

# Sanctions and Export Controls Procedure

## 1 Purpose

To outline the University's roles and responsibilities with regard to complying with Autonomous Sanctions and Export Controls laws.

## 2 Scope

This procedure applies to all University Members and Students and should be read in conjunction with the University's National Security Policy, National Security Procedure, Enterprise Risk Management Policy, and Enterprise Risk Management Procedure.

## 3 Procedure Overview

This procedure outlines the key actions that are applied across the University to maintain compliance with Autonomous Sanctions and Export Controls legislation. Non-compliance with Autonomous Sanctions and Export Controls legislation may result in serious penalties for the University and individuals.

## 4 Procedures

Export Controls refers to the control of the supply, export, publication or brokering of military and dual-use goods and technology. Sanctions may restrict or prevent dealings with certain persons, entities or countries, goods or services in accordance with Australia's system of Export Controls, a legislative framework that includes the:

- *Autonomous Sanctions Act 2011;*
- *Charter of the United Nations Act 1945;*
- *Customs Act 1901;*
- *Customs (Prohibited Exports) Regulations 1958;*
- *Defence Trade Controls Act 2012;* and
- *Weapons of Mass Destruction (Prevention and Proliferation) Act 1995.*

## 4.1 Sanctions

Sanctions impose restrictions on activities that relate to particular goods and services, persons, entities or countries. Sanctions may impact the University's activities in several areas, including, but not limited to:

- Restrictions on trade in Goods and/or Services, including:
  - Persons from Sanctions Regimes (including Australian Citizens and Permanent Residents where the person's original nationality is from a sanctioned location) undertaking a significant Research project, engaging in certain commercial activities, or working in a lab with sanctioned goods and/or equipment (including Students, Employees and visitors);
  - Formal or informal Research collaborations (whether funded or not) with academics or organisations, if the academics or organisations are subject to international sanctions; and
  - Technology or material transfers to Sanctions Regimes or individuals.
- Restrictions on commercial activities and targeted financial sanctions, including:
  - Consultancies or private practice for, or with, Sanctions Regimes or individuals.
  - Directly or indirectly making an Asset available to (or for the benefit of) a person or entity.
  - Travel bans prohibiting the entry into, or transit through Australia, of Designated Persons.

The Sanctions Regimes implemented under Autonomous Sanctions laws are regulated by the Department of Foreign Affairs and Trade (DFAT).

### 4.1.1 Risk assessment and consultation

The University has implemented a risk assessment instrument (the Sanctions Compliance Form) to identify sanctions related risks, suitable risk mitigation strategies, and to support decision making early in the process where Autonomous Sanctions laws may apply.

Within the international admissions application process, applicants will be broadly assessed in line with the sanctions set out at a country level focussing on country of origin as outlined in the United Nations Security Council (UNSC) and Autonomous Sanctions lists. Prior to their engagement with the University, new Employees, visiting Researchers, visiting Students and Higher Degree by Research (HDR) candidates, who may be subject to Autonomous Sanctions (including Australian Citizens and Permanent Residents where the person's original nationality is from a sanctioned location) must complete a sanctions compliance assessment. The

Research Infrastructure team will monitor activities for compliance over time. Non-compliance will be reported to members of the University's executive and external agencies as appropriate.

Where a risk is identified that cannot be reasonably mitigated, as identified through the Sanctions Compliance Form: Appendix 1 Risk Matrix, the Research Infrastructure team will consult with the Australian Sanctions Office and will act based on the direction of DFAT. This may include the need to apply for a sanctions permit.

## 4.2 Export Controls

Australian Export Controls legislation regulates the export, supply, publication and brokering of Sensitive Research from Australia to a place outside Australia. Goods, software, or technology that is regulated when exported, supplied, brokered, or published as indicated by the Defence and Strategic Goods List (DSGL) are known as 'controlled' items. A guide for controlled items is available through the Australian Government Department of Defence's My Australian Defence Exports portal.

The DSGL specifies controlled items under two categories:

- Part 1- lists munitions (or military) items. These items are more tightly controlled.
- Part 2- lists dual-use items; that is, items that may be used for commercial purposes, but may be used in military systems or for weapons of mass destruction.

The DSGL controls are complex. The Department of Defence has created a self-help tool accessible via My Australian Defence Exports portal.

While University activities may not be specifically related to weapons or defence, they may involve Sensitive Research that requires a permit for export, supply, or publication from Australia to a place outside Australia. All Research Activities falling under the DSGL or Sensitive Technologies List are required to be declared to the Research Infrastructure team. A risk assessment should be undertaken using the Sanctions Compliance Form and provided to the Research Infrastructure team for review.

The Research Infrastructure team will undertake a review and determine whether a permit is required, prior to undertaking the work. All international collaborations involving such Research is to be disclosed to the Research Infrastructure team annually, or as circumstances change.

