



Note No. 15/2008

The Permanent Mission of Australia to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 1540 and has the honour to refer to the Committee's note of 17 October 2007 (reference S/AC.44/2007/ODA.OC.4) regarding the draft matrix on national implementation of UN Security Council resolution 1540.

The Permanent Mission of Australia to the United Nations has the honour to convey the matrix on national implementation which has been approved by the Australian Government and has the further honour to confirm that the Australian Government has consented to have the enclosed matrix posted on the Committee's website as a public document.

The Permanent Mission of Australia to the United Nations avails itself of this opportunity to renew to the Security Council Committee established pursuant to resolution 1540 the assurances of its highest consideration.



NEW YORK

14 March 2008

OP 1 and related matters from OP 5, OP 6, OP 8 (a), (b), (c) and OP 10

State:
Date of Report:
Date of Addendum 1:

Australia
28 October 2004
08 November 2005

Did you make one of the following statements or is your country a State Party to or Member State of one of the following Conventions, Treaties and Arrangements ?	YES	if YES, indicate relevant information (i.e. signing, accession, ratification, entering into force, etc)	Remarks (information refers to the page of the English version of the report or an official web site)
1	X	Australia does not possess, nor seek to possess, weapons of mass destruction	
2	X	Australia is fully compliant with commitments under key multilateral non-proliferation treaties and disarmament conventions	
3	X	Does not provide any form of support to non-State actors	page 6 of the report
4	X	Deposit 05 October 1977	pages 2 and 13 of the report
5	X	Deposit 06 May 1994	http://disarmament.un.org:8080/TreatyStatus.nsf
6	X	Deposit 23 January 1973	
7	X	Deposit 09 July 1998	page 16 of the report http://disarmament.un.org:8080/TreatyStatus.nsf
8	X	Australia is in the final stages of action to ratify amendments to the CPPNM agreed in 2005.	page 6 of the report http://www.iaea.org/Publications/Documents/Conventions/cppn_status.pdf
9	X	Subscribed 25 November 2002	page 2 of the report
10	X	Deposit 24 May 1930	http://disarmament.un.org:8080/TreatyStatus.nsf
11	X	Since 1957	page 13 of the report
12	X	Treaty of Rarotonga, deposit 11 December 1986	http://disarmament.un.org:8080/TreatyStatus.nsf

13	Other Conventions/Treaties	X	<ol style="list-style-type: none"> 1. Convention on the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (SUA) (taking steps to ratify) 2. International Convention on the Suppression of Nuclear Terrorism (signed but not yet ratified) 3. Convention on the Marking of Plastic Explosives for the Purpose of Detection 4. International Convention for the Suppression of Terrorist Bombings (1997) 	page 19 of the report pages 7 and 8 of Addendum 1
14	Other Arrangements	X	<ol style="list-style-type: none"> 1. Nuclear Suppliers Group (NSG) 2. Australia Group (AG) 3. Missile Technology Control Regime (MTCR) 4. Wassenaar Arrangement (WA) 5. Zangger Committee (ZC) 6. Proliferation Security Initiative (PSI) 7. Global Initiative to Combat Nuclear Terrorism 	pages 2, 3, 13 and 19 of the report
15	Other	X	<ol style="list-style-type: none"> 1. World Customs Organization 2. Interpol 3. Customs Mutual Assistance Agreements (CMAA) have been concluded for the exchange of Customs information with 19 States 4. Australian Transaction Reports and Analysis Centre has concluded agreements for the exchange of financial transaction data with 49 States 5. Member of the ASEAN Regional Forum - the principal forum for security dialogue in Asia 	

OP 2 - Biological Weapons (BW)

State:
Date of Report:
Date of Addendum 1:

Australia
28 October 2004
08 November 2005

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized	National legal framework		Enforcement: civil/criminal penalties and		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	1. Crimes (Biological Weapons) Act 1976, Section 8 (1) 2. WMD Act s.11 3. Criminal Code s. 101.6, s. 102.7(with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	X	1. Crimes (Biological Weapons) Act 1976, Section 8 (2) 2. WMD Act s.11 3. Criminal Code s. 101.6, s. 102.7(with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	pages 7 and 8 of the report page 5 of Addendum 1
2 acquire	X	Crimes (Biological Weapons) Act 1976, Section 8 (1)	X	Crimes (Biological Weapons) Act 1976, Section 8 (2)	pages 7 and 8 of the report page 5 of Addendum 1
3 possess	X	Crimes (Biological Weapons) Act 1976, Section 8	X	Crimes (Biological Weapons) Act 1976, Section 8	page 8 of the report page 5 of Addendum 1
4 stockpile/store	X	1. Crimes (Biological Weapons) Act 1976, Section 8 (1) 2. WMD Act s.11 3. Criminal Code s. 101.6, (with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	X	1. Crimes (Biological Weapons) Act 1976, Section 8 (2) 2. WMD Act s.11 3. Criminal Code s. 101.6, (with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	page 7 of the report page 5 of Addendum 1
5 develop	X	Crimes (Biological Weapons) Act 1976, Section 8 (1)	X	Crimes (Biological Weapons) Act 1976, Section 8 (2)	page 7 of the report page 5 of Addendum 1
6 transport	X	1. Crimes Act 1914 2. WMD Act s.11 3. Criminal Code s. 101.6, s. 102.7(with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	X	Criminal Code, Chapter 4, Division 72.3 (1) and (2) 2. WMD Act s.11 3. Criminal Code s. 101.6, s. 102.7(with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	page 8 of the report

