KRONSTEYN



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Kay Höft is a German lawyer advising internationally active companies, including medium-sized businesses and publicly listed corporations, on German, EU and international foreign trade and customs law. His clients include companies in the plant engineering and machinery manufacturing sectors, the technology industry and the defence industry. His practice focuses on export controls, sanctions and embargo law, and trade compliance – ranging from the legal structuring and safeguarding of international business relationships to the development and implementation of compliance systems and representation before regulatory authorities. He combines his legal expertise with a strong understanding of commercial and technical matters to develop practical, legally sound and economically viable solutions, even in complex cross-border situations.

Career

- Lecturer in Export Control and Foreign Trade Law at TANGENS Business Academy
- Independent Lawyer since 2012
- In-House Counsel
- Kiel University of Applied Sciences, Business Administration (M.A.)
- Regional Court of Lübeck (Second State Examination in Law, Ass. jur.)
- University of Bayreuth and University of Münster, specialising in Commercial Law (First State Examination in Law, Ref. jur.)

Recent Work

- Advised an industrial company on the dismantling and export of an entire steel plant to a third country, including goods classification, customs clearance and obtaining the necessary export licences.
- Successfully represented a manufacturer of pump and valve technology in proceedings concerning alleged violations of the German Foreign Trade and Payments Act (Section 18 AWG) and breaches of supervisory duties (Section 130 OWiG).
- Advised a pharmaceutical company on the continuation of its business operations in Russia in compliance with EU sanctions regulations, including assistance with licensing procedures before the German Federal Office for Economic Affairs and Export Control (BAFA) and the Federal Ministry for Economic Affairs and Climate Action (BMWK).
- Provided export control advice to an international telecommunications company on structuring cross-border cloud and Software-as-a-Service (SaaS) services, taking into account EU, US and Chinese export control regulations.
- Advised a software company on entering the defence industry, particularly regarding export control classification of goods and the applicability of the EU Artificial Intelligence Act (EU AI Act).
- Advised internationally active companies on establishing and reviewing internal export control and compliance systems and preparing for foreign trade compliance audits by regulatory authorities.

Publications

- Höft/Meixner, Export Controls and Artificial Intelligence – Regulatory Control Requirements in the Digital Transformation (German: Exportkontrolle und Künstliche Intelligenz – Kontrollbedürfnisse in der digitalen Transformation), in: Zeitschrift für das Recht der Außenwirtschaft, Sanktionen und Auslandsinvestitionen (ZASA) 2025, pp. 531 et seq.
- Höft, Commentary on §§ 1, 44–48, 52a, 52b and 53 of the German Foreign Trade and Payments Ordinance (AWV), in: Sachs/Pelz (eds.), Außenwirtschaftsrecht, Heidelberger Kommentar, 3rd ed. 2024.
- Höft, The Draft of a New Export Control Law of the People's Republic of China (German: Der Entwurf eines neuen Exportkontrollgesetzes der VR China), in: Praxishandbuch Export- und Zollmanagement, 66th supplementary edition 2019.
- Höft, Export Controls Made in China – A Comparative Legal Overview of the Draft Export Control Law of the People's Republic of China (German: Exportkontrolle made in China – Der Entwurf des neuen Exportkontrollgesetzes der Volksrepublik China im rechtsvergleichenden Überblick), in: Außenwirtschaftliche Praxis (AW-Prax) 2018, pp. 445 et seq.
- Höft, The Draft of a New Export Control Law of the People's Republic of China in the Context of US, EU and German Foreign Trade Law – Practical Implications for Supply Chains (German: Der Entwurf eines neuen Exportkontrollgesetzes der VR China im Kontext des Außenwirtschaftsrechts der USA, EU und Deutschlands – Praktische Erwartungen für die Lieferkette), in: Zeitschrift für Chinesisches Recht (ZChinR) 2018, pp. 102 et seq.
- Höft/Kreuzer, The 2017 Dual-Use Reform – Legal Certainty Comes First (German: Die Dual-Use-Reform 2017 – Rechtssicherheit geht vor), in: Recht der internationalen Wirtschaft (RIW) 2017, pp. 137 et seq.
- Höft/Kreuzer, Technical Assistance in Communications Intelligence – Expansion of Control List Entries and Introduction of New Licensing and Notification Requirements under the German Foreign Trade and Payments Ordinance (German: Technische Unterstützung in der Kommunikationsaufklärung – Erweiterung der Kontrollpositionen und Einführung neuer Genehmigungs- und Unterrichtungspflichten in der AWV), in: Recht der internationalen Wirtschaft (RIW) 2015, pp. 587 et seq.
- Höft, Expanded Export Controls – “Technical Assistance” in Communications Intelligence (German: Erweiterte Exportkontrolle – „Technische Unterstützung“ in der Kommunikationsaufklärung), in: Betriebs-Berater Standpunkte (BB-Standpunkte), 10 August 2015.
- Höft, Integration of Risk Management and Compliance in Medium-Sized Corporate Groups – Model and Application in a Qualitative Study (German: Verknüpfung von Risikomanagement und Compliance im mittelständischen Konzernunternehmen – Modell und Anwendung im Rahmen einer qualitativen Untersuchung), 1st ed., Hamburg 2011.