

'Defence Trade Controls Committee' - Membership and Terms of Reference

Section 1 - Establishment

(1) The Defence Trade Controls Committee was established in 2015 to ensure compliance with the [Defence Trade Controls Act \(2012\)](#) as amended, and associated Regulations, and will report to the Deputy Vice-Chancellor (Research).

Section 2 - Glossary

(2) For the purpose of this document:

- a. Committee - means the Defence Trade Controls Committee.
- b. The University - means Charles Sturt University.

Section 3 - Membership

(3) Expert members only, nominated by the Deputy Vice-Chancellor (Research) and in accordance with the requirements of the amended [Defence Trade Controls Act 2012](#).

(4) The committee shall comprise a minimum of six experts, including at least one member with skills and experience in each of the following fields:

- a. biological sciences,
- b. chemical sciences,
- c. information and communication technologies,
- d. other physical sciences/engineering,
- e. research management, and
- f. at least one person who has no ongoing, substantive association (including personal, pecuniary or research interests) with matters likely to be considered by the Defence Trade Controls Committee.

(5) The presiding officer shall be drawn from one of the members identified in clause 4.

(6) Membership should strive to achieve a balance of expertise and genders.

Term of office

(7) The term of appointment for members of the committee shall be three years.

Appointment of members

(8) Appointment to the committee must be approved by the Deputy Vice-Chancellor (Research) following consultation

with the presiding officer.

(9) Re-appointment is by approval from the Deputy Vice-Chancellor (Research).

Presiding officer and deputy presiding officer

(10) The presiding officer is appointed by the Deputy Vice-Chancellor (Research).

(11) The deputy presiding officer is elected by the committee at its first meeting of the new term of office.

Executive of the Defence Trade Controls Committee

(12) The committee will appoint an executive, including the presiding officer and at least two members from those listed at clause 4.

(13) The executive of the Defence Trade Controls Committee will be appointed by the committee at its first meeting of the new term of office and then reviewed as required.

Section 4 - Functions and responsibilities

(14) The powers and responsibilities of the committee are to:

- a. assist the Deputy Vice-Chancellor (Research) in the development and delivery of educational programs to generate appropriate levels of understanding amongst all staff, students and visitors about materials, technologies and services used in teaching or research within Charles Sturt University, that have the capacity to be exported in contravention of the [Defence Trade Controls Act 2012](#),
- b. work with the Deputy Vice-Chancellor (Research) to develop and promulgate policies which minimise the risk to staff, students and visitors,
- c. create and recommend to the Deputy Vice-Chancellor (Research) a framework of procedures that will provide early identification of regulated work undertaken by staff, students and visitors, so that institutional and individual obligations can be enacted in a timely fashion,
- d. monitor the implementation of relevant policies and procedures as determined by the University,
- e. periodically conduct targeted audits of compliance with the University's policies and procedures relating to the [Defence Trade Controls Act 2012](#),
- f. keep a register of all applications, exempt dealings, notifications and approvals, and inspections and certifications of facilities,
- g. assist the University in ensuring that the committee is properly constituted and maintained,
- h. assist the University in preparing an Annual Report to the Regulator if and when required in the future,
- i. receive and respond to complaints and allegations of non-compliance raised by any person, and
- j. submit a written annual report on its activities to the Vice-Chancellor, via the Deputy Vice-Chancellor (Research).

Member responsibilities

Presiding officer

(15) The presiding officer of the Defence Trade Controls Committee is responsible for the leadership and operation of the committee, to ensure on behalf of the University, all those completing activities that fall under the purview of the [Defence Trade Controls Act](#) are aware of their compliance obligations.

(16) The presiding officer is required to adhere to the responsibilities, accountabilities and other details set out in

the [Accountability Statement - Presiding Officer, Defence Trade Controls Committee](#).

Deputy presiding officer

(17) The deputy presiding officer will act in the role of presiding officer in the absence of the presiding officer.

Executive of the Defence Trade Controls Committee

(18) The executive of the Defence Trade Controls Committee shall review proposals and applications that require a response between scheduled meetings of the committee.