7	transfer	X	1. Crimes Act 1914 WMD Act s. 9, s. 10 3. Criminal Code s. 101.6, s. 102.7(with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent) 5. Customs Act 1901 6. Customs (Prohibited Exports) Regulations	X	1. Crimes Act 1914 WMD Act s. 9, s. 10 3. Criminal Code s. 101.6, s. 102.7(with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent) 5. Customs Act 1901 6. Customs (Prohibited Exports) Regulations	page 8 of the report
8	use	X	Crimes Act 1914	X	Criminal Code, Chapter 4, Division 72.3 (1) and (2)	page 8 of the report
9	participate as an accomplice in a.m. activities	X	1. Crimes Act 1914 Criminal Code s. 11.2 Criminal Code s. 11.2 (with terrorist intent) Criminal Code s. 11.2 (with insurgent intent)	X	1. Criminal Code, Chapter 2, Part 2.4, Division 11.2 Criminal Code s. 11.2 Criminal Code s. 11.2 (with terrorist intent) Criminal Code s 11.2 (with insurgent intent)	page 8 of the report
10	assist in a.m. activities	X	1. Crimes Act 1914 Criminal Code s. 11.2 Criminal Code s. 11.2 (with terrorist intent) Criminal Code s. 11.2 (with insurgent intent)	X	1. Criminal Code, Chapter 2, Part 2.4, Division 11.2 Criminal Code s. 11.2 Criminal Code s. 11.2 (with terrorist intent) Criminal Code s 11.2 (with insurgent intent)	page 8 of the report
11	finance a.m. activities	X	1. Criminal Code s.11.2 Criminal Code s. 102.6, s. 101.6 (with terrorist intent) Crimes (Foreign Incursions and Recruitment) Act s. 7	X	1. Criminal Code s.11.2 Criminal Code s. 102.6, s. 101.6 (with terrorist intent) Crimes (Foreign Incursions and Recruitment) Act s. 7	pages 8 and 12 of the report
12	a.m. activities related to means of delivery	X	1. Crimes (Biological Weapons) Act 1976, Section 8 (1) WMD Act s. 9, s. 10 3. Criminal Code s. 72.3, s. 101.6 (with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	X	1. Crimes (Biological Weapons) Act 1976, Section 8 (2) WMD Act s. 9, s. 10 3. Criminal Code s. 72.3, s. 101.6 (with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	page 5 of Addendum 1
13	involvement of non-State actors in a.m. activities	X	The legislative framework outlined in the foregoing items 1-12 applies to non-State actors.	X	Criminal Code Act 1995: Sections 5.3 and 100 to 103 Criminal Code Act 1995, Chapter 4, Division 72, 72.3	page 7 of the report page 6 of Addendum 1

14	Other	X	1. Extraterritorial applicability Crimes (Biological Weapons) Act, s. 5	2. X	Criminal Code, Chapter 2, Part 2.7, Division 15.1	page 7 of the report page 5 of Addendum1
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OP 2 - Chemical Weapons (CW)

State:
Date of Report:
Date of Addendum 1:

Australia
28 October 2004
08 November 2005

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	1. Chemical Weapons (Prohibition) Act, s. 12 2. WMD Act, s.11 3. Criminal Code s.101.6, s.102.7 (with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	X	1. Chemical Weapons (Prohibition) Act, s 12 2. WMD Act, s.11 3. Criminal Code s.101.6, s.102.7 (with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	page 8 of the report http://www.comlaw.gov.au/ComLaw/Legislation/ActCompilation1.nsf/all/search/370376D430A604B8CA2572BF0081E509
2 acquire	X	1. Chemical Weapons (Prohibition) Act, s.12 2. Criminal Code s. 101.6, s.102.7 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	X	1. Chemical Weapons (Prohibition) Act, s 12 2. Criminal Code s.101.6, s.102.7 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	pages 6 to 8 of the report
3 possess	X	1. Chemical Weapons (Prohibition) Act, s.12 2. Criminal Code s. 101.4 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s.7 (with insurgent intent)	X	1. Chemical Weapons (Prohibition) Act, s.12 2. Criminal Code s. 101.4 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s.7 (with insurgent intent)	page 8 of the report
4 stockpile/store	X	1. Chemical Weapons (Prohibition) Act, s.12 2.	X	1. Chemical Weapons (Prohibition) Act, s.12 2.	pages 6 and 7 of the report
5 develop	X	1. Chemical Weapons (Prohibition) Act, s.12 2. Criminal Code s. 101.6 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s.7	X	1. Chemical Weapons (Prohibition) Act, s.12 2. Criminal Code s. 101.6 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s.7	pages 6 and 7 of the report

6	transport	X	1. Crimes Act 1914 2. Chemical Weapons (Prohibition) Act, s. 12 3. WMD Act, s.11 4. Criminal Code s.101.6, s.102.7 (with terrorist intent) 5. Crimes (Foreign Incursions and recruitment) Act, s. 7 (with insurgent intent)	X	1. Crimes Act 1914 2. Chemical Weapons (Prohibition) Act, s. 12 3. WMD Act, s.11 4. Criminal Code s.101.6, s.102.7 (with terrorist intent) 5. Crimes (Foreign Incursions and recruitment) Act, s. 7 (with insurgent intent)	page 8 of the report
	transfer	X	1. Chemical Weapons (Prohibition) Act, s. 12 2. WMD Act, s.9, s.10 3. Criminal Code s.101.6, s.102.7 (with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	X	1. Chemical Weapons (Prohibition) Act, s. 12 2. WMD Act, s.9, s.10 3. Criminal Code s.101.6, s.102.7 (with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	pages 6 and 8 of the report
	use	X	1. Chemical Weapons (Prohibition) Act, s.12 2. Criminal Code s. 72.3, s.101.1 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s. 6 (with insurgent intent)	X	1. Chemical Weapons (Prohibition) Act, s.12 2. Criminal Code s. 72.3, s.101.1 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s. 6 (with insurgent intent)	pages 6 and 8 of the report
9	participate as an accomplice in a.m. activities		1. Crimes Act 1914 2. Criminal Code s. 11.2 3. Criminal Code s. 11.2 (with terrorist intent) 4. Criminal Code s. 11.2 (with insurgent intent)	X	1. Crimes Act 1914 2. Criminal Code s. 11.2 3. Criminal Code s. 11.2 (with terrorist intent) 4. Criminal Code s. 11.2 (with insurgent intent)	page 8 of the report
10	assist in a.m. activities	X	1. Chemical Weapons (Prohibition) Act, s.12 2. Criminal Code s. 11.2 3. Criminal Code s. 11.2 (with terrorist intent) 4. Criminal Code s. 11.2 (with insurgent intent)	X	1. Chemical Weapons (Prohibition) Act, s.12 2. Criminal Code s. 11.2 3. Criminal Code s. 11.2 (with terrorist intent) 4. Criminal Code s. 11.2 (with insurgent intent)	pages 6 to 8 of the report

