

# UON AUSTRALIAN SANCTIONS ASSESSMENT



THE UNIVERSITY OF  
**NEWCASTLE**  
AUSTRALIA

The purpose of this form is to record the risk assessment in order to ensure compliance with the Charter of the United Nations (UN Sanction Enforcement Law) Declaration 2008, the Australian Autonomous Sanctions Act (Cth) 2011 and the Autonomous Sanctions Regulations (Cth) 2011. More information about autonomous sanctions is available from the Department of Foreign Affairs and Trade (DFAT) at [www.dfat.gov.au/un/unsc\\_sanctions/index.html](http://www.dfat.gov.au/un/unsc_sanctions/index.html).

This form should be completed for individuals who are from a sanctioned country and/or entity and who are not Australian citizens or Australian permanent residents.

## DETAILS OF PERSON / ENTITY CONCERNED

### Responsibility: Supervisor Initiator/Host

Family Name

Given Name/s

Staff or Student Number (if any)

Country of Passport & Australian Visa & Expiry Details

Proposed Study / Employment / Visit date/s

School / Faculty / Department / Host

Initiator Name

Phone Extension

Supervisor Name

Title

Head of School / Director

Name

Title

Initiator will complete Form 1: Sanctioned Country/Regime Assessment and determine which of the following need to be completed:

- Form 2: Risk Assessment by Supervisor
- Form 3: Connection with Iran / Syria / Russia
- Form 4: Declaration & Signature

## INITIATORS RECOMENDATION AND SIGNATURE

Do not proceed  Proceed  Requires Full Assessment

Name

Signature

Version: 31 August 2017

**FORM 1: Sactioned Countries / Regimes**

**Responsibility: Initiator or Supervisor**

**A. This arrangement/project involves a person/entity with close links to the following sanctioned country/regime:**

Note: if you entered North Korea above, please contact Governance Advisory Services – an assessment will need to be made based on current legislation. Due to lack of need a form has not been developed.

**B. Are there any matches on the consolidated list of designated persons and entities maintained by DFAT?**

<http://www.dfat.gov.au/sanctions/consolidated-list.html>

with regards to:

- person/s concerned
- sponsor/funding body
- the proposed recipient of information

**Yes**                       **No**

If matches are identified, please provide details. **This arrangement / enrolment must not proceed.**

C.(Only answer if IRAN was entered in question a above)

**Is it possible that the Applicant is acting on behalf of or at the direction of a 'specified entity' <https://www.dfat.gov.au/sanctions/sanctions-regimes/iran-specified-entities.html> (e.g. studied at a university or worked for an organisation which is on the list of specified entities)?**

**Yes**                       **No**

If matches are identified, please provide details. **This arrangement / enrolment must not proceed.**

**D. Is the field of enquiry within Science, Technology, Engineering or Medicine (STEM)?**

**Yes**                       **No**

If you answered **YES** to question **D** above, please pass Form 2 to the Supervisor for risk assessment

If you answered **NO** to questions **B, C and D** above, please resume with normal processing / assessment of this student / arrangement

If there is an Iranian or Syrian connection, make sure Form 3 is provided to the Supervisor

**Form 2: Risk Assessment by Supervisor**

**i. Title of Thesis / Role Description**

**ii. Statement of nature of role / research**

**iii. Detail of involvement of any external organisations (i.e funding, intellectual property, research collaboration, deliverables, etc)**

**i. In your view , is it possible that this arrangement / enrolment could involve or lead to the use of, development or maintenance of any of the following 'arms or related material':**

- Yes** (Please tick any of the options that apply below)       **No**
- Weapons, ammunition, military vehicles and equipment
  - Any spare parts or accessories for weapons, ammunition, military vehicles and equipment
  - Paramilitary or law enforcement equipment (e.g. body armour, anti-riot gear, restraints etc)
  - items with an application in nuclear, chemical or biological weapons programs or in the development of weapons delivery systems (such as missiles)
  - technical training, advice, services or assistance (including financing and financial assistance, investment, brokering or other services and transfer of financial resources or services) related to the supply, manufacture, maintenance or use of items mentioned above
  - chemical weapons precursors, dual use chemical manufacturing facilities and equipment and related technology and software
  - dual use biological equipment and related technology and software
  - biological agents, plant agents, and animal pathogens

**Form 3: Connection with Iran / Syria / Russia**

This arrangement/project involves a person/entity with close links to IRAN, SYRIA OR RUSSIA

In your view, is it possible that this arrangement/enrolment could provide training in or lead to improvements in the use, extraction, manufacture or maintenance of any of the following:

