

## Sanctions Compliance Policy

<b>Approving authority</b>	University Council
<b>Approval date</b>	14 October 2019 (5/2019 meeting)
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<b>Next scheduled review</b>	2022
<b>Document URL</b>	<a href="https://policies.griffith.edu.au/pdf/Sanctions%20Compliance%20Policy.pdf">https://policies.griffith.edu.au/pdf/Sanctions Compliance Policy.pdf</a>
<b>Document number</b>	2019/0000119
<b>Description</b>	<p>Australia's international sanctions response imposes a complex matrix of restrictions upon the supply of a range of goods and services (including the supply of training and technology) to specific individuals, organisations, foreign nations and their citizenry. Sanctions will apply to a range of activities of the university such as:</p> <ul style="list-style-type: none"> <li>• approving research projects or changes to research projects undertaken by international students, including enrolment of international student in any post-graduate research program or course;</li> <li>• approving research projects or changes to research projects to be undertaken by visiting academics who are not Australian citizens and may be subject to international sanctions;</li> <li>• undertaking formal or informal research collaborations with academics or organisations that are not Australian citizens and may be subject to international sanctions;</li> <li>• approving changes to research projects undertaken by international students, or by Griffith academics or visiting academics who are not Australian citizens;</li> <li>• accepting visiting researchers and academics from sanctioned countries or from any other country;</li> <li>• initiating formal or informal research collaborations (whether funded or not) with organisations or academics from overseas;</li> <li>• submitting academic publications;</li> <li>• technology or material transfers to sanctioned countries or individuals; and</li> <li>• undertaking consultancies or engaging in private practice for or with sanctioned countries or individuals.</li> </ul> <p>This policy covers University compliance with Australian Sanctions and will assist in ensuring the University takes reasonable precautions, and exercises due diligence, to avoid contravening Australian Sanctions Laws.</p> <p>This policy must be read in conjunction with any procedures which support this policy.</p>

### Related documents

[Higher Degree Research Policy](#)

[Register of Compliance Obligations](#)

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## [Risk Policy](#)

[Process for managing assessment of HDR and other research program applications in conformity with Sanctions Compliance Policy international sanctions and controls](#)

#Sanctions Compliance Form# (as the document is from time to time approved by the Deputy Vice Chancellor (Research)) [Contact Legal Services for a copy of the Form]

At Risk Elements List (as that document is from time to time approved by the Deputy Vice Chancellor (Research)) [Contact Legal Services for a copy of the List]

### **External Links**

[Autonomous Sanctions Act 2011](#)

[Defence and Strategic Goods List](#)

[Defence Trade Controls Act 2012](#)

[Charter of the United Nations Act 1945](#)

[Education Services for Overseas Students Act 2000](#)

[Weapons of Mass Destruction \(Prevention of Proliferation\) Act 1995](#)

[Consolidated List kept by DFAT](#)

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## **1. GENERAL PRINCIPLES**

### **1.1 Reasonable Precautions and Due Diligence**

The University will take reasonable precautions, and exercise due diligence, to avoid contravening an Australian Sanction and will apply a risk-based approach to compliance. In particular:

- (a) the University will either consult DFAT about any proposed high-risk action prior to taking the action or will decline to take the action. Where DFAT advice indicates the action may breach an Australian Sanction, the University will either seek a sanctions permit for the action or decline to take the action;
- (b) the University will not deal with 'designated persons or entities' unless authorised to do so by a sanctions permit;
- (c) the University will not supply export-sanctioned goods, unless authorised to do so by a sanctions permit; and
- (d) the University will not provide a sanctioned service, unless authorised to do so by a sanctions permit.

### **1.2 General Responsibility**

All University staff are responsible for complying with Australian Sanctions in the conduct of their university activities. All staff must exercise appropriate due diligence when considering any matter subject to their authority or care that may fall within the scope of this Policy.

## **2. CORNERSTONES OF COMPLIANCE**

### **2.1 Compliance Tools and Resources**

The Deputy Vice Chancellor (Research) will cause to be kept and updated:

- (a) the [Sanctions Portal](#): an intranet site available to staff which publishes information about international sanctions applicable to the University;
- (b) the Sanctions Compliance Form: a sanctions compliance form available to staff as a tool for assessing a range of university activities against current sanctions; and
- (c) the At Risk Elements List: a list of At Risk Elements the teaching, research and other activities of which might potentially involve a breach of sanctions.

## 2.2 Annual Assessment of At Risk Elements

Each Academic Group Pro Vice Chancellor will cause an annual internal assessment of research activity and research infrastructure within their Academic Group to determine whether or not there are areas of activity that might attract the application of Australian Sanctions. The Pro Vice Chancellor will:

- (a) initiate this review by sending the then current Sanctions Compliance Form to each Head of Element within the Academic Group requesting that the Sanctions Compliance Form be used as a guide to determine whether or not any activity, equipment, materials or research within the Element might make the Element's activities subject to Australian Sanctions. The Pro Vice Chancellor will request the Head of Element to complete the audit and provide a response outlining at risk elements and particulars of relevant activity, equipment, materials or research within the Element to the Pro Vice Chancellor within a stated time frame;
- (b) review the responses from each Head of Element, noting:
  - i. any Element that has become an At Risk Element (and why);
  - ii. any Element listed on the At Risk Elements List that has ceased to be an At Risk Element; and
  - iii. any Element in relation to which no response has been provided within the time frame, in which case the Element will be deemed to be one of the At Risk Elements; and
- (c) notify the Deputy Vice Chancellor (Research) of any changes required to the At Risk Elements List consequent upon this review.

The Deputy Vice Chancellor (Research) will then cause the At Risk Elements List to be updated to indicate designated At Risk Elements (and why the given Element has been designated) and will cause the updated version to be published on the Sanctions Portal.

## 2.3 Development of Procedures

Any staff member managing any routine matters subject to their authority that may be subject to Australian Sanctions are encouraged to develop documented procedures to ensure those matters are managed in a manner which does not breach Australian Sanctions and must notify any such documented procedures to the Deputy Vice Chancellor (Research).

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## ANNEXURE A: DEFINITIONS USED IN THIS POLICY

**"Academic Group"** means the highest level of academic organisational unit of the University as designated by the University from time to time, including each of the Offices of the Pro Vice Chancellor of:

- a) Arts, Education and Law;
- b) Business;
- c) Health; and
- d) Griffith Sciences.

**"At Risk Elements"** means an academic organisational unit of the University identified as such from time to time in the At Risk Element List.

**"At Risk Elements List"** means the then current list kept by the Deputy Vice Chancellor (Research) pursuant to section 2.1(c) of this Policy.

**"Australian Sanctions"** means *Autonomous Sanctions Act 2011*, the *Defence Trade Controls Act 2012*, the *United Nations Act 1945* or the *Weapons of Mass Destruction (Prevention of Proliferation) Act 1995* and any other sanctions from time to time in force in accordance with the laws of the Commonwealth of Australia ("Australian Sanctions").

**"Element"** means any school, faculty, or department within an Academic Group and includes all Griffith University Research Centres (as defined in Section 5.0 of the University's Research Centres Policy) and colleges, and any Administrative Office within an Administrative Division.

**“Head of Element”** means the relevant Head of School or, in the case of a research centre, the director of the research centre.

**“Sanctions Compliance Form”** means the form so called and made available through the Sanctions Portal by the Deputy Vice Chancellor (Research), as updated from time to time.

**“Sanctions Portal”** means the intranet site caused to be kept and kept up to date by the Deputy Vice Chancellor (Research) pursuant to section 2.1(a) of this Policy.