



Australian Government  
Department of Defence  
Defence Export Control Office

# Defence Export Controls

**Defence Export Control Office (DECO)**  
**Department of Defence**



# Defence Export Control Office (DECO)

1. IT and Technical Assessment
  - DECO's in-house technical assessment team reaches out to technical experts across Government
2. Military Assessment
  - Wassenaar, Missile Technology and military catch-all
3. WMD Assessment
  - Australia Group, Nuclear Suppliers Group and WMD catch-all

# Why does Australia have export controls?

- National strategic and security objectives
- Signatory to international control regimes and treaties
- Facilitate scrutiny of goods and technology leaving the country

# Why does Australia have export controls?

Australia is a member of international export control regimes:

## Australia Group

- chemical and biological

## Wassenaar Arrangement

- conventional arms and goods

## Missile Technology Control Regime

## Nuclear Suppliers Group

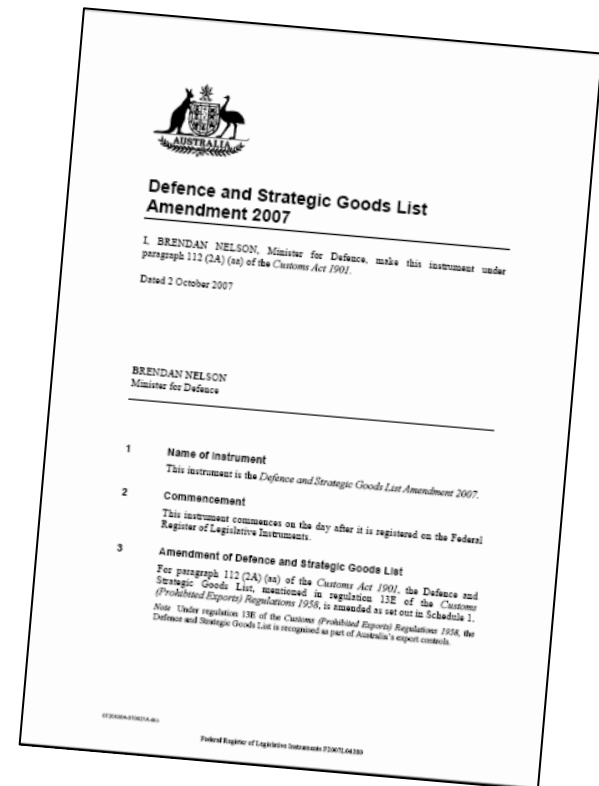


# Defence and Strategic Goods List (DSGL)

Australia's control list is the 'Defence and Strategic Goods List' (DSGL)

## Part 1 – Military

**Part 2 – Dual-use**  
(developed for commercial use but has military or WMD application)



# Defence and Strategic Goods List (DSGL)

## Military Goods and Technology

Military and related goods and technology

Non military lethal goods



# Defence and Strategic Goods List (DSGL)

## Dual-use goods and technology

<u>Category</u>	<u>Goods</u>
0	Nuclear Materials; Facilities & Equipment
1	Materials, Chemicals, Micro-organisms, Toxins
2	Materials Processing
3	Electronics
4	Computers
5	Telecommunications and Information Security
6	Sensors and Lasers
7	Navigation and Avionics
8	Marine
9	Aerospace and Propulsion

# Technology definition

“**Technology**” means specific information necessary for the “**development**”, “**production**” or “**use**” of a product.

- Technical data
  - blueprints, plans, diagrams, models, formulae, tables, engineering designs and specifications, manuals and instructions
  
- Technical assistance
  - instruction, skills, training, working knowledge and consulting services and may involve the transfer of ‘technical data’



# Export controls

Controls on DSGL goods and technology are implemented by:

1. Regulation 13E of the *Customs Prohibited Exports Regulations 1958*
  - Export of goods
  - In force now
2. *Defence Trade Controls Act 2012*
  - supply, publication, brokering
  - enters into force **2 April 2016**
3. Sanctions - United Nations and Australian Autonomous  
(Department of Foreign Affairs and Trade)

## Permits required now

To export DSGL goods and technology in physical form



## Permits required from 2 April 2016

- When a person in Australia supplies controlled technology in an electronic (or other intangible form) to a person located outside Australia
  - Covers providing access to controlled technology, e.g. providing passwords to access electronic files
- Key exceptions:
  - Pre-publication supply of dual-use technology
  - Verbal supply – if not going to a WMD/Military program

## Approvals required 2 April 2016

- Placing controlled part 1 military technology in the public domain by publishing it - on the internet or otherwise
- Applies to anyone located in Australia, or an Australian citizen or resident located outside Australia
- Key exception:
  - Doesn't apply to publication of Part 2 dual-use technology

## Permits required from 2 April 2016

- When:
  - a person acts as an agent or intermediary to arrange the transfer of controlled goods or technology between 2 places located outside Australia AND receives money or non-cash benefit, or advances their political, religious or ideological cause
- Applies to anyone located in Australia, or an Australian citizen or resident located outside Australia
- Key exceptions:
  - Brokering out of listed countries
  - Doesn't apply to brokering of dual-use items (unless going to a military/WMD program)

