

# Defence Export Controls Policy

## Section 1 - Policy Statement

(1) Export control laws regulate the export from Australia to a place outside Australia of defence and strategic goods, technology and software listed on the [Defence and Strategic Goods List \(DSGL\)](#). The University attaches a high priority to understanding and complying with all Australian export controls and export laws. The University will ensure that staff members, research students, or anyone who conducts research under the auspices of the University are aware of their obligations in accordance with the relevant legislation and as amended from time to time, and will comply with export controls.

### Policy Principles

#### Staff Member and Research Student Obligations

(2) It is the responsibility of staff members, research students and anyone undertaking research under the auspices of the University to ensure that they comply with the requirements of the [Defence Trade Controls Act 2012](#) and the [Customs Act 1901](#). In particular, staff members who work with DSGL goods and technology must actively recognise their compliance obligations.

(3) Compliance responsibility rests with the staff member.

(4) Staff members and Research Students must:

- a. determine whether or not their research falls within the scope of the [Defence Trade Controls Act 2012](#) or the [Customs Act 1901](#) using online or other Defence Export Control Office resources. Please note that certain exemptions may apply for the kinds of research conducted in the University; and
- b. advise the University's Export Controls Officer if their research falls within the scope of the [Defence Trade Controls Act 2012](#) or the [Customs Act 1901](#) and is not exempt, or if they have any doubt about the application of the Defence Export Control Office resources; and
- c. create and keep all required records of work with Dual-Use Goods and Technology, including work conducted under a permit.

#### University Obligations

(5) The University supports its staff members and research students to meet their compliance responsibilities by maintaining a compliance framework. This includes:

- a. appointing an [Export Controls Officer](#);
- b. communicating compliance obligations via a website and otherwise;
- c. supporting staff members and research students in the self-assessment of their research;
- d. keeping appropriate records of work relating to Dual-Use Goods and [DSGL](#), Technology; and
- e. liaising with the Defence Export Control Office when required, including requests for Permits.

## Section 2 - Non-Compliance

(6) Non-compliance with Governance Documents is considered a breach of the [Code of Conduct – Staff](#) or the [Code of Conduct – Students](#), as applicable, and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures outlined in the [Charles Darwin University and Union Enterprise Agreement 2022](#) and the [Code of Conduct – Students](#).

(7) Complaints may be raised in accordance with the [Code of Conduct – Staff](#) and [Code of Conduct - Students](#).

(8) All staff members have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the [Fraud and Corruption Control Policy](#) and [Whistleblower Reporting \(Improper Conduct\) Procedure](#).

## Section 3 - Explanatory Notes

(9) The [Defence Trade Controls Act 2012](#) is the legislative basis to regulate the intangible, or non-physical, supply and publication of DSSL technology as well as the export and brokering of DSSL goods and technologies. The [Customs Act 1901](#) regulates, among other things, trade in tangible DSSL military, defence and strategic goods, information and technology.

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	15th January 2022
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