## 4.3 Research Collaborations

All University Members are required to notify the University of any future Research collaborations or arrangements via the University's Research information management system. Once this information is entered into the University's Research information management system, the Office of Research will assess potential collaborations based on the information provided. It is the responsibility of the University Member to ensure they have provided sufficient

information.

The Research Projects team will assess potential collaborations prior to progressing with a project application, consultancy, or contract to identify where potential Autonomous Sanctions or Export Controls may apply and where a risk assessment is required. This includes potential collaborations where:

- A Researcher is from a sanctioned country;
- Collaboration with a person or entity from a sanctioned country in an area relating to a sanctioned good, and where the Research is considered to be 'technical advice, assistance or training'; and/or
- Collaboration with a Designated Person or Designated Entity.

If the risk assessment identifies a greater than low risk, the Research Infrastructure team will seek advice from the relevant government agency before progressing.

Any significant proposed changes in the type of Research, goods involved in the Research, or the Research environment that may affect compliance, must be notified within the University's Research information management system for further review and consideration. This must be reported by the Employee or the adjunct/visitor's supervisor.

## 5 References

Nil.

## 6 Schedules

This procedure must be read in conjunction with its subordinate schedules as provided in the table below.

## 7 Procedure Information

<b>Accountable Officer</b>	Vice-Chancellor
<b>Responsible Officer</b>	Deputy Vice-Chancellor (Academic and Research)
<b>Policy Type</b>	University Procedure
<b>Policy Suite</b>	<a href="#">National Security Policy</a>
<b>Subordinate Schedules</b>	

<b>Approved Date</b>	24/4/2025
<b>Effective Date</b>	24/4/2025
<b>Review Date</b>	24/4/2030
<b>Relevant Legislation</b>	<a href="#"><i>Autonomous Sanctions Act 2011</i></a> <a href="#"><i>Autonomous Sanctions Regulations 2011</i></a> <a href="#"><i>Charter of the United Nations Act 1945</i></a> <a href="#"><i>Customs Act 1901</i></a> <a href="#"><i>Customs Amendment (Military End-Use) Act 2012</i></a> <a href="#"><i>Customs (Prohibited Exports) Regulations 1958</i></a> <a href="#"><i>Defence Trade Controls Act 2012</i></a> <a href="#"><i>Export Control Act 2020</i></a> <a href="#"><i>Weapons of Mass Destruction (Prevention and Proliferation) Act 1995</i></a>
<b>Policy Exceptions</b>	<a href="#">Policy Exceptions Register</a>
<b>Related Policies</b>	<a href="#">Code of Conduct Policy</a> <a href="#">Conflict of Interest Policy</a> <a href="#">Corrupt Conduct Reporting Policy</a> <a href="#">Enterprise Risk Management Policy</a> <a href="#">Recruitment, Selection and Appointment Policy</a> <a href="#">Research Code of Conduct Policy</a>
<b>Related Procedures</b>	<a href="#">Conflict of Interest Procedure</a> <a href="#">Corrupt Conduct Resolution Procedure</a> <a href="#">Enterprise Risk Management Procedure</a> <a href="#">National Security Procedure</a> <a href="#">Recruitment, Selection and Appointment Procedure</a> <a href="#">Visiting Academic, Adjunct and Honorary Titles Procedure</a>

<p><b>Related forms, publications and websites</b></p>	<p><a href="#">Australian Sanctions Office</a> (Australian Government Sanctions Regulator)</p> <p><a href="#">Consolidated List</a> (includes all persons and entities to which the <i>Charter of the United Nations Act 1945</i> and the <i>Autonomous Sanctions Act 2011</i> applies)</p> <p><a href="#">Countering Foreign Interference (UniSQ SharePoint page)</a></p> <p><a href="#">Defence and Strategic Goods List (DSGL)</a></p> <p><a href="#">My Australian Defence Exports portal</a></p> <p><a href="#">Sanctions Regimes</a> (under Autonomous Sanctions law)</p> <p><a href="#">Sanctions Compliance Form</a></p> <p><a href="#">United Nations Security Council</a></p> <p><a href="#">UniSQ Defence Export Controls</a></p> <p><a href="#">UniSQ Foreign Interactions in Research Due Diligence Checklist - First Pass</a></p> <p><a href="#">UniSQ Foreign Interactions Due Diligence Form - Second Pass</a></p>
<p><b>Definitions</b></p>	<p><b>Terms defined in the Definitions Dictionary</b></p> <p><a href="#">Asset(s)</a></p> <p>A resource (tangible or intangible) controlled by the University as a result of past events and from which future economic benefits are expected to flow. Assets may be donated to the University, acquired for consideration or subject to financing arrangements.</p> <p><a href="#">Autonomous Sanctions</a></p> <p>Sanctions as defined in the <i>Autonomous Sanctions Act 2011</i> , the <i>Defence Trade Controls Act 2012</i> , the <i>United Nations Act 1945</i> or the <i>Weapons of Mass Destruction (Prevention of Proliferation) Act 1995</i> and any other sanctions from time to time in force in accordance with the laws of the Commonwealth of Australia.</p> <p><a href="#">Employee</a></p> <p>A person employed by the University and whose conditions of employment are covered by the Enterprise Agreement and includes persons employed on a continuing, fixed term or casual basis. Employees also include senior Employees whose conditions of</p>

employment are covered by a written agreement or contract with the University.

