

Defence Trade Controls Audit Procedure

Section 1 - Purpose

(1) This audit framework is structured to include multiple checkpoints for ensuring compliance of research activities with the [Defence Trade Controls Act 2012](#).

(2) This audit framework has been developed in line with the policies and procedures established by the National Security Compliance Committee to guide researchers and their supervisors in remaining compliant with the [Defence Trade Controls Act 2012](#).

Section 2 - Policy

(3) This procedure supports the [Research Policy](#) and should be read alongside that policy.

Section 3 - Procedures

Part A - Review of training completion

Requirement to complete training

(4) The [Defence Trade Controls Procedure](#) lists all staff required to complete the training specified by the National Security Compliance Committee (NSCC).

(5) It is the responsibility of all Heads of School, Research Institute Executive Directors and Centre Directors to monitor personnel within schools, institutes and centres who may be at risk of conducting activities that fall under the scope of the [Act](#) and direct them to complete the required training.

(6) It is the responsibility of the members of the NSCC to monitor personnel within their areas to identify any activities that fall under the scope of [the Act](#) and direct them to complete the required training.

(7) Personnel who request information from the NSCC will be referred to the following documents, available via the [Defence Trade Controls Committee website](#):

- a. Defence Export Control Compliance Checklist,
- b. [Defence Trade Controls Procedure](#), and
- c. Defence Trade Controls Act ELMO module.

(8) Annually, the NSCC will send a reminder to all heads of school, institute and centre directors of their responsibilities in ensuring compliance of all researchers under their purview with the [Act](#) and include a link to the [Defence Trade Controls Procedure](#).

Review procedure

(9) The NSCC will review completion of the required training module/s. Training completion reports will be a standing item in the agenda of each NSCC meeting and non-compliance discussed.

(10) The Research Integrity Unit (RIU) will generate a report containing:

- a. completion rates,
- b. the names of personnel who have completed the module, and
- c. the names and email addresses of personnel who are enrolled but not yet completed the module, and their manager's name and email address.

(11) The NSCC will report on the review of training completion in the quarterly compliance committee reports to the Audit and Risk Committee.

Part B - Audit of research projects

(12) The Research Integrity Unit will conduct an annual audit of approved research projects to ensure that research projects that fall under the scope of the [Act](#) have not been undertaken without a permit, for consideration by the National Security Compliance Committee (NSCC).

(13) The audit of approved projects should be conducted in the first half of each calendar year.

(14) A sample of research proposals approved in the previous calendar year will be provided to the NSCC members, as follows:

- a. The Research Integrity Unit will request from the Office of Research Services a list of all successful projects approved in the relevant calendar year. The RIU will select a random sample of 10% of these for review.
- b. The RIU will request from the Graduate Research Team a list of all HDR Student projects where candidature was confirmed. The RIU will select a random sample of 10% of these for review.
- c. The RIU will provide a random sample of 10% of the research proposals that were approved by each of the Research Integrity Committees between 1 January – 31 December of the previous year.

(15) The sample research proposals will be circulated to committee members who will evaluate them against regulatory requirements specifically noting if review was required, and if so, was the review obtained.

(16) The RIU will report the results of the audit to the NSCC and the Audit and Risk Committee.

(17) Failure to obtain the required approvals to conduct research or teaching are likely to require assessment under the [Research Integrity Complaints Management Procedure](#).

Part C - Non-compliance

Notification of non-compliance

(18) The National Security Compliance Committee (NSCC) chair will notify non-compliant staff and their line managers to inform them of the non-compliance and advise corrective actions.

(19) Incidences of non-compliance and corrective actions will be reported to staff line managers, the Deputy Vice-Chancellor and Vice-President (Research) and the Audit and Risk Committee as appropriate.

(20) Non-compliance may also require assessment under the [Research Integrity Complaints Management Procedure](#).

(21) The NSCC's chair will provide a recommendation that the Deputy Vice-Chancellor and Vice-President (Research) inform the relevant Commonwealth authorities of the non-compliance, as follows:

- a. The Department of Immigration and Border Protection will be notified in the event of a confirmed breach relating to physical exports of controlled goods.
- b. The Department of Foreign Affairs and Trade (DFAT) will be notified in the event of a confirmed unapproved export to a destination subject to Australia's autonomous sanctions.
- c. Defence Export Controls will be notified in the event of a confirmed breach relating to supply, publication or brokering of controlled technology or software.

(22) If the NSCC chair is unable to make a clear determination of whether a breach of export control regulations has occurred, the Deputy Vice-Chancellor and Vice-President (Research) will be notified of the situation and Defence Export Controls will be contacted for advice and guidance.

Section 4 - Guidelines

(23) Nil.

Section 5 - Glossary

(24) For the purpose of this framework:

- a. Act – means the [Defence Trade Controls Act 2012](#).
- b. Defence Export Controls (DEC) – means the Australian Government agency responsible for oversight and regulation of Australian defence export controls.
- c. ELMO module – means the Defence Trade Controls Act ELMO module, an online training package hosted by the University.
- d. Export control – means both the tangible export and intangible supply, publication or brokering of controlled goods or technology outside of Australia, as regulated under the [Customs Act 1901](#), the [Defence Trade Controls Act 2012](#), and other associated legislation and regulations.
- e. Researcher – means any staff member, person awarded honorary or academic status by the University, student or person otherwise associated with the University, who conducts research in the course of employment, study or a formal research affiliation with the University.

Status and Details

Status	Current
Effective Date	7th January 2025
Review Date	7th January 2030
Approval Authority	Deputy Vice-Chancellor (Research)
Approval Date	7th January 2025
Expiry Date	Not Applicable
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