

Research Involving Controlled Goods

Some research undertaken at the University of Windsor may be subject to export controls administered by the Department of Foreign Affairs and International Trade (DFAIT), particularly in the Faculties of Science and Engineering. For example, the transmission of results, or information about, specific research, under the [Export and Import Permits Act](#) (EIPA), might require obtaining an export permit or other authorization if the item is included on the [Export Control List](#) (ECL) or if the recipient country is on the [Area Control List](#) (ACL).

In addition, certain research may also be subject to regulation by Canada's [Controlled Good Directorate](#) (CGD) of the Department of Public Works and Government Services (PWGSC). The CGD is a domestic industrial security program that controls the proliferation of weapons of mass destruction and conventional weapons by controlling the examination, possession, and transfer of both controlled goods and/or technology.

What is NSERC's Policy on Controlled Goods and Technology?

The Natural Sciences and Engineering Research Council of Canada (NSERC) must comply with the above Acts and associated regulations. The funding agency does not take any responsibility for the University of Windsor's compliance, including the actions of applicants. Applicants and their associated institutions bear direct responsibility for ensuring compliance with the laws and regulations regarding Controlled Information, including but not limited to the [Defence Production Act](#), [Export Control Regulations](#), the [Controlled Goods Regulations](#) before, during or after the tenure of a grant, scholarship, fellowship, or award from NSERC.

What are Controlled Goods and Technology?

The Department of Foreign Affairs and International Trade Canada (DFAIT) is the only authority within Canada that can make a determination as to what is and what is not a controlled good.

Controlled goods and technology are listed within the Export Control List, published by the Department of International Trade Canada (ITC), including: (1) "**Group 2**" - automatic weapons, firearms, ammunition, components, projectors, bombs, planes, tanks, missiles, chemicals, explosives, and related equipment and accessories; (2) "**Group 5**" - global navigation satellite system, ground control stations, nuclear weapon design and testing equipment (section 5504); and (3) "**Group 6**" - missile technology.

Not only are the physical goods controlled, but also the technology that supports the goods, in other words, the technology required to develop, produce, or use a controlled good. For example, technical data, such as blueprints, formulas, engineering designs, or models, and technical assistance, such as instructions, training, and working knowledge related to controlled goods.

What does this mean?

Institutions must be registered under the Controlled Goods Program if they are in a position to examine, possess or transfer controlled goods and/or controlled technology. The most common reason for a university to register with the CGP is to meet contractual obligations with their industrial partners.

Once registered, a Designated Official must be proposed, and a security plan to protect goods and users must be implemented, as well as the development, implementation and maintenance of a record keeping mechanism. The Registered Person must provide training programs for officers, directors, employees and temporary workers and provide security briefings for visitors. There is also a requirement to report all security breaches to the CGP.

Currently, the University of Windsor is not registered under the Controlled Goods Program. If you anticipate utilizing a controlled good in your research application, please contact the Office of Research Services.

What are the implications for NSERC proposals?

The signatories on the application, including both the applicant and the institution, signify that both parties fully comply with the NSERC Policy Statement related to Controlled Goods and Technology. In addition, it confirms that the application does not contain any controlled information. This declaration ensures that NSERC can distribute proposals for external review while meeting their responsibilities under the Controlled Goods Program.

What is the impact on University of Windsor Grant Applications?

Applicants must review their proposals for content that is defined as Controlled Information, i.e. information related to Controlled Goods. If an applicant identifies text, pertaining to Controlled Goods or Information, within their application it must be reworded, thereby, effectively removing the controlled information from the application.

The Applicant must complete the University of Windsor's Research Grant Application Approval Form, including answering questions under "Regulatory Compliance". In addition, the Applicant, Co-applicant, Institutional Authorities (including Department Head, and Dean) must sign the "University of Windsor Research Proposal Signature Page", contained within the Research Grant Application Form, declaring the following:

- that the application is free of any information subject to restrictions or controls under the *Export and Import Permits Act* or its regulations, including the Export Control List;
- the application does not contain any information subject to restrictions or controls under the Canadian Controlled Goods Program in accordance with the *Defence Production Act* or the *Controlled Goods Regulations*;
- any subsequent documentation related to the application or required by NSERC, including progress and final reports, will not include information subject to restrictions or controls under

the *Export and Import Permits Act* or its regulations, the *Export Control Regulations* or the *Controlled Goods Regulations*; and

- in the case of applications or awards requiring site visits, the applicant and the institution must ensure that controlled information (subject to restrictions or controls under the *Export and Import Permits Act* or its regulations, the *Export Control Regulations* or the *Controlled Goods Regulations*) is not disclosed to site visitors.

For more information, please contact:

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