11	finance a.m. activities	X	1. Chemical Weapons (Prohibition) Act, s. 12 2. Criminal Code, s.11.2 3. Criminal Code s.102.6, s.103.1, s. 103.2 (with terrorist intent) 4. Crimes (Foreign Incursions and recruitment) Act, s. 7 (with insurgent intent)	X	1. Chemical Weapons (Prohibition) Act, s. 12 2. Criminal Code, s.11.2 3. Criminal Code s.102.6, s.103.1, s. 103.2 (with terrorist intent) 4. Crimes (Foreign Incursions and recruitment) Act, s. 7 (with insurgent intent)	pages 8 and 12 of the report
12	a.m. activities related to means of delivery	X	1. Chemical Weapons (Prohibition) Act, s. 12 2. WMD Act s. 9, s. 10 3. Criminal Code s. 72.3, s. 101.6 (with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	X	1. Chemical Weapons (Prohibition) Act, s. 12 2. WMD Act s. 9, s. 10 3. Criminal Code s. 72.3, s. 101.6 (with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent)	
13	involvement of non-State actors in a.m. activities	X	The legislative framework outlined in the foregoing items 1-12 applies to non-State actors.	X	Criminal Code Act 1995, Chapter 5, Part 5.3 Division 101.4	page 7 of the report
14	Other	X	Chemical Weapons (Prohibition) Act 1994: extraterritorial applicability	X	Criminal Code, Chapter 2, Part 2.7, Division 15.1	pages 6 and 7 of the report page 5 of Addendum 1

OP 2 - Nuclear Weapons (NW)

State:
Date of Report:
Date of Addendum 1:

Australia
28 October 2004
08 November 2005

Does national legislation exist which prohibits persons or entities to engage in one of the following activities ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties and others		Remarks
	YES	if YES, indicate source document of national implementation law	YES	if YES, indicate source document	
1 manufacture/produce	X	1. Nuclear Non Proliferation (Safeguards) Act 2. WMD Act, s.11 3. Criminal Code s.101.6, s.102.7 (with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent) 5. South Pacific Nuclear Free Zone Treaty Act 1986, Section 9	X	1. Nuclear Non Proliferations (Safeguards) Act 2. WMD Act, s.11 3. Criminal Code s.101.6, s.102.7 (with terrorist intent) 4. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent) 5. South Pacific Nuclear Free Zone Treaty Act 1986, Section 16	page 3 of Addendum 1 page 8 of the report
2 acquire	X	1. Nuclear Non Proliferation (Safeguards) Act, s. 33, s. 34 2. Criminal Code s.101.4 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent) 4. South Pacific Nuclear Free Zone Treaty Act 1986, Section 8 (2)	X	1. Nuclear Non Proliferation (Safeguards) Act, s. 33, s. 34 2. Criminal Code s.101.6, s.102.7 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent) 4. South Pacific Nuclear Free Zone Treaty Act 1986, Section 16	page 3 of Addendum 1
3 possess	X	1. Nuclear Non Proliferation (Safeguards) Act, s. 23 2. Criminal Code s.101.4 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent) 4. South Pacific Nuclear Free Zone Treaty Act 1986, Section 10	X	1. Nuclear Non Proliferation (Safeguards) Act, s. 23 2. Criminal Code s.101.4 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent) 4. South Pacific Nuclear Free Zone Treaty Act 1986, Section 16	page 3 of Addendum 1
4 stockpile/store	X	1. WMD Act s.11 2. Criminal Code s. 101.6, (with terrorist	X	1. WMD Act s.11 2. Criminal Code s. 101.6, (with terrorist	page 3 of Addendum 1
5 develop	X	Nuclear Non Proliferation (Safeguards) Act 2.	X	South Pacific Nuclear Free Zone Treaty Act 1986, Section 16	page 3 of Addendum 1