### [Export Controls](#)

Export Controls refers to the control of the supply, export, publication or brokering of military and dual-use goods and technology. Australia's Export Controls include the physical export of controlled goods and technology from Australia; the intangible transfer (e.g., emails) of controlled technology from Australia to overseas; the publishing of controlled military technology; and the brokering of controlled military goods and technology. It also includes 'catch all' (or 'end-use') controls.

### [Goods and/or Services](#)

Goods and/or Services can be either produced by the University for which fees can be charged, or acquired by the University. Goods and/or Services produced are tangible and/or intangible products which are the outcome of human effort and/or knowledge that the University is either obliged to charge or has a right to charge a third party for the provision of these products. Goods and/or Services acquired are tangible and/or intangible products which are the outcome of human efforts and/or knowledge acquired to meet University needs. Goods and/or Services can be in the form of physical goods or intangible services.

### [Higher Degree by Research \(HDR\)](#)

A Research Doctorate or Research Masters program for which at least two-thirds of the Student load for the program is required as research work.

### [Research](#)

Research is the creation of new knowledge and/or the use of existing knowledge in a new and creative way to generate new concepts, methodologies, inventions and understandings. This could include the synthesis and analysis of previous research to the extent that it is new and creative.

### [Research Activities](#)

Refers to activities that result in the creation of new knowledge and/or the use of existing knowledge in a new and creative way so as to generate new concepts, methodologies and understandings. This could include synthesis and analysis of previous research to the extent that it leads to new and creative outcomes.

### Researcher

Any person/s involved in Research Activities at, or on behalf of the University. This includes, but is not limited to Employees, Students, visiting scholars, research partners, research affiliates, holders of Honorary or Adjunct positions.

### Sensitive Research

Sensitive Research involves goods, software or technology that is regulated when exported, supplied, brokered, or published as indicated by the Defence and Strategic Goods List (DSGL) and identified by the Australian Government Department of Defence. The Online DSGL Tool can be used to conduct text-based searches to identify any specific control items.

### Student

A person who is enrolled in a UniSQ Upskill Course or who is admitted to an Award Program or Non-Award Program offered by the University and is: currently enrolled in one or more Courses or study units; or not currently enrolled but is on an approved Leave of Absence or whose admission has not been cancelled.

### University

The term 'University' or 'UniSQ' means the University of Southern Queensland.

### University Members

Persons who include: Employees of the University whose conditions of employment are covered by the UniSQ Enterprise Agreement whether full time or fractional, continuing, fixed-term or casual, including senior Employees whose conditions of employment are covered by a written agreement or contract with the University; members of the University Council and University Committees; visiting, honorary and adjunct appointees; volunteers who contribute to University activities or who act on behalf of the University; and individuals who are granted access to University facilities or who are engaged in providing services to the University, such as contractors or consultants, where applicable.

## **Definitions that relate to this procedure only**

### **Designated Entity**

An entity appearing on the Consolidated List, regularly updated by the Australian Sanctions Office, the Department of Foreign Affairs and

Trade (DFAT).

### **Designated Person**

A person appearing on the Consolidated List, regularly updated by the Australian Sanctions Office, the Department of Foreign Affairs and Trade (DFAT).

### **Sanctioned Service**

As defined within the respective Sanctions Regimes listed by DFAT at <https://www.dfat.gov.au/international-relations/security/sanctions/Pages/sanctions-regimes>

### **Sanctions Measures**

Each Sanctions Regime imposes Sanctions Measures, depending on the individual circumstances and objectives of the regime. Sanctions Measures can include:

- Restrictions on trade in goods and services
- Restrictions on engaging in commercial activities
- Targeted financial sanctions (including asset freezes) on designated persons and entities
- Travel bans on certain persons

Defined by the [Australian Sanctions Office](#)

### **Sanctions Regimes**

Australia implements two types of Sanctions: the United Nations Security Council Sanctions and the Australian Autonomous Sanction.

These two types of Sanctions impose what is referred to as a sanctions regime. Each Sanctions regime is usually described by reference to a country or to a group.

Defined by the [Australian Sanctions Office](#)

### **Keywords**

Foreign, International, Overseas, Collaboration, Partnership, Research, Arrangement, Interference, Influence, Defence, Australia, Country, Sovereign, Risk, Threat, Counter, Terrorism, Good, Service, Product, Dangerous, Strategic, DSGL, Regime, Autonomous

