



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

OFFICE OF FOREIGN ASSETS CONTROL

Iranian Transactions and Sanctions Regulations
31 C.F.R. Part 560

GENERAL LICENSE J

**Authorizing the Reexportation of Certain Civil Aircraft
to Iran on Temporary Sojourn and Related Transactions**

(a)(1) The reexportation by a non-U.S. person of Eligible Aircraft to Iran on temporary sojourn is authorized, provided all of the criteria set forth in paragraph (b) are satisfied.

(2) For purposes of this general license, the term "Eligible Aircraft" means a U.S.-origin fixed-wing civil aircraft or non-U.S.-origin fixed-wing civil aircraft of which U.S.-controlled content constitutes 10 percent or more of the total value and that is (i) classified under Export Control Classification Number (ECCN) 9A991.b on the Commerce Control List (CCL) of the Export Administration Regulations (15 C.F.R. parts 730 – 774) (EAR), and (ii) registered in a jurisdiction other than the United States or any country in Country Group E:1 of Supplement No. 1 to Part 740 of the EAR, which includes Iran. See 31 C.F.R. §§ 560.205(b)(2) and 560.420 for information on what constitutes U.S.-controlled content.

Note to paragraph (a): This paragraph does not authorize the reexportation of any rotary wing aircraft or unmanned or optionally-piloted aircraft to Iran on temporary sojourn.

(b) All of the following criteria must be satisfied for a non-U.S. person to reexport an Eligible Aircraft to Iran pursuant to paragraph (a) above:

(1) the right to hire and fire the cockpit crew remains with the non-U.S. person reexporter;

(2) the right to dispatch the Eligible Aircraft remains with the non-U.S. person reexporter;

(3) the right to determine the Eligible Aircraft's routes remains with the non-U.S. person reexporter;

(4) the right to perform or obtain the principal maintenance on the Eligible Aircraft remains with the non-U.S. person reexporter, and principal maintenance will take place outside of Iran under the control of a party who is not an Iranian national ordinarily resident in Iran;

(5) the place of registration of the Eligible Aircraft will not change to Iran;

(6) there is no transfer of technology to an Iranian national ordinarily resident in Iran;

(7) the Eligible Aircraft will not bear the color, livery, or logo of any Iranian air carrier;

(8) the Eligible Aircraft will not carry a flight number issued to an Iranian air carrier;

(9) the Eligible Aircraft will not be equipped with, or used to transport: (i) arms or related materiel, including defense articles, defense services, or technical data that are controlled on the United States Munitions List (USML) established under section 38 of the Arms Export Control Act (22 U.S.C. § 2778), (ii) any item that is – or would be, if located in the United States – controlled by ECCNs 0A-E521 or 600 series ECCNs, or (iii) items used to facilitate the development or production of a chemical or biological weapon or other weapon of mass destruction and their means of delivery, including ballistic missiles; and

(10) the Eligible Aircraft will be in Iran for no more than 72 hours on each temporary sojourn.

(c) The reexportation by a non-U.S. person to Iran of usual and reasonable quantities of industry standard onboard supplies of civil aircraft equipment, spare parts, components, and technology for permanent use on the Eligible Aircraft is authorized, provided that the goods and technology are ordinarily incident and necessary for the proper operation of the Eligible Aircraft reexported to Iran on temporary sojourn pursuant to paragraph (a) of this general license and, in the case of U.S.-origin goods or technology, or, in the case of non-U.S.-origin goods and technology of which U.S.-controlled content constitutes 10 percent or more of the total value, are classified under ECCN 9A991.c, d, or e, or 9E991.

Note to paragraph (c): This paragraph does not authorize the storing of any aircraft equipment, spare parts, components, or technology in Iran other than on board an Eligible Aircraft reexported to Iran on temporary sojourn pursuant to paragraph (a) of this general license.

(d) The reexportation by a non-U.S. person to Iran of technology for purposes of emergency maintenance on and/or repairs to an Eligible Aircraft reexported to Iran pursuant to paragraph (a) is authorized, provided that the reexported technology is necessary to restore the aircraft to an airworthy condition and, in the case of U.S.-origin technology, or, in the case of non-U.S.-origin technology of which U.S.-controlled content constitutes 10 percent or more of the total value, is classified under ECCN 9E991.

Note to paragraph (d): Transactions related to non-emergency and/or line maintenance in Iran of Eligible Aircraft reexported to Iran on temporary sojourn pursuant to paragraph (a) of this general license require separate authorization from the Office of Foreign Assets Control (OFAC).

(e) This general license does not authorize:

(1) Any transaction related to the sale, lease, or transfer of operational control of Eligible Aircraft to any individual or entity.

(2) Any transaction by a U.S. person, as defined in 31 C.F.R. § 560.314.

(3) The reexportation of U.S.-registered aircraft on temporary sojourn to Iran.

(4) The reexportation of cargo that would require separate authorization from OFAC under the Iranian Transactions and Sanctions Regulations (31 C.F.R. part 560) or from any other U.S. Government agency.

(5) Any transaction involving or dealing with any person whose property and interests in property are blocked pursuant to any part of 31 C.F.R. chapter V other than part 560 or any activity that would be prohibited by any part of 31 C.F.R. chapter V other than part 560 if engaged in by a U.S. person or in the United States.

(6) Any action or activity involving any item (including information) subject to the EAR that is prohibited by, or otherwise requires a license under, part 744 of the EAR or participation in any transaction involving a person whose export privileges have been denied pursuant to part 764 or 766 of the EAR, without authorization from the Department of Commerce.

Note to General License J: OFAC will not consider Eligible Aircraft reexported to Iran pursuant to paragraph (a) of this general license or goods reexported to Iran pursuant to paragraph (c) of this general license as having entered into Iranian commerce for the purposes of the definition contained at 31 C.F.R. § 560.306.



Andrea Gacki
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