

SCIENCE & TECHNOLOGY AUSTRALIA

POLICY SUBMISSION

31 MAY 2023

DEFENCE TRADE LEGISLATION AMENDMENT REGULATIONS 2024

Science & Technology Australia thanks the Senate Foreign Affairs, Defence and Trade Legislation Committee for the chance to give feedback on the [Defence Trade Legislation Amendment Regulations 2024](#).

Science & Technology Australia is the peak body for the nation's science and technology sectors, representing 140 member organisations and more than 225,000 scientists and technologists. We connect science and technology with governments, business and the community to advance science's role in solving some of humanity's greatest challenges.

Science & Technology Australia thanks the Department of Defence for the ongoing and genuine engagement throughout the process of developing amendments to the primary legislation – the Defence Trade Controls Amendment 2023. In particular, the inclusion of the fundamental research definition in the primary legislation was a significant addition and much appreciated by the sector. This important exemption will ensure that Australian researchers can continue to pursue significant international research collaborations critical to Australia's national R&D effort.

Science & Technology Australia welcomes the guidance on required record keeping included in the regulations, and reiterates that effort should be made to minimise the administrative burden placed on universities and industry. The regulatory and compliance load upon universities has significantly increased over recent years¹, and we urge the Government to ensure all these programs and regimes are as streamlined and aligned as possible – and do not curtail crucial global research collaborations.

Continued consultation with the sector to develop outreach and education materials to ensure the sector is aware of their compliance requirements would be warmly welcomed. In addition, the establishment of 'communities of practice' or a 'trusted agents network' across the university research sector and peak bodies would be highly useful. This network should be given training and a level of accreditation by the Department of Defence. This would help ensure the sector is well-equipped to make appropriate decisions and minimise compliance workloads across the sector and the Department.

It will also be imperative that the Department maintains resourcing to support the sector with guidance, including online self-assessment tools, and ensure timely processing for permit applications.

¹ Aside from the recently passed [amendments](#) to the [Defence Trade Controls Act 2012](#), other legislation includes the [Sanctions Regime](#); [Defence Amendment \(Safeguarding Australia's Military Secrets\) 2024](#); enhanced visa screening under the [Migration Amendment \(Protecting Australia's Critical Technology\) Regulations 2022](#); the University Foreign Interference Taskforce [Guidelines to Counter Foreign Interference in the University Sector](#); the [Australia's Foreign Relations \(State and Territory Arrangements\) Act 2020](#); the [Foreign Influence Transparency Scheme Act 2018](#); the [Security Legislation Amendment \(Critical Infrastructure\) Act 2021](#) and [Security Legislation Amendment \(Critical Infrastructure Protection\) Act 2022](#).

Science & Technology Australia's recommendations

1. Maintain genuine consultation and engagement with the research sector – through the continuation of the effective Working Group model.
2. Ensure administrative and compliance burdens on the sector are minimised, through streamlining compliance requirements across the various regimes as much as possible.
3. The Department of Defence should establish and train a 'trusted network' of people across the university sector and peak bodies, to ensure the sector is fully aware of compliance requirements and assist with decision-making.
4. The Department of Defence should develop effective online assessment tools and conduct comprehensive outreach efforts – including through peak bodies.
5. The Department of Defence must maintain dedicated resourcing to provide tailored and specific advice to stakeholders as needed.

Please do not hesitate to contact Science & Technology Australia if we can help with further information or advice to the department.

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