

Safety Services

Guidance on the Chemical Weapons Convention (CWC): Licensing and Reporting Requirements

Introduction

1. The Chemical Weapons Convention (CWC) is an arms control treaty imposing a verifiable ban on an entire category of weapons of mass destruction. It covers all toxic chemicals and their precursors. The UK ratified and agreed to abide by the terms of the CWC which has legal effect in the UK through the Chemical Weapons Act 1996. It is implemented by the UK CWC National Authority (NA), currently part of the Department for Energy and Climate Change (DECC).
2. Organisations who produce, process or consume, above certain thresholds, chemicals listed in the Convention's [Schedules of Chemicals](#) are required to declare this to the NA who collate and process the national data.
3. Many chemicals used as chemical weapons can also have legitimate peaceful use therefore the CWC has implications for the academic community and the University must comply with the requirements of the CWC.
4. [Specific licensing requirements](#) apply to all activities involving Schedule 1 chemicals. The licences are a legal requirement of the CWC and Chemical Weapons Act 1996 and are issued by the NA.
5. All producers, processors, consumers, importers and exporters of Schedule 2 chemicals and all producers, importers and exporters of Schedule 3 chemicals must provide the NA with specific basic quantitative data **regardless of the volumes involved**. The NA request this information annually, usually mid-late December, for submission by mid January.
6. In order for the University to comply with the reporting requirements of the CWC and Chemical Weapons Act 1996.
 - All existing and potential users of Schedule 1 (S1) chemicals must hold an appropriate licence in accordance with the requirements of the CWC.
 - All Schools with staff who produce, process, consume, import and export of Schedule 2 (S2) chemicals must record appropriate data so that the University's collective annual response can be made via the Compliance and Risk Office.
 - All Schools with staff who produce, import and export (see definitions below) Schedule 3 (S3) chemicals must record appropriate data so that the University's collective annual response can be made via the Compliance and Risk Office.

Responsibilities

7. **The Head of Compliance and Risk** - will make the annual return to the National Authority on behalf of the University

8. **Heads of Schools** - must ensure that an appropriate recording system is implemented in order to provide the information required for the annual return.

9. **Principal Investigators and Supervisors**

- must consult the [Schedules of Chemicals](#) to check whether chemicals associated with their research and teaching are listed to ensure any requirements for licensing or data recording are met.
- must inform Safety Services of any S1 chemicals which require a licence in order that the details can be submitted to the NA
- must provide Safety Services with detailed records of S1 chemical use within 10 days of expiry of any licence
- must record relevant information for the S2 & S3 chemicals annual return to the NA and make it available to Safety Services when requested.

10. **Staff and Students** working with chemicals listed in the Schedules must record the information required for the annual return and make it available to Safety Services when requested (usually mid-late December).

11. **Safety Services**

- will cooperate with the Head of Compliance and Risk in collating the data required for the University's annual return prior to submission to the DECC.
- will liaise with users regarding NA licensing requirements, annual returns and keep appropriate records

Guidance

12. The chemicals relevant to the CWC are divided into four groups, Schedules 1, 2, and 3, and Discrete Organic Chemicals (DOCs). The [Schedules of Chemicals](#) and their related compounds are given on the DECC website.

13. The CWC affects all parts of the University, whether they are on the main campus, off-site or in embedded accommodation which undertake the following activities:

- PRODUCE, PROCESS OR CONSUME any of the chemicals listed in S1 or S2
- PRODUCE any of the chemicals listed in S3
- PRODUCE by synthesis a "discrete organic chemical"

Definitions

Produce means formation through a chemical reaction or synthesis.

Process means physical manipulation of a chemical without a chemical reaction taking place, i.e. without making or breaking chemical bonds. This might include crystallisation, distillation, purification, extraction, dilution, concentration, etc.

Consume means conversion of the chemical into another chemical through a chemical reaction involving the making or breaking of chemical bonds. Some forms of waste disposal (biodegradation, hydrolysis) would be included in this definition.

Information about the requirements relating to each chemical group is given below.

Schedule 1 Chemicals

14. The Chemical Weapons Act 1996 (the CW Act) introduced a number of controls on Schedule 1 chemicals to ensure that the UK can comply with its obligations under the CWC.
15. Activity involving S1 chemicals is restricted to the following permitted purposes, i.e. pharmaceutical, research and medical purposes and purposes related to protection against toxic chemicals. Licences are required for these activities.
16. **All researchers in the University who produce, possess, or use any S1 chemicals, must be covered by an appropriate licence from the NA. Principal Investigators are responsible for contacting Safety services prior to arranging this.**
17. Licence applications must be made **beforehand** as working without is illegal.

