

APPROVED 1540 COMMITTEE MATRIX

The information in the matrices originates primarily from national reports and is complemented by official government information, including that made available to inter-governmental organizations. The matrices are prepared under the direction of the 1540 Committee.

The 1540 Committee intends to use the matrices as a reference tool for facilitating technical assistance and to enable the Committee to continue to enhance its dialogue with States on their implementation of Security Council Resolution 1540.

The matrices are not a tool for measuring compliance of States in their non-proliferation obligations but for facilitating the implementation of Security Council Resolutions 1540 (2004), 1673 (2006), 1810 (2008), 1977 (2011), 2055 (2012) and 2325 (2016). They do not reflect or prejudice any ongoing discussions outside of the Committee, in the Security Council or any of its organs, of a State's compliance with its non-proliferation or any other obligations. Information on voluntary commitments is for reporting purpose only and does not constitute in any way a legal obligation arising from resolution 1540 or its successive resolutions.

Matrix entries are only indicators of fact and not indicators of the degree of compliance under resolution 1540 (2004) and its successor resolutions. Thus:

An “X” in any data field signifies only that the 1540 Committee considers that a State has taken the steps required, and/or has provided specific references to the applicable legal basis or executive behaviour as evidence of such steps. An “X” against any data field does not necessarily signify that a State has met in full its 1540 obligations for that data field.

A “?” in any data field signifies that the references to legislative or other measures may not be directly relevant or are incomplete.

A “NA” (Not Applicable) in any data field signifies that the data field is not applicable to that State where through legally binding instruments States specified that they do not possess related materials or facilities.

A blank in any data field signifies that there is insufficient information available to enter an “X” or “?” against a particular data field.

State:	Commonwealth of Australia
Date of Report:	28 October 2004
Dates of Additional Reports:	8 November 2005
	14 March 2008
	7 September 2018
Date of Approval:	9 December 2020

I. OP 1 and related matters from OP 5, OP 8 (a), (b), (c) and OP10

Adherence to legally binding instruments, membership of organisations, participation in arrangements and statements made.	Relevant information (i.e. signing, deposit of instrument of accession, ratification, etc)	Remarks (information refers to the page of the English version of the national report or an official web site)	
1	Nuclear Non-Proliferation Treaty (NPT)	Deposit 23 January 1973	
2	Nuclear Weapons Free Zone/ Protocol(s)	Treaty of Rarotonga: Deposit 11 December 1986	
3	International Convention for the Suppression of Acts of Nuclear Terrorism	Deposit 16 March 2012	
4	Convention on Physical Protection of Nuclear Material (CPPNM)	Deposit 22 September 1987	
5	2005 Amendment to the CPPNM	Deposit 17 July 2008	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force)	Deposit 9 July 1998	
7	Chemical Weapons Convention (CWC)	Deposit 6 May 1994	
8	Biological Weapons Convention (BWC)	Deposit 5 October 1977	
9	Geneva Protocol of 1925	Deposit 24 May 1930	
10	1997 International Convention for the Suppression of Terrorist Bombings	Deposit 26 September 2002	
11	1999 International Convention for the Suppression of the Financing of Terrorism	Deposit 16 March 2012	

12	2005 Protocol to the Convention for the suppression of unlawful acts against the safety of maritime navigation	Signed 7 March 2006	
13	2005 Protocol to the Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf	Signed 7 March 2006	
14	2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation	Signed 15 March 2013	
15	Other relevant regional legally binding instruments	Convention to Ban the Importation into Forum Island Countries of Hazardous and Radioactive Wastes and to Control the Trans-boundary Movement and Management of Hazardous Wastes within the South Pacific Region (Waigani Convention)	
16	International Atomic Energy Agency (IAEA)	Since 29 July 1957	
17	Directly relevant Arrangements	Nuclear Suppliers Group (NSG) Australia Group (AG) Missile Technology Control Regime (MTCR) Wassenaar Arrangement (WA) Zangger Committee (ZC) Hague Code of Conduct against Ballistic Missile Proliferation (HCoC) Proliferation Security