6	transport	X	1. Nuclear Non Proliferation (Safeguards) Act, s. 34A 2. WMD Act, s.11 3. Criminal Code s.101.6, s. 102.7 (with terrorist intent) 4. Crimes (Foreign Incursions and recruitment) Act, s. 7 (with insurgent intent) 5. South Pacific Nuclear Free Zone Treaty Act 1986, Section 11	X	1. Nuclear Non Proliferation (Safeguards) Act, s. 34A 2. WMD Act, s.11 3. Criminal Code s.101.6, s. 102.7 (with terrorist intent) 4. Crimes (Foreign Incursions and recruitment) Act, s. 7 (with insurgent intent) 5. South Pacific Nuclear Free Zone Treaty Act 1986, Section 16	page 3 of Addendum 1
7	transfer	X	1. Crimes Act 1914 2. Nuclear Non Proliferation (Safeguards) Act, s. 34A 3. WMD Act, s.9, s.10 4. Criminal Code s.101.6, s. 102.7 (with terrorist intent) 5. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent) 6. Customs Act	X	1. Crimes Act 1914 2. Nuclear Non Proliferation (Safeguards) Act, s. 34A 3. WMD Act, s.9, s.10 4. Criminal Code s.101.6, s. 102.7 (with terrorist intent) 5. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent) 6. Customs Act	page 8 of the report
8	use	X	1. Nuclear Non Proliferation (Safeguards) Act, s. 35 2. Criminal Code s.72.3, s. 101.1 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s. 6 (with insurgent intent) 4. South Pacific Nuclear Free Zone Treaty Act 1986, Section 12	X	1. Nuclear Non Proliferation (Safeguards) Act, s. 35 2. Criminal Code s.72.3, s. 101.1 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s. 6 (with insurgent intent) 4. South Pacific Nuclear Free Zone Treaty Act 1986, Section 16	pages 3 and 4 of Addendum 1
9	participate as an accomplice in a.m. activities	X	1. Crimes Act 1914 2. Criminal Code s. 11.2 3. Criminal Code s. 11.2 (with terrorist intention) 4. Criminal Code s. 11.2 (with insurgent intent) 5. Customs Act	X	1. Crimes Act 1914 2. Criminal Code s. 11.2 3. Criminal Code s. 11.2 (with terrorist intention) 4. Criminal Code s. 11.2 (with insurgent intent) 5. Customs Act	page 8 of the report

10	assist in a.m. activities	X	1. Criminal Code s. 11.2 Criminal Code s. 11.2 (with terrorist intention) 3. Criminal Code s. 11.2 (with insurgent intent) 4. South Pacific Nuclear Free Zone Treaty Act 1986, Section 13: facilitate 5. Customs Act	X	1. Criminal Code s. 11.2 Criminal Code s. 11.2 (with terrorist intention) 3. Criminal Code s. 11.2 (with insurgent intent) 4. South Pacific Nuclear Free Zone Treaty Act 1986, Section 16 5. Customs Act	pages 3 and 4 of Addendum 1 page 8 of the report
11	finance a.m. activities	X	1. Criminal Code s. 11.2 Criminal Code s. 102.6, 103.1, 103.2 (with terrorist intention) 3. Crimes (Foreign Insurgency and Recruitment) Act, s. 7 (with insurgent intent)	X	1. Criminal Code s. 11.2 Criminal Code s. 102.6, 103.1, 103.2 (with terrorist intention) 3. Crimes (Foreign Insurgency and Recruitment) Act, s. 7 (with insurgent intent)	pages 8 and 12 of the report
12	a.m. activities related to means of delivery	X	1. WMD Act s. 9, s. 10 Criminal Code s. 72.3, s. 101.6 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent) 4. Customs Act	X	1. WMD Act s. 9, s. 10 Criminal Code s. 72.3, s. 101.6 (with terrorist intent) 3. Crimes (Foreign Incursions and Recruitment) Act, s. 7 (with insurgent intent) 4. Customs Act	
13	involvement of non-State actors in a.m. activities	X	The legislative framework outlined in the foregoing items 1-12 applies to non-State actors.	X	1. Criminal Code Act 1995, s.100-103 2. Customs Act	page 7 of the report
14	Other			X	Comprehensive Nuclear Test Ban Treaty (CTBT) Act 1998, Part 2, s. 8	page 4 of Addendum 1

OP 3 (a) and (b) - Account for/Secure/Physically protect BW including Related Materials

State:
Date of Report:
Date of Addendum 1:

Australia
28 October 2004
08 November 2005

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect BW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X	1. National Health Security (NHS) Act 2007 2. Gene Technology Act 2000	X	Crimes Act 1914	
2	Measures to account for use	X	1. National Health Security (NHS) Act 2007 2. Gene Technology Act 2000	X	Crimes Act 1914	
3	Measures to account for storage	X	1. National Health Security (NHS) Act 2007 2. Gene Technology Act 2000	X	Crimes Act 1914	
4	Measures to account for transport	X	1. National Health Security (NHS) Act 2007 2. Gene Technology Act 2000	X	Crimes Act 1914	
5	Other measures for accounting	X	National Health Security (NHS) Act 2007	X	Crimes Act 1914	
6	Measures to secure production	X	Gene Technology Act 2000	X	Criminal Code Act 1995, Chapter 2	page 9 of the report
7	Measures to secure use	X	1. National Health Security (NHS) Act 2007 2. Gene Technology Act 2000	X	1. Criminal Code Act 1995, Chapter 2 2. Crimes Act 1914	page 9 of the report
8	Measures to secure storage	X	National Health Security (NHS) Act 2007	X	Crimes Act 1914	
9	Measures to secure transport	X	1. Quarantine Act 1908 2. Gene Technology Act 2000 3. National Health Security (NHS) Act 2007	X	1. Quarantine Act 1908 Crimes Act 1914	2. page 9 of the report page 12 of Addendum 1
10	Other measures for securing	X	1. National Health Security (NHS) Act 2007 2. Quarantine Act 1908	X	1. Crimes Act 1914 Criminal Code Act 1995, Chapter 2	2.

11	Regulations for physical protection of facilities/materials/ transports	X	1. National Health Security (NHS) Act 2007 2. Gene Technology Act 2000	X	1. Crimes Act 1914 2. Gene Technology Act 2000	page 9 of the report page 12 of Addendum 1
12	Licensing/registration of facilities/persons handling biological materials	X	1. National Health Security (NHS) Act 2007 2. Chemical Weapons (Prohibitions) Act: Saxitoxin and Ricin 3. Quarantine Act 1908 4. Gene Technology Act 2000	X	1. Crimes Act 1914 2. Quarantine Act 1908 3. Gene Technology Act 2000	pages 8 and 9 of the report
13	Reliability check of personnel	X	National Health Security (NHS) Act 2007	X	Crimes Act 1914	
14	Measures to account for/secure/physically protect means of delivery	X	National Health Security (NHS) Act 2007	X	Crimes Act 1914	
15	Regulations for genetic engineering work	X	1. Gene Technology Act 2000 2. Gene Technology Regulations 2001	X	Gene Technology Act 2000	page 9 of the report page 12 of Addendum 1
16	Other legislation/ regulations related to safety and security of biological materials	X	1. National Health Security(NHS) Act 2007 2. Gene Technology Act 2000, s. 145	X	1. Crimes Act 1914 2. Criminal Code Act 1995, Chapter 2	
17	Other					

OP 3 (a) and (b) - Account for/Secure/Physically protect CW including Related Materials

State:
Date of Report:
Date of Addendum 1:

Australia
28 October 2004
08 November 2005

Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect CW and Related Materials? Can violators be penalized ?		National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X	1. Permit holders must annually report CWC scheduled chemicals 2. National Health Security (NHS) Act 2007	X	1. Chemical Weapons (Prohibition) Act, s. 77 and 78 2. Crimes Act 1914	page 8 of the report page 11 of Addendum 1
2	Measures to account for use	X	1. Permit holders must annually report CWC schedule 1 and 2 chemicals 2. National Health Security (NHS) Act 2007	X	1. Chemical Weapons (Prohibition) Act, s. 77 and 78 2. Crimes Act 1914	page 8 of the report page 11 of Addendum 1
3	Measures to account for storage	X	1. Permit holders must annually report CWC schedule 1 chemicals 2. National Health Security (NHS) Act 2007 3. Gene Technology Act 2000	X	1. Chemical Weapons (Prohibition) Act, s. 77 and 78 2. Crimes Act 1914	page 11 of Addendum 1
4	Measures to account for transport	X	1. National Health Security (NHS) Act 2007 2. Gene Technology Act	X	Crimes Act 1914	
5	Other measures for accounting	X	National Health Security (NHS) Act 2007	X	Crimes Act 1914	
	Measures to secure production	X	ASNO requires the importers and certain producers/users of CWC Scheduled chemicals to provide a security measures advice as part of their condition of permit.	X	Chemical Weapons (Prohibition) Act, s. 77	page 11 of Addendum 1

	Measures to secure use	X	1. ASNO requires the importers and certain producers/users of CWC Scheduled chemicals to provide a security measures advice as part of their condition of permit. 2. National Health Security (NHS) Act 2007	X	1. Chemical Weapons (Prohibition) Act, s. 77 Crimes Act 1914	2. page 11 of Addendum 1
	Measures to secure storage	X	1. ASNO requires the importers and certain producers/users of CWC Scheduled chemicals to provide a security measures advice as part of their condition of permit. 2. National Health Security (NHS) Act 2007	X	1. Chemical Weapons (Prohibition) Act, s. 77 Crimes Act 1914	2. page 11 of Addendum 1
9	Measures to secure transport					
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports			X	Gene Technology Act 2000	page 11 of Addendum 1
12	Licensing of chemical installations/entities/use of materials	X	Chemical Weapons (Prohibition) Act 1994	X	Statement of site security arrangement	page 7 of the report page 11 of Addendum 1
13	Reliability check of personnel					
14	Measures to account for/secure/ physically protect means of delivery					
15	National CWC authority	X	Australian Safeguards and Non-Proliferation Office (ASNO)	X	Australian Customs Service Australian Federal Police	page 5 of the report
16	Reporting Schedule I, II and III chemicals to OPCW	X	Makes declarations to the OPCW	X	Australian Safeguards and Non-Proliferation Office (ASNO)	page 13 of the report
17	Account for, secure or physically protect old chemical weapons	X	1. Australian Safeguards and Non-Proliferation Office (ASNO) 2. Chemical Weapons (Prohibition) Act, s. 13 and s. 14	X	Chemical Weapons (Prohibition) Act, s. 13, 14, 81.	
18	Other legislation/ regulations controlling chemical materials	X	Crimes Act 1914			
19	Other			X	Review of regulations on security sensitive chemicals	page 9 of the report

OP 3 (a) and (b) - Account for/Secure/Physically protect NW including Related Materials

State:
Date of Report:
Date of Addendum 1:

Australia
28 October 2004
08 November 2005

	Are any of the following measures, procedures or legislation in place to account for, secure or otherwise protect NW and Related Materials? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and others		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Measures to account for production	X		X	1. State system for accountancy and control 2. Nuclear Non-Proliferation (Safeguards) Act 1987, Part III	page 8 of the report pages 9 and 10 of Addendum 1
2	Measures to account for use	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part II, s. 13	X		
3	Measures to account for storage	X		X		
4	Measures to account for transport	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part II, s.16	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part III	pages 9 and 10 of Addendum 1
5	Other measures for accounting					
6	Measures to secure production	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part II, s.13	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part III	pages 9 and 10 of Addendum 1
7	Measures to secure use	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part II, s.13	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part III	page 6 of the report pages 9 and 10 of Addendum 1
8	Measures to secure storage	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part II, s.13	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part III	page 6 of the report pages 9 and 10 of Addendum 1
9	Measures to secure transport	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part II, s.16: permit required	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part III	page 6 of the report pages 9 and 10 of Addendum 1
10	Other measures for securing					
11	Regulations for physical protection of facilities/materials/ transports	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part II	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part III	page 8 of the report pages 9 and 10 of Addendum 1