(19) The executive may reserve the right to defer the discussion and approval of proposals or applications to the next meeting of the full committee.

Advisory role

(20) The committee shall advise staff and students of the University on compliance matters relating to the [Defence Trade Controls Act](#).

(21) The committee shall respond to enquiries received requesting expert advice on defence trade controls concerns and compliance, application processes and other related matters.

(22) The committee shall advise the Deputy Vice-Chancellor (Research) regarding the level of resourcing required by the committee.

Governance and administrative support

(23) The Research Integrity Unit, Office of the Deputy Vice-Chancellor (Research) will provide administrative and secretariat support to the committee, and can be called upon for protocol and procedural advice.

(24) A governance officer will be appointed to support the committee in the administration of its business, including the following responsibilities:

- a. being the first point of contact for applicants wishing to make application or liaise with the committee,
- b. ensuring that proposals are provided to the committee for consideration,
- c. ensuring that the decisions of the committee are conveyed to relevant parties in a timely manner,
- d. ensuring that committee records are maintained and made available for review by the University and authorised external reviewers,
- e. ensuring that the University submits the appropriate licence applications, renewals and reports as required and
- f. where requested by the committee, assist with arranging audits and inspections for committee members in accordance with the Defence Trade Controls Committee Audit Procedure.

(25) Decisions about allocation of committee tasks to the Governance officer(s) is the responsibility of the Manager, Research Integrity, who may seek advice from the presiding officer.

(26) Governance officer(s) who attend committee meetings have the right of audience and debate, particularly in relation to providing advice on procedural matters and corporate knowledge.

Section 5 - Meetings

Quorum

(27) A quorum is the majority of committee members present at the meeting.

(28) A quorum may be established through telephone or videoconference links.

(29) Only a quorate meeting of the committee shall consider and approve new applications, consider the variation or extension of existing projects or deliberate on other matters of relevant business. If matters on the agenda are urgent, then discussion may occur at the meeting, but the minutes must then be circulated to the remainder of the membership for their consideration and approval asynchronously.

(30) Members who are unable to attend meetings must send through their apologies and are encouraged to submit their comments on applications to the presiding officer before the meeting, for consideration during the meeting.

Meetings

(31) The committee will meet at least three times per calendar year, approximately once per trimester.

(32) At least one meeting each year should be scheduled face to face.

(33) A schedule of meeting dates and agenda closing dates is posted on the [Defence Trade Controls Committee website by the beginning of each academic year](#).

(34) In exceptional circumstances, the schedule of meetings may be altered by the presiding officer, in consultation with the governance officer.

(35) Applications are allocated to an agenda based on their submission date and agenda closing dates.

(36) Where an application requires a response before the next quarterly meeting, the application will be considered by the executive of the Defence Trade Controls Committee, either via teleconference or asynchronously where members shall, in writing, provide comments on applications and any approvals where possible.

(37) If required, the governance officer of the committee may, on behalf of the presiding officer, convene an extraordinary meeting of the committee to review urgent committee business.

(38) In those cases where an extraordinary meeting of the committee cannot be convened, the governance officer may circulate proposals and other items of business to the committee members who shall consider them asynchronously and, in writing, provide comments on applications and any approvals where possible.

Agendas and minutes

(39) Agendas are circulated to the committee one week before each scheduled meeting.

(40) Minutes of the committee meeting are circulated to members within two weeks following the meeting.

Related expenses

(41) External members may claim a meeting allowance in accordance with the [Compliance Committee Policy - External Members Allowance](#).

Conflicts of interest

(42) Where a member has a perceived or material conflict of interest, they must declare this to the presiding officer and at the committee meeting prior to discussion to the item of business.

(43) The presiding officer will determine if members with a conflict of interest will remain present for the discussion of the item but not take part in a decision, or if the member must withdraw from the meeting for the discussion of matters that relate to that conflict of interest. Once such members have withdrawn, the remaining members must still constitute a quorum.

Variations

(44) Variations to the terms of reference and/or membership of the committee must be approved by the Deputy Vice-Chancellor (Research).

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