International Sanctions Compliance Policy

Section 1 - Introduction

(1) International sanctions are non-military measures imposed by Australia on other countries in situations of international concern. Sanctions aim to limit adverse consequences of the situation, influence behaviour and penalise those responsible.

(2) There are two sanctions regimes implemented in Australia – the United Nations Security Council (UNSC) sanctions and the Australian Autonomous Sanctions (please see Department of Foreign Affairs and Trade – Australia and Sanctions). These are given effect through various laws that prohibit, amongst other things:

a. dealing with 'designated persons or entities' on the consolidated list;
b. supplying export-sanctioned goods and services to sanctioned countries; and
c. providing technical advice, assistance or training that assists with the manufacture or use of 'export sanctioned goods' in a sanctioned country or on behalf of a person or entity in the sanctioned country.

(3) The University of Newcastle (University) is committed to complying with the requirements of these sanctions regimes.

Section 2 - Scope

(4) This policy applies to University functions that must comply with the Autonomous Sanctions Act 2011 (Cth) and subordinate legislative instruments.

Section 3 - Policy Principles

(5) The University will exercise due diligence to avoid contravening a sanctions measure or a condition of a sanctions permit.

(6) The University will apply a risk-based approach to compliance with Australian Sanctions Laws. The University will consult the Department of Foreign Affairs and Trade (DFAT) as necessary prior to taking actions that may be subject to a sanction regime.

(7) Where DFAT advice indicates the action may breach an Australian Sanctions Law, the University will seek a sanctions permit for the action if electing to proceed.

(8) The University will not, unless authorised to do so by a sanctions permit:

a. deal with 'designated persons or entities' under Australian Sanctions Laws;
b. supply export-sanctioned goods; or
c. provide sanctioned services.

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Section 4 - Responsibilities

Divisional Heads

(9) Divisional Heads will ensure that procedures are developed and implemented, consistent with the principles above for:

a. enrolling and admitting students;
b. employing staff and procurement of contractors;
c. hosting visitors to the University;
d. entering agreements (including international partnerships);
e. academic collaboration (including knowledge-sharing);
f. applying for research funding; and
g. any other area the Vice-Chancellor deems appropriate.

Responsibilities of all University Staff

(10) All University staff are responsible for complying with Australian Sanctions Laws, in accordance with procedures under this policy.

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Status and Details

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Enquiries Contact	Jodie Marquez Director, Research Ethics & Integrity Research Ethics and Integrity Unit

Glossary Terms and Definitions

"University" - The University of Newcastle, a body corporate established under sections 4 and 5 of the University of Newcastle Act 1989.

"Risk" - Effect of uncertainty on objectives. Note: An effect is a deviation from the expected, whether it is positive and/or negative.

"Law" - All applicable statutes, regulations, by-laws, ordinances or subordinate legislation in force from time to time anywhere in Australia, whether made by the Commonwealth, a State, a Territory or a local government and, where the context permits, includes the common law and equity.

"Student" - A person formally enrolled in a course or active in a program offered by the University or affiliated entity.

"Research" - As defined in the Australian Code for the Responsible Conduct of Research, or any replacing Code or document.

"Staff" - Means a person who was at the relevant time employed by the University and includes professional and academic staff of the University, by contract or ongoing, as well as conjoint staff but does not include visitors to the University.

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