

§ 762.3

15 CFR Ch. VII (1-1-11 Edition)

(c) *Special recordkeeping requirement—*

(1) *Libya.* Persons in receipt of a specific license granted by the Department of the Treasury's Office of Foreign Assets Control (OFAC) for the export to Libya of any item subject to the EAR must maintain a record of those items transferred to Libya pursuant to such specific license and record when the items are consumed or destroyed in the normal course of their use in Libya, reexported to a third country not requiring further authorization from BIS, or returned to the United States. This requirement applies only to items subject to a license requirement under the EAR for export to Libya as of April 29, 2004. These records must include the following information:

- (i) Date of export or reexport and related details (including means of transport);
- (ii) Description of items (including ECCN) and value of items in U.S. Dollars;
- (iii) Description of proposed end-use and locations in Libya where items are intended to be used;
- (iv) Parties other than specific OFAC licensee who may be given temporary access to the items; and
- (v) Date of consumption or destruction, if the items are consumed or destroyed in the normal course of their use in Libya, or the date of reexport to a third country not requiring further authorization from BIS, or return to the United States.

(2) [Reserved]

[61 FR 12900, Mar. 25, 1996, as amended at 61 FR 27258, May 31, 1996; 61 FR 65466, Dec. 13, 1996; 64 FR 17974, Apr. 13, 1999; 65 FR 14860, Mar. 20, 2000; 65 FR 42573, July 10, 2000; 68 FR 16213, Apr. 3, 2003; 69 FR 23638, Apr. 29, 2004; 69 FR 46080, July 30, 2004; 71 FR 20887, Apr. 24, 2006; 73 FR 56970, Oct. 1, 2008; 73 FR 57510, Oct. 3, 2008; 75 FR 17054, Apr. 5, 2010]

§ 762.3 Records exempt from recordkeeping requirements.

(a) The following types of records have been determined to be exempt from the recordkeeping requirement procedures:

- (1) Export information page;
- (2) Special export file list;
- (3) Vessel log from freight forwarder;
- (4) Inspection certificate;
- (5) Warranty certificate;

- (6) Guarantee certificate;
  - (7) Packing material certificate;
  - (8) Goods quality certificate;
  - (9) Notification to customer of advance meeting;
  - (10) Letter of indemnity;
  - (11) Financial release form;
  - (12) Financial hold form;
  - (13) Export parts shipping problem form;
  - (14) Draft number log;
  - (15) Expense invoice mailing log;
  - (16) Financial status report;
  - (17) Bank release of guarantees;
  - (18) Cash sheet;
  - (19) Commission payment back-up;
  - (20) Commissions payable worksheet;
  - (21) Commissions payable control;
  - (22) Check request forms;
  - (23) Accounts receivable correction form;
  - (24) Check request register;
  - (25) Commission payment printout;
  - (26) Engineering fees invoice;
  - (27) Foreign tax receipt;
  - (28) Individual customer credit status;
  - (29) Request for export customers code forms;
  - (30) Acknowledgement for receipt of funds;
  - (31) Escalation development form;
  - (32) Summary quote;
  - (33) Purchase order review form;
  - (34) Proposal extensions;
  - (35) Financial proposal to export customers;
- and
- (36) Sales summaries.
- (b) [Reserved]

[61 FR 12900, Mar. 25, 1996, as amended at 62 FR 25469, May 9, 1997]

§ 762.4 Original records required.

The regulated person must maintain the original records in the form in which that person receives or creates them unless that person meets all of the conditions of § 762.5 of this part relating to reproduction of records. If the original record does not meet the standards of legibility and readability described in § 762.5 of this part and the regulated person intends to rely on that record to meet the recordkeeping requirements of the EAR, that person must retain the original record. With respect to documents that BIS issues