USQ Ethics

Identifying your obligations under the Export Controls Act.

USQ requires that all research staff are aware of their obligations under the Export Controls Act and the Defence Export Controls. You may be involved in [1]Export, [2]Supply, [3]Brokering or [4]Publication.

Meeting the requirements of the Act and pursuant legislation and understanding your particular position can be as simple as filling in a short survey and checking your research outcomes under the Defence and Strategic Goods List (DSGL) to ensure your activities are not restricted.

To assist with recognising your responsibilities you should visit the Training pages on the Defence Export Control Office Website which includes 4 short "training and information" modules and a number of scenarios. These resources will assist your understanding of how the Export Controls Act impacts you and your research.

Remember that your research area could be listed on the Defence and Strategic Goods List (DSGL). To find out if your research area is listed, use the DSGL Search Tool; have a look on the site to ascertain whether your research area is listed, or not listed. Your research could involve **dual use** items, so be thorough.

Understanding your particular situation

The Online DSGL Tool consists of a 2 stage process. Firstly a "DSGL Search" and then an "Activity Questionnaire". You can find these both on the Defence Export Controls Office (DECO) Online DSGL Tool website.

1. DSGL Search Instructions:

a. Use the Online DSGL Tool to identify if your area of research is listed and has restrictions by clicking on the DSGL Search at the bottom of the page.

b. In the search field, nominate the research items that you are working with. Note: the Tool includes a useful example of what to do.

c. If there are items in the DSGL List there will be links to them and you can select the specific items to include in your DSGL items that show up in the box ion the right hand side of the screen.

d. Is your research area listed on the DSGL?

e. **If Yes** – Print and save the DSGL Items as per the description on the website ensuring that you enter in your Title and full name as the reference then you can move on to complete the Activity Questionnaire.
    If No - Complete the Activity Questionnaire,

2. Activity Questionnaire instructions:

a. Put your **title and full name** in the area provided for a reference number at the beginning of the [activity questionnaire](#). Follow the instructions and answer the questions in the survey. You will be provided with a result of either **Not Controlled** or **Controlled** and an option for "Save as a PDF".

b. Save your result in the form of a PDF and send the result to the USQ Defence Export Control email address: export.controls@usq.edu.au. This result will be stored in a database within the Office of Research for future reference.

c. If your activity questionnaire outcome is **Not Controlled** the Office of Research will acknowledge your submission of the questionnaire outcome and no further action is required.

d. If your survey outcome is **Controlled** the Office of Research will acknowledge your submission and be in contact with you to determine the next steps to ensure compliance with the Act is achieved. If your research is controlled it does not necessarily mean that you have broken any laws or that there is a problem; rather, it indicates that further discussions are required to ensure that your research can continue and be compliant with external legislative requirements with which you, as an individual, must comply. The Office of Research will maintain a list of all research that is classified as Controlled and provide support to researchers in relation to their obligations under the Act.

IMPORTANT: If your research activities change and you use research items not declared in this questionnaire, you will need to complete this process again.

3. Timelines

All USQ activities should be identified and compliant before 2 April 2016.

4. What happens if my research is listed on the DSGL or I am required to provide further information?

The Office of Research will work with you to ensure you are registered and any required licences are obtained. It is important to note that it is the individual, not the institution, who is accountable under the Act for non-compliance. The Office of Research will work with researchers to assist them in fulfilling their compliance obligations.

5. Training opportunities

The Office of Research has developed a website with information and training resources to assist researchers. Further training will be provided in early 2016. All researchers are encouraged to attend. In the meantime, please refer any questions or concerns to export.controls@usq.edu.au or contact Phil Eastment, Manager, Research Integrity & Ethics, x 2214.

6. Useful Links

- [USQ Defence Export Controls website](#)
- [Defence Export Controls Office (DECO)](#)
- [The Defence Trade Controls Act 2012](#)

- [Defence Trade Controls Amendment Bill 2015:](#)
- [Defence and Strategic Goods List Search Tool](#)
- [The Defence Export Controls Office (DECO) FAQ's](#)
- [NETU FAQ's](#)
- [USQ Export Controls Contact email](#)

1. Export - Typically tangible items are exported when sent overseas by ship, aircraft, post, courier, or as checked-in or hand-held luggage. It includes software and technology, such as diagrams and notes, that are sent overseas in a medium such as CD, DVD, USB, computer hard drive or on paper. Exports can be permanent (e.g. for sale to a foreign buyer), or temporary (e.g. for demonstration, exhibition, use at a conference or workshop, repair by the original equipment manufacturer, or for competition and sporting activities). ([More information](#))

2. Supply is the act of intangibly sending, communicating, or providing access to, technology to a person outside Australia. For example, a person who emails instructions on building a nuclear reactor to a person overseas is supplying technology. If the person provided access to a database that contained that same technology to that same person overseas, this is also supplying technology. ([More information](#))

3. Brokering is when a person acts as an agent or intermediary in arranging the supply of DSGL listed goods and technology between two or more places located outside Australia. For example, a person located in Australia who arranges for the sale of weapons from one country to another country, and receives a payment for this activity is brokering. Brokering does not include activities such as freight forwarding, providing financial services, insurance, reinsurance, promotion or advertising. ([More information](#))

4. Publication is the act of placing DSGL technology or software in the public domain. For example, a person who publishes academic research into kinetic energy weapon systems included in a scientific journal would be publishing. ([More information](#))