How to decide whether a licence is required and the procedure to obtain one

- Check your chemical against the [Schedule 1 list](#) to see whether a licence is required.
 - If yes, contact Safety Services for further information about obtaining your licence.
 - The NA will decide which licence type is appropriate for your application
 - You must not start work until licensing confirmation is received
18. [Further details on licensing requirements](#) are available from the NA, currently the DECC

Trade Controls – Import and Export of Schedule 1 Chemicals

19. The movement of S1 chemicals is restricted. This has implications for staff seeking to bring these chemicals into the UK, e.g. when ordering directly from overseas or relocating laboratories. Import licences are required in advance and the NA require at least 2 months notice to obtain these.
20. The NA must be informed about Export of S1 Chemicals.
21. Contact Safety Services for advice if you plan to Import or Export these chemicals.

22. [Further information on the Import/Export of S1 chemicals](#) is available from the DECC.

Schedule 2 Chemicals

23. Schools must ensure staff can provide the required information for every S2 chemical for the reporting period (1 January 20xx to 31 December 20xx).
24. The Compliance and Risk Office will request the information via Safety Services once the NA request is received, usually mid-late December for a mid-January submission deadline.
25. The following information is required for each S2 chemical:
- IUPAC Chemical Name, including CAS number (if known)
 - Common or trade name
 - The amounts produced, processed, consumed
 - The amounts imported and the country from which it was imported
 - The amounts exported and the countries to which it was exported
 - Details of all suppliers of S2 chemicals to the School

Schedule 3 Chemicals

26. Schools must ensure staff can provide the required information for every S3 chemical for the reporting period (1 January 20xx to 31 December 20xx).
27. The Compliance and Risk Office will request the information via Safety Services once the NA request is received, usually mid-late December for a mid-January submission deadline.
28. The following information is required for each S3 chemical:
- IUPAC Chemical Name, including CAS number (if known)
 - Common or trade name
 - The amounts produced
 - The amounts imported and the country from which it was imported
 - The amounts exported and the countries to which it was exported.
 - Details of all suppliers of S3 chemicals to the School

Discrete Organic Chemicals (DOCs)

29. For the purposes of the CWC "Discrete Organic Chemical" means ALL organic chemicals EXCEPT those which are solely hydrocarbons or explosives.
30. There are no current reporting and licensing requirements for DOCs though the University has declared the presence of these in accordance with the CWC.

Record Keeping

31. In order to ensure consistency of recording, the Schedule 1 Chemicals Licence Request Form is to be used when requesting a S1 licence.
32. The NA require the annual return for S2 and 3 chemicals to be made electronically by mid January. Requests for information will be made from the Compliance and Risk Office via Safety Services as soon as possible after the request for information is received (mid-late December).
33. Schools are responsible arrangements are in place for ensuring all CWC reporting information is available on request.

Controls on Transfers of Scheduled Chemicals

34. Any member of staff who is contemplating transferring chemicals, particularly overseas must be aware of the following:
 - S1 chemicals may be transferred only to CWC States Parties and only for research, medical, pharmaceutical, or protective purposes.
 - S2 chemicals may only be transferred to CWC States Parties.
 - S3 chemicals may, in addition, be transferred to States that are not Party so long as they are to be used only for purposes permitted under the CWC.
35. Contact Safety Services for further advice.

Training Requirements

36. Schools must have arrangements in place for ensuring Principal Investigators are aware of the requirements of this guidance. For new staff this could be undertaken as part of the local induction procedure. For existing staff the Head of School must ensure that they are informed.

Further Information

[Chemical Weapons Convention UK National Authority website](#) Department for Energy and Climate Change

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Related Policies:	Health & Safety Policy
Related Procedures	Title
Related Guidance:	A-Z of documents on specific health & safety topics, at http://www.campus.manchester.ac.uk/healthandsafety/CoPs&Guidance.htm
Related information:	Schedule 1 Chemicals Licence Request Form
Policy owner:	Head of Safety Services (Dr M J Taylor)
Lead contact:	University Safety Coordinator (Catherine Davidge)