

Defence Export Controls Policy

POLICY STATEMENT

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

1. Staff Member and Research Student obligations

1.1. 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.

1.2. Compliance responsibility rests with the staff member.

1.3. Staff members and Research Students must:

- 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
- 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
- Create and keep all required records of work with Dual-Use Goods and Technology, including work conducted under a permit.

2. University obligations

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

- Appointing an **Export Controls Officer**;
- Communicating compliance obligations via a website and otherwise;
- Supporting staff members and research students in the self-assessment of their research;



- Keeping appropriate records of work relating to Dual-Use Goods and [DGSL](#), Technology; and
- Liaising with the Defence Export Control Office when required, including requests for Permits.

NON-COMPLIANCE

Non-compliance with Governance Documents is considered a breach of the [Code of Conduct](#) and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures

EXPLANATORY NOTES

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

RELATED AND SUPPORTING DOCUMENTS

Legislation	Customs Act 1901 (Commonwealth) Defence Trade Controls Act 2012 (Commonwealth) Defence and Strategic Goods List (Commonwealth)
Policy	Charles Darwin University and Union Enterprise Agreement Responsible Conduct of Research Policy
Procedures	Research Misconduct Allegation Procedures
Definitions	CDU Glossary

GOVERNANCE

Owner	Deputy Vice-Chancellor Research and Innovation	
Category	Academic	
Audience	Staff and Students	
Approving authority	Vice-Chancellor	
Effective date	17 Nov 2020	
Review date	17 Nov 2023	
Version	2.00	Pol - 067
	Document history and version control maintained separately.	
Content enquiries	governance@cdu.edu.au	

DOCUMENT HISTORY AND VERSION CONTROL

Once printed, this Policy is considered an uncontrolled document. Only documents in the online Library are considered the most current version.



Version	Date Approved	Approved by	Brief Description
1.00	6 April 2016	Vice-Chancellor	<ul style="list-style-type: none">• Creation of original document and upload to CDU website.
1.01	15 Dec 2017	Governance	<ul style="list-style-type: none">• Conversion to new Governance template due to new University branding• Updated definition to staff member• Updated hyperlinks
2.00	17 Nov 2020	Vice-Chancellor	<ul style="list-style-type: none">• complete scheduled review of document• New format