav/res/In formation+Pamphlete.htm

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Contact Us

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