

Following the last meeting of the *Interministerial Regulatory Board for Foreign Trade in Defence and Dual-Use Material* (JIMDDU), the document of interpretative criteria that we already addressed last October has been updated, incorporating a more detailed explanation on the **application of temporary global licences**.

Regulatory context

Article 23 of Royal Decree 679/2014, of 1 August, approving the Regulation on the control of foreign trade in defence material, other material and dual-use goods and technologies, regulates the Global Transfer Licence for this type of material. However, unlike what happens with individual licences – for which Article 22.2 does expressly contemplate the possibility of temporary licences – **the Regulation does not expressly provide for the figure of the temporary global licence**.

Despite this absence of explicit regulation, administrative practice and repeated demand by the industry have highlighted the need to provide legal cover to temporary operations that, due to their nature and frequency, do not fit adequately into the individual licensing scheme.

Interpretative criterion of the JIMDDU

Faced with this situation, the JIMDDU has adopted an interpretative decision based on the provisions of **article 18.2 of Royal Decree 679/2014**, according to which the Juanta can establish criteria for the correct application of the control regime.

By virtue of this criterion, **the JIMDDU recognises the existence and viability of the Temporary Global Licences for the Transfer of Defence Material, Other Material and Dual-Use Goods and Technologies**, understanding them to be included within the framework of **Article 23** of the Regulation.

The provisions contained in Articles 23.1, 23.1 and 23.3 **of Royal Decree 679/2014** will apply to these temporary global licences, in the same way as to the definitive global licences.

Cases in which they can be requested

In accordance with the update of the interpretative criteria, **Temporary Global Licences** may be requested, among others, for the following cases:

INFORMATIVE NOTE



UPDATE OF THE INTERPRETATIVE APPROACH TO THE JIMDDU – APPLICATION OF GLOBAL EXPORT LICENCES

- **Testing**
- **Repairs**
- **Approvals**

- **Other cases**, provided that:
 - Are adequately developed in the observations section, and
 - The need to resort to a temporary global licence is expressly justified.

If you need more information about this, please contact any of us at the following address:

Belén Palao Bastardés
Managing Partner
belen.palao@blnpalao.com

Javier Martín Palomino
Lawyer
javier.martin@blnpalao.com

Conclusion

This update represents a significant step towards **greater legal certainty and operational flexibility for companies in the sector**, by formally recognising a figure widely used in practice and adapting its treatment to the current regulatory framework.

The clarification of the criteria applicable to temporary global licences also contributes to a **more coherent and predictable application of the control system**, aligning the needs of the industry with the objectives of supervision and compliance with the international commitments assumed by Spain.