**Yes** (please tick any of the options that apply below)  **No**

- Uranium, nuclear material, heavy water or ballistic missiles
- Gold, precious metals, diamonds
- Crude oil, petroleum or petro-chemical products
- Equipment, technology or software for the monitoring or interception of internet or telephone communications
- Sensors and lasers
- Navigation and avionics
- Dual-use goods of utility in a nuclear program
- Construction or installation of new power plants for electricity
- Graphite, raw metals and semi-finished metals
- Key naval equipment and technology
- Software for integrating industrial processes
- Newly printed or unissued Iranian/Syrian bank notes or coinage
- Deep water, arctic, or shale oil exploration or production projects in Russia

**Please complete Form 4**

**Form 4: Declaration and Signature**

**Supervisor Declaration and Signature**

I declare that all information and assessments provided on or appended to this form are true and correct to the best of my information, knowledge and belief.

Note: If the response to the question in Forms 2 or 3 was 'Yes':

- a) A full assessment will be carried out
- b) You may need to provide further details
- c) The Initiator of this form will be in contact

**Name of Supervisor/Host**

**Title**

**Faculty / School**

**Signature**

**Date**

**Head of School / PVC- Declaration and Signature**

I declare that I am satisfied that this form was completed by the applicant's supervisor with due diligence and I have reviewed the information provided. I agree with the Supervisors responses to the questions asked.

- Do not proceed
- Proceed
- Requires full assessment

**Name**

**Title**

**Faculty / School**

**Signature**

**Date**

*The information collected on this form will be recorded in the University's Human Resource database (Alesco) and will be used by Human Resource Services to make an assessment based on the information contained within the form. For further details on this form or to update or correct your information, please contact Human Resource Services on 02 4033 9999. The University manages personal information in accordance with the Privacy and Personal Information Protection Act NSW 1998 and further information on privacy at UoN can be found in the University's [Privacy Management Plan](#).*

**General Information**

Sanctions are coercive or punitive measures imposed by governments as a means of influencing regimes to alter their behaviour. Australia imposes two main types of sanctions:

- Multilateral sanctions (based on resolutions made by the United Nations Security Council)
- Autonomous Australian sanctions

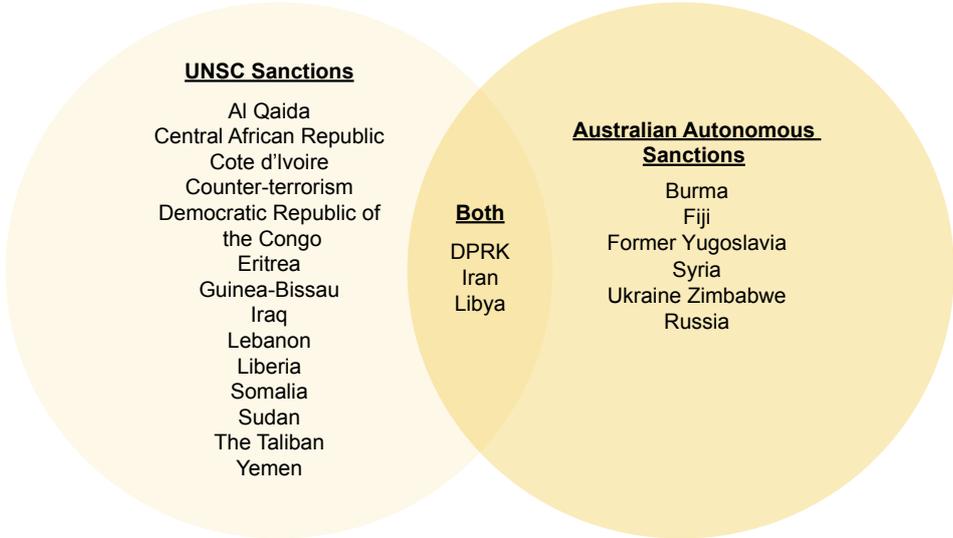
Sanctions impose restrictions on activities related to designated individuals and entities, with designated products, or in designated locations. A number of university activities may give rise to risks under sanctions laws.

The University and individual staff could be liable for breaching these sanctions if they are unable to demonstrate that they have taken 'reasonable precautions' and 'exercised due diligence' in the development and implementation of autonomous sanctions related policies, procedures and educational/training programs. These criminal law penalties (fines and gaol) are significant. 1

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1. For individuals there is a maximum of 10 years imprisonment or a maximum fine that is three times greater than the value of the transaction in breach of the sanction (if this can be calculated) or \$475,000. For corporations, the penalty is either \$1.7 million or three times the transaction value (whichever is higher).

