



Compliance and Reporting Obligations Deep Dive – Responses to Questions

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These responses are designed to assist you in understanding Defence Export Control's regulatory framework. It is not legal advice nor intended to be legal advice and it may therefore include some generalisations about the law. Some provisions of the law referred to have exceptions or prerequisites, not all of which may be described here. Defence does not guarantee the accuracy, currency or completeness of any information contained in this document. Your particular circumstances and activities must be taken into account when determining how the law applies to you. These responses are therefore not a substitute for obtaining your own legal advice and does not imply that other regulatory obligations would not be applicable to certain activities

For record-keeping when using an exemption to perform a controlled activity without a permit, is only one record needed for the 'activity' broadly, or a separate record for every individual 'supply' (e.g. every time an individual accesses controlled technology, which could be every day if using the tech for a project)?

In short, only one record would be required. Per Reg 27B of the [Defence Trade Controls Regulations 2013](#), when record-keeping under an exemption or exception you only need to provide:

- a) a description of the DSGL goods, technology or services in question; and
- b) the country in which the DSGL goods, technology or services will be received.

You will need to ensure these records are retained for at least 5 years after the final instance of a controlled activity occurring.

Are records required to note the date, time and place from which goods or technology were supplied or defence services provided (per Reg 27 of the [Regulations](#))?

The record-keeping requirements set out in Reg 27 are specific only to activities listed under Reg 26 – in other words activities relating to articles under [US-Australia Defense Trade Cooperation Treaty](#).

For the new offences (Section 10A / 10B / 10C), the record-keeping requirements set out in Reg 24 specific to permits issued under Section 11 of the DTC Act apply.