12	Licensing of nuclear installations/entities/use of materials	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part II:-Permit conditions applied to all nuclear materials and facilities	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part III: Unauthorised possession, taking of nuclear material is an offence	pages 6 and 8 of the report pages 9 and 10 of Addendum 1
13	Reliability check of personnel					
14	Measures to account for/secure/physically protect means of delivery					
15	National regulatory authority	X	Australian Safeguards and Non-proliferation Office (ASNO)	X	Australian Customs Service Australian Federal Police	page 5 of the report
16	IAEA Safeguards Agreements	X	1. Safeguards Agreement in force 10 July 1974 2. Additional Protocol enacted into law on 12 December 1997			page 2 of the report http://www.iaea.org/OurWork/SV/Safeguards/sir_table.pdf
17	IAEA Code of Conduct on Safety and Security of Radioactive Sources	X	Australia has notified the IAEA of its support for the Code of Conduct, as States were urged to do by Resolution GC(47)/RES/7.B, and notified the IAEA of its support for the Supplementary Guidance on the Import and Export of Radioactive Sources, as States were encouraged to do by Resolution GC(48)/RES/10.D			See www.iaea.org/Publications/Documents/Treaties/codeconduct_status.pdf
18	IAEA Database on Illicit Trafficking of Nuclear Materials and other Radioactive Sources					
19	Other Agreements related to IAEA					
20	Additional national legislation/regulations related to nuclear materials including CPPNM	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part II, s.18: restrictions and conditions on communication of associated technology	X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part III	page 6 of the report page 10 of Addendum 1
21	Other			X	Nuclear Non-Proliferation (Safeguards) Act 1987, Part III: stealing nuclear material, unauthorised access to areas, etc.	page 9 of the report page 10 of Addendum 1

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 -
Controls of BW including Related Materials**

State:
Date of Report:
Date of Addendum 1:

Australia
28 October 2004
08 November 2005

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of BW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Border control	X	1. Customs Act 1901 2. Customs (Prohibited Imports) Regulation 1956 3. Customs (Prohibited Exports) Regulation 1958	X	1. Customs (Prohibited Imports) Regulation 1956 2. Customs (Prohibited Exports) Regulation 1958	pages 9 and 10 of the report
2	Technical support of border control measures	X	Australian Quarantine Inspection Service; Animal Health Laboratories; Department of Health	X	Integrated Cargo System (ICS) (electronic reporting)	pages 10 and 12 of the report
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	Weapons of Mass Destruction (Prevention of Proliferation) Act - WMD Act	X	1. Weapons of Mass Destruction Act 1995, s. 9-11 2. Criminal Code, Chapter 2	page 11 of the report pages 4 and 5 of Addendum 1
4	Enforcement agencies/authorities	X	Customs Service; Federal Police; Quarantine and Inspection Service; Department of Immigration; Department of Defence	X	1. Customs Act 1901 2. Crimes Act 1901 3. Quarantine Act 1908	page 4 of the report
5	Export control legislation in place	X	1. Customs Act 1901 2. Crimes Act 1914	X	Customs Act 1901, s. 233BAB	pages 9, 10 and 14 of the report page 13 of Addendum 1
6	Licensing provisions	X	Department of Defence exercise control over the export of various BW agents and related materials - as per the Defence and Strategic Goods List and WMD Act	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	

7	Individual licensing	X	Department of Defence exercise control over the export of various BW agents and related materials - as per the Defence and Strategic Goods List and WMD Act	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	
8	General licensing	X	Department of Defence exercise control over the export of various BW agents and related materials - as per the Defence and Strategic Goods List and WMD Act	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	
9	Exceptions from licensing	X	None	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	
10	Licensing of deemed export/visa	X	Migration regulations guard against visitors engaged in WMD activities	X	Migration Regulations (Public Interest Criteria - Risk Factor) 1994	page 4 of the report
11	National licensing authority	X	Department of Defence	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	
12	Interagency review for licenses	X	Standing Interdepartmental Committee on Defence Exports (SIDCDE)	X	Ministerial Direction	page 4 of the report
13	Control lists	X	Defence and Strategic Goods List (DSGL)	X	Customs (Prohibited Exports) Regulations 1958 - Regulation 13E	pages 11 and 13 of the report
14	Updating of lists	X	DSGL is updated annually		Customs (Prohibited Exports) Regulations 1958 - Regulation 13E	page 14 of the report
15	Inclusion of technologies	X	DSGL-controls certain software and technologies The WMD Act provides for the control over technologies and services which may assist in the development of a WMD program	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	page 14 of the report
16	Inclusion of means of delivery	X	Lists consistent with MTCR	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	page 13 of the report
17	End-user controls	X	Considered as part of the export application process and invoked when controlled export deemed sensitive	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	page 11 of the report
18	Catch all clause	X	Weapons of Mass Destruction (Prevention of Proliferation) Act	X	Weapons of Mass Destruction (Prevention of Proliferation) Act	page 14 of the report page 13 of Addendum 1

19	Intangible transfers	X	Weapons of Mass Destruction (Prevention of Proliferation) Act Migration regulations guard against visitors engaged in WMD activities	X	1. WMD Act Migration Regulations (Public Interest Criteria - Risk Factor) 1994	2.
20	Transit control	X	Customs Act 1901	X	Captured under the ICS and controlled under the Crimes Act 1914	page 11 of the report
21	Trans-shipment control	X	Customs Act 1901	X	Captured under the ICS and controlled under the Customs Act 1901	page 11 of the report
22	Re-export control	X	Customs Act 1901	X	Captured under the ICS and controlled under the Customs (Prohibited Exports) Regulations 1958 - Regulation 13E	page 11 of the report
23	Control of providing funds	X	Crimes Foreign Incursions and Recruitment Act	X	Criminal Code, s.103: financing terrorism	page 12 of the report page 7 of Addendum 1
24	Control of providing transport services					
25	Control of importation	X	1. Customs Act 1901 2. Customs (Prohibited Import) Regulations: mainly chemicals 3. Quarantine Act 1908: permission required 4. Gene Technology Act 2000	X	1. All importers must be registered with Customs in the ICS 2. Quarantine Declaration	pages 10, 11 and 14 of the report
26	Extraterritorial applicability	X	WMD Act applies to the activities of Australian citizens and foreign nationals normally resident in Australia which may assist in the development of a WMD program regardless of where that activity takes place	X	WMD Act	
27	Other					

**OP 3 (c) and (d) and related matters from OP 6 and OP 10 -
Controls of CW including Related Materials**

State:
Date of Report:
Date of Addendum 1:

Australia
28 October 2004
08 November 2005

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of CW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Border control	X	1. Customs Act 1901 2. Customs (Prohibited Imports) Regulation 1956 3. Customs (Prohibited Exports) Regulation 1958 4. WMD Act 1995	X	1. Customs (Prohibited Imports) Regulation 1956 2. Customs (Prohibited Exports) Regulation 1958	pages 9 and 10 of the report
2	Technical support of border control measures		Australian Safeguards and Non-Proliferation Office Defence Science and Technology Organisation	X	Integrated Cargo System (ICS) (electronic reporting)	pages 10 and 12 of the report
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	Weapons of Mass Destruction (Prevention of Proliferation) Act - WMD Act	X	1. Weapons of Mass Destruction Act 1995, s. 9-11 2. Criminal Code, Chapter 2	page 11 of the report pages 4 and 5 of Addendum 1
4	Enforcement agencies/authorities	X	Customs Service, Federal Police, Department of Defence	X	1. Customs Act 1901 2. Crimes Act 1901 3. Chemical Weapons (Prohibition) Act	page 4 of the report
5	Export control legislation in place	X	1. Customs Act 1901 2. Customs (Prohibited Exports) Regulation 1958 3. WMD Act 1995	X	Customs Act 1901, s. 233BAB	pages 9, 10 and 14 of the report page 13 of Addendum 1
6	Licensing provisions	X	Department of Defence exercise control over the export of various BW agents and related materials - as per the Defence and Strategic Goods List and WMD Act	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	

7	Individual licensing	X	Department of Defence exercise control over the export of various BW agents and related materials - as per the Defence and Strategic Goods List and WMD Act	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	
8	General licensing	X	Department of Defence exercise control over the export of various BW agents and related materials - as per the Defence and Strategic Goods List and WMD Act	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	
9	Exceptions from licensing	X	None	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	
10	Licensing of deemed export/visa	X	Migration regulations guard against visitors engaged in WMD activities	X	1. WMD Act 2. Migration Regulations (Public Interest Criteria - Risk Factor) 1994	page 4 of the report
11	National licensing authority	X	Department of Defence for exports Australian Safeguards and Non-proliferation Office for imports	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act 3. Customs (Prohibited Imports) Regulations 1956	
12	Interagency review for licenses	X	Standing Interdepartmental Committee on Defence Exports (SIDCDE)	X	Ministerial Direction	page 4 of the report
13	Control lists	X	Defence and Strategic Goods List (DSGL)	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	pages 10 and 13 of the report
14	Updating of lists	X	DSGL is updated annually	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E	page 14 of the report
15	Inclusion of technologies	X	DSGL also controls certain software and technologies	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	page 14 of the report
16	Inclusion of means of delivery	X	Lists consistent with MTCR	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	page 13 of the report
17	End-user controls	X	Considered as part of the export application process and invoked when controlled export deemed sensitive	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	page 11 of the report
18	Catch all clause	X	Weapons of Mass Destruction (Prevention of Proliferation) Act	X	Weapons of Mass Destruction (Prevention of Proliferation) Act	page 14 of the report page 13 of Addendum 1

19	Intangible transfers	X	Weapons of Mass Destruction (Prevention of Proliferation) Act Migration regulations guard against visitors engaged in WMD activities	X	1. WMD Act Migration Regulations (Public Interest Criteria - Risk Factor) 1994	2.
20	Transit control	X	Customs Act 1901	X	Captured under the ICS	page 11 of the report
21	Trans-shipment control	X	Customs Act 1901	X	Captured under the ICS	page 11 of the report
22	Re-export control	X	Customs Act 1901	X	Captured under the ICS	page 11 of the report
23	Control of providing funds	X	Crimes Foreign Incursions and Recruitment Act	X	Criminal Code, Section 103: financing terrorism	page 12 of the report page 7 of Addendum 1
24	Control of providing transport services					
25	Control of importation	X	1. Customs Act 1901 2. Customs (Prohibited Import) Regulations 1956 3. Quarantine Act 1908: permission required	X	All importers must be registered with Customs in the ICS	pages 10, 11 and 14 of the report
26	Extraterritorial applicability	X	WMD Act applies to the activities of Australian citizens and foreign nationals normally resident in Australia which may assist in the development of a WMD program regardless of where that activity takes place	X	WMD Act	
27	Other					

**OP 3 (c) and (d) and related matters from OP 6, and OP 10 -
Controls of NW including Related Materials**

State:
Date of Report:
Date of Addendum 1:

Australia
28 October 2004
08 November 2005

	Which of the following legislation, procedures, measures, agencies exist to control border crossings, export/import and other transfers of NW and Related Materials ? Can violators be penalized ?	National legal framework		Enforcement: civil/criminal penalties, and measures of implementation, etc		Remarks
		YES	if YES, indicate source document	YES	if YES, indicate source document	
1	Border control	X	1. Customs Act 1901 2. Customs (Prohibited Imports) Regulation 1956 3. Customs (Prohibited Exports) Regulation 1958	X	1. Customs (Prohibited Imports) Regulation 1956 2. Customs (Prohibited Exports) Regulation 1958	pages 9 and 10 of the report
2	Technical support of border control measures	X	Australian Nuclear Science and Technology Organisation (ANSTO) Australian Radiation Protection and Nuclear Safety Agency (ARPANSA)	X	Integrated Cargo System (ICS) (electronic reporting)	pages 10 and 12 of the report
3	Control of brokering, trading in, negotiating, otherwise assisting in sale of goods and technology	X	Weapons of Mass Destruction (Prevention of Proliferation) Act - WMD Act	X	1. Weapons of Mass Destruction Act 1995, Sections 9 to 11 2. Criminal Code, Chapter 2	page 11 of the report pages 4 and 5 of Addendum 1
4	Enforcement agencies/authorities	X	Customs Service, Federal Police, Quarantine and Inspection Service, Department of Immigration, Department of Defence	X	1. Customs Act 1901 2. Crimes Act 1901 3. Quarantine Act 1908	page 4 of the report
5	Export control legislation in place	X	1. Customs Act 1901 2. Customs (Prohibited Exports) Regulation 1958 3. WMD Act	X	Customs Act 1901, s. 233BAB	pages 9, 10 and 14 of the report page 13 of Addendum 1
6	Licensing provisions	X	Department of Defence exercise control over the export of various BW agents and related materials - as per the Defence and Strategic Goods List and WMD Act	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	

7	Individual licensing	X	Department of Defence exercise control over the export of various BW agents and related materials - as per the Defence and Strategic Goods List and WMD Act	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	
8	General licensing	X	Department of Defence exercise control over the export of various BW agents and related materials - as per the Defence and Strategic Goods List and WMD Act	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	
9	Exceptions from licensing	X	None	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	
10	Licensing of deemed export/visa	X	Migration regulations guard against visitors engaged in WMD activities	X	1. WMD Act 2. Migration Regulations (Public Interest Criteria - Risk Factor) 1994	page 4 of the report
11	National licensing authority	X	Department of Defence	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act 3. Customs (Prohibited Imports) Regulations 1956	
12	Interagency review for licenses	X	Standing Interdepartmental Committee on Defence Exports (SIDCDE)	X	Ministerial Direction	page 4 of the report
13	Control lists	X	Defence and Strategic Goods List (DSGL)	X	List administered by the Department of Defence	pages 10 and 13 of the report
14	Updating of lists	X	DSGL is updated annually		Customs (Prohibited Exports) Regulations 1958 - Regulation 13E	page 14 of the report
15	Inclusion of technologies	X	DSGL also controls certain software and technologies Nuclear Non-proliferation (Safeguards) Act 1987, s.13	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act 3. Customs (Prohibited Imports) Regulations 1956 4. Criminal Code Act 1995, Chapter 2	page 14 of the report
16	Inclusion of means of delivery	X	Lists consistent with MTCR	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	page 13 of the report
17	End-user controls	X	Invoked when controlled export deemed sensitive	X	1. Customs (Prohibited Exports) Regulations 1958 - Regulation 13E 2. WMD Act	page 11 of the report
18	Catch all clause	X	Weapons of Mass Destruction (Prevention of Proliferation) Act	X	Weapons of Mass Destruction (Prevention of Proliferation) Act	page 14 of the report page 13 of Addendum 1

19	Intangible transfers	X	Safeguards Act 1997, s.18: need to obtain "authority to communicate" Weapons of Mass Destruction (Prevention of Proliferation) Act Migration regulations guard against visitors engaged in WMD activities	X	1. Criminal Code Act 1995, Chapter 2 2. WMD Act 3. Migration Regulations (Public Interest Criteria - Risk Factor) 1994	page 6 of the report
20	Transit control	X	Customs Act 1901	X	Captured under the ICS	page 11 of the report
21	Trans-shipment control	X	Customs Act 1901	X	Captured under the ICS	page 11 of the report
22	Re-export control	X	Customs Act 1901	X	Captured under the ICS	page 11 of the report
23	Control of providing funds	X	Crimes Foreign Incursions and Recruitment Act	X	Criminal Code, s.103: financing terrorism	page 12 of the report page 7 of Addendum 1
24	Control of providing transport services	X	Safeguards Act 1997, s. 38: extraterritorial provision applies to carriers	X	Criminal Code Act 1995, Chapter 2	page 6 of the report
25	Control of importation	X	1. Customs Act 1901 2. Customs (Prohibited Import) Regulations, 1956 3. Quarantine Act 1908: permission required	X	All importers must be registered with Customs in the ICS	pages 10, 11 and 14 of the report
26	Extraterritorial applicability	X	WMD Act applies to the activities of Australian citizens and foreign nationals normally resident in Australia which may assist in the development of a WMD program regardless of where that activity takes place	X	WMD Act	
27	Other					

OP 6, 7 and 8 (d) - Control lists, Assistance, Information

State:
Date of Report:
Date of Addendum 1:

Australia
28 October 2004
08 November 2005

Can information be provided on the following issues ?		YES		Remarks
1	Control lists - items (goods/ equipment/materials/technologies)	X	1. CWC Schedule Chemicals List 2. Defence and Strategic Goods List (DSGL) 3. National export control lists are fully consistent with export control regimes (NSG, MTCR, ZC, AG, WA)	page 13 of the report
2	Control lists - other		The WMD Act, while not specifying a list of controlled goods, provides for the control over all goods, services and technologies which may assist in the development of a WMD program.	
3	Assistance offered	X	Australia has assisted Pacific Island states with the preparation of their national reports under UNSCR 1540.	page 15 of the report
4	Assistance requested			
5	Assistance in place (bilateral/plurilateral/multilateral)	X	Financial contributions to G8 Global Partnership directed to dismantling/ destruction of nuclear submarines. Australia, as both the Chair of the Australia Group and an active participant of international efforts to prevent the proliferation of WMD, conducts regional outreach.	page 5 of the report
6	Information for industry	X	Extensive domestic outreach program aimed to promote awareness of, and help relevant facilities and companies meet, their obligations related to export control. Outreach programs are also associated with regulated nuclear and chemical domestic activities and chemical imports. Comprehensive website for industry.	pages 17 and 18 of the report
7	Information for the public	X	Information related to the import and export of goods is available from the Australian Customs website and those of permit-issuing agencies. The Customs website is www.customs.gov.au	