**What Countries / Regimes?**



## Who initiates this form?

Identified Group	Initiator
<b>Research students</b> in areas of study that can be seen to be technical advice, assistance or training in a sanctioned good;	International Office
<b>Formal and informal research collaborations</b> with citizens from sanctioned countries in prohibited areas, ie sharing of information that can reasonably be considered to be providing technical advice, assistance or training; UoN Collaborator	UoN Collaborator
<b>Staff presentations at conferences in sanctioned countries</b> by individuals in certain identified fields of study;	Manager/Supervisor
<b>Staff travel to sanctioned countries</b> and sharing research and knowledge in certain identified fields of study;	Manager/Supervisor
<b>Providing instruction</b> in a less direct area of study that may be considered as technical advice, assistance or training in a sanctioned good relating to weapons of mass destruction;	Head of School
<b>The employment of individuals or engaging of volunteers</b> from sanctioned countries in certain identified fields of study or areas that have prohibited sharing of proscribed technical expertise;	School Admin staff/Supervisor/Human Resource Services
<b>Hosting visitors who have connections to sanctioned countries.</b>	UoN Host

Assessment Forms are to be used for the assessment of activities undertaken at:

- The University of Newcastle, Australia including the campuses at Callaghan, Newcastle City, Central Coast (Ourimbah), Port Macquarie, Singapore and Sydney; and
- University outreach centres located at Orange, Tamworth, Armidale, Taree and Moree.

A [Glossary](#) is attached.

## GLOSSARY

Different sanctions regimes impose different sanctions measures. The United Nations Act, the Autonomous Sanctions Act and the Autonomous Sanctions Regulations use common terms to describe sanctions measures, including:

- Providing a 'sanctioned service';
- Dealing with a 'designated person or entity';
- Using or dealing with a 'controlled asset'; or
- The entry into or transit through Australia of a 'designated person' or a 'declared person'.

<b>Arms or Arms Related Material</b>	Weapons, ammunition, military vehicles and equipment, spare parts or accessories, and paramilitary equipment.
<b>Asset</b>	Includes an asset or property of any kind, whether tangible or intangible, movable or immovable.
<b>Basic Scientific Research</b>	Experimental or theoretical work undertaken principally to acquire new knowledge of the fundamental principles of phenomena or observable facts, not primarily directed towards a specific practical aim or objective. DFAT considers training that constitutes 'basic scientific research' to be insufficiently specialised to constitute technical training
<b>Consolidated List</b>	A list of all persons and entities subject to targeted financial sanctions or travel bans under Australian sanction laws. The list is maintained by DFAT.
<b>Controlled Asset</b>	An asset owned or controlled by a designated person or entity.
<b>Designated Person or Entity</b>	Persons who or entities which have been designated (by the Minister) for the purposes of sanctions regimes implemented under Australian sanction laws. Under Regulation 6 the Minister may: <ul style="list-style-type: none"> <li>a) Designate a person or entity mentioned in an item of the table in as a designated person or entity for the country mentioned in the item;</li> <li>b) Designate a person or entity as a designated person or entity if the Minister is satisfied that the person or entity is contributing to the proliferation of weapons of mass destruction.</li> </ul>
<b>Declared Person</b>	A person who is declared by the Minister for the purpose of preventing the person from travelling to, entering or remaining in Australia if the Minister is satisfied that the person is contributing to the proliferation of weapons of mass destruction.
<b>Export Sanctioned Goods</b>	Any goods listed as being sanctioned for a nominated sanctioned country, which means it is prohibited to provide services such as education or training in the manufacture, maintenance or use of the listed good.
<b>Sanctioned Country or Regime</b>	A country or regime that is subject to sanctions imposed under the Charter of the United Nations Act or the Autonomous Sanctions Act.
<b>Sanctioned Service</b>	Includes the provision to a person of technical advice, assistance or training .... if it assists with, or is provided in relation to, a sanctioned supply.
<b>Specified Entities</b>	Entities specified by the Minister either because they have links to Iran's prohibited activities, or because they operate in sectors of Iran's economy that the UNSC has identified as having the potential to contribute to Iran's prohibited activities.
<b>Visitor</b>	A person hosted at a University of Newcastle campus from another Australian or international university, or another level of education, research organisation or industry to undertake one of the following activities: research; delivering workshops; presenting lectures; participating in a conference; sharing knowledge and information; attending meetings; observing University activities; providing consultancy services.
<b>Weapons of Mass Destruction (WMD) Program</b>	A plan or program for the development, production, acquisition or stockpiling of nuclear, biological or chemical weapons or missiles capable of delivering such weapons.