# When is a permit required?

A permit is required to conduct **controlled activities** in relation to **controlled items**

Export	Part 1 and 2 DSGL Goods and Technology
Supply	Part 1 and 2 DSGL Goods and Technology
Brokering	Part 1 DSGL Goods and Technology
Publication	Part 1 DSGL Goods and Technology

Self-assessment tool to assist in determining if a permit is required

- **Activity Questionnaire** will assist you to determine if your export, supply, publishing or brokering activity is controlled
- **DSGL Search** tool will assist you to identify whether your goods, software or technology are controlled
- Results can be saved and printed for your records

**<https://dsgl.defence.gov.au>**

# Apply for a permit

[Defence](#)[Ministers](#)[Navy](#)[Army](#)[Air Force](#)

**Australian Government**  
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### Notices

Defence Trade Controls Amendment Bill 2015 receives Royal Assent

Expanded sanctions against Russia

Minister for Foreign Affairs announces repeal of Fiji sanctions

### Welcome to the DECO website

The Defence Export Control Office (DECO) is responsible to the Minister for Defence for regulating the export of defence and dual-use goods as part of Australia's system of export controls.

DECO provides a range of services and information to assist exporters understand and comply with Australia's export control requirements.

For more information on how DECO can support you please follow the links below.

### News

Defence Trade Controls Conference 2015

\*Updated - AIG Controlled Exports and Technology Best Practice Guide

United Nations adopts the Arms Trade Treaty

### I would like to...



#### Manage controlled goods and Technology

- [Application Process](#)



#### Understand Strengthened Export Controls

- [Defence Trade Controls Act](#)



#### Understand the legislation and assessment process

- [Defence & Strategic Goods List](#)



#### Communicate with the Defence Export Control Office

- [Contact DECO](#)



# Apply for a permit



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## *Defence Export Control Office*

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### Forms

#### Application Forms

- [Client Registration form - version 3.0.0](#) (Updated 6 May 2015)
- [Application for DSGI Assessment - version 3.3.0](#) (Updated 6 May 2015)
- [Application to Export Controlled Goods and Technology - version 3.3.1](#) (Updated 6 May 2015)
- [Application for an Australian General Export Licence \(AUSGEL\)](#)
- [Application for an International Import Certificate - version 3.0.0](#) (Updated 6 May 2015)
- [Application for a Delivery Verification Certificate - version 3.0.0](#) (Updated 6 May 2015)
- [Application for a Non-Transfer and End-Use Certificate - version 3.0.0](#) (Updated 6 May 2015)
- [Application to Register as a Broker - version 3.0.0](#) (Updated 6 May 2015)
- [Application to Make a Brokering Arrangement - version 3.0.0](#) (Updated 6 May 2015)
- [DEC07 - Restricted Goods Permit Application](#)

#### Supporting Documentation

- [DEC03 - Statement by Ultimate Consignee or Purchaser](#)
- [DEC04 - End User and Non-Transfer Certificate](#)
- [DEC09 - Firearm Ammunition End Use Certificate](#)
- [US End Use Certificates \(DSP-83\)](#)



# Applying for a permit

- Technical specifications and/or brochures
- Firearm licence and registration certificate
- End-User Certificates or Statements
- Foreign government import/export approvals
- Purchase Order
- Classified Information Release authority
- Defence Approval to release classified material
- Evidence of an intention to demonstrate the goods or technology (such as an invitation to display)
- Additional information or statement

# Assessment

- The goods or technology
- The destination
- The end-use, consignee and end-user

# Assessment criteria

- Destined for a country where they might be used contrary to our international obligations
- Pose a risk that they will be used to commit or facilitate serious human right abuses
- Contribute to regional instability or a conflict
- Compromise wider security or strategic interests
- Adversely affect military capability or enhance power projection capabilities of potential adversaries
- Destined for a country suspected of developing WMD
- Terrorist or mercenary activities.

- Broad licences for pre-approved list of goods and technology going to pre-approved list of destinations
- Valid for 5 years, but in some circumstances a longer validity period may be approved

# AUSGELs

## — AUSGEL1

- Export/supply of listed Dual-Use Goods or Technology

## — AUSGEL2

- Export of listed Dual-Use Goods for Repair or Return

## — AUSGEL3

- Export of listed Military Goods to Specified Destinations for Repair or Return

## — AUSGEL4

- Export of listed Military Goods to Police, Australian Public Service, Australian Defence Force, Intelligence Services

## — AUSGEL5

- Export of listed Dual-Use Goods to Police, Australian Public Service, Australian Defence Force, Intelligence Services

# Catch-all Controls

*Weapons of Mass Destruction (Prevention of Proliferation) Act 1995*

Military End-Use provision (s112BA) of the *Customs Act 1901*

Minister needs to be satisfied that the activity would assist a **WMD program** or **military end-use**, considering:

- utility of the items
- risk of diversion

## Where Can I Find More Information?

- Defence Export Control Office:  
<http://www.defence.gov.au/DECO/>
- Strengthened Export Controls Steering Group:  
<https://exportcontrols.govspace.gov.au/>



**Questions?**