International Security Sanctions and Compliance Policy

Section 1 - Purpose and Scope

Purpose

(1) The purpose of this Policy is to establish principles and process to ensure Southern Cross University complies with applicable sanctions laws.

Scope

(2) This Policy applies to all staff, students and applicants to SCU.

Section 2 - Definitions

(3) Designated Entities – means an entity appearing on the Consolidated List as amended by the Department of Foreign Affairs and Trade (DFAT) from time to time and accessible at Department of Foreign Affairs and Trade website.

(4) Designated Persons – means a person appearing on the Consolidated List as amended by the DFAT from time to time and accessible at Department of Foreign Affairs and Trade website.

(5) Sanctioned Country – means a country listed by the Department of Foreign Affairs and Trade.

(6) Sanctioned Services – as defined within the respective sanctions regimes listed by DFAT.

Section 3 - Policy Statement

(7) SCU will take reasonable precautions, and exercise due diligence, to avoid contravening Australia's applicable sanctions laws.

(8) Without a requisite permit provided by the Department of Foreign Affairs and Trade (DFAT), SCU staff will not:

a. provide Sanctioned Services;
b. undertake Sanctioned Supply;
c. deal with Designated Persons or Entities; and/or
d. undertake a financial transaction over $20,000 with Iran.

(9) Due to the complexity and potentially changing nature of the sanctions compliance environment, SCU has adopted a case-by-case compliance approach, based on risk-assessment conducted at the point of:

a. application to study for Higher Degree Research students;
b. early consideration of staff to foreign-person or staff to foreign-entity collaboration;
c. before financial transfers are accepted from Iran; and

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d. prior to undertaking international travel which may involve staff to foreign-person collaboration.

(10) Where a risk-assessment reveals the existence of sanctions compliance risk, staff must seek advice from Office of Research representatives and treat the risk as prescribed in the following procedures.

(11) Where a staff member would be prohibited from dealing with a person or entity under this Policy and sanctions laws, and they believe that the dealing would be in the public interest, they may apply to the Vice-Chancellor for permission to seek a sanctions permit from DFAT.

(12) Only where approved by the Vice-Chancellor under clause (11) may an SCU staff member seek a sanctions permit from DFAT. In such a case, the staff member must follow DFAT procedure and refrain from taking any action which may breach this Policy and sanctions laws until a sanctions permit has been approved and provided to SCU by DFAT.

Section 4 - Procedures

Higher Degrees by Research Applications for Enrolment

(13) Sanctions compliance must be assessed and approved before a Confirmation of Enrolment is issued for any and all Higher Degrees by Research (HDR) applicants.

(14) At the point of application to SCU, each HDR applicant must be screened using the United Nations Security Council and Australian Autonomous Sanctions Higher Degree Research Compliance Assessment Form to establish:

a. Temporary Visa Status;
b. Designated Persons and Entities status; and
c. Country of Origin status.

(15) Applicants who do not require a Temporary Visa to study with SCU have demonstrated inherent compliance with sanctions laws, do not represent a sanctions-compliance risk and therefore do not require further screening.

(16) Applicants who appear on the Consolidated List of Designated Persons will not be offered enrolment with SCU (unless a sanctions permit is sought and granted by DFAT in accordance with clauses (11) and (12)).

(17) Applicants whose country of origin is a Sanctioned Country represent a sanctions-compliance risk and must have their application referred for closer inspection by the Office of Research to determine whether the training they are seeking could constitute technical training under the provisions of the applicable sanctions regime.

a. In the case of clause (17), no offer will be made until the Senior Deputy Vice-Chancellor (or their nominee) is satisfied that sanctions compliance is assured and has approved the offer in writing.

Collaboration between SCU Researchers and Overseas Researchers

(18) Sanctions compliance must be assessed by individual staff and assured before SCU Academic - Foreign Academic collaboration is undertaken.

a. Office of Research representatives may be requested to assist in the assessment process.

(19) Before any person to person international collaboration is undertaken, SCU staff must:

a. search the Consolidated List for the name of all collaborating parties; and
b. establish the Country Of Origin of all collaborating parties.

(20) Staff must not collaborate with any person or entity that appears on the Consolidated List of designated persons and entities as this represents a sanctions law compliance breach (unless a sanctions permit is sought and granted by DFAT in accordance with clauses (11) and (12)).

(21) Potential collaboration with persons whose country of origin is a Sanctioned Country must be assessed by staff within the Office of Research to determine whether the collaboration could constitute technical training under the provisions of the applicable sanctions regime.

a. In the case of clause (21), no collaboration will be undertaken until the Senior Deputy Vice-Chancellor (or their nominee) is satisfied that sanctions compliance is assured and has approved the collaboration in writing.

Gifting or Transfer of Goods to an Overseas Recipient

(22) Sanctions compliance must be assessed by individual staff and assured before SCU goods are transferred to an overseas recipient.

Travel

(23) Refer to the Travel Policy.

Commercial Activities — International Collaborations

(24) SCU will not undertake commercial activities:

a. in Sanctioned Countries; or
b. with Designated Persons or Designated Entities.

Receipt of Fees

(25) Refer to the Fees, Charges and Sanctions Policy.

Section 5 - Guidelines

(26) Nil.

Status and Details

Status	Current
Effective Date	17th September 2014
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Expiry Date	Not Applicable
Responsible Executive	Mary Spongberg Senior Deputy Vice-Chancellor +61 7 55893361
Head of Work Unit	Mary Spongberg Senior Deputy Vice-Chancellor +61 7 55893361
Enquiries Contact	Office of the Senior Deputy Vice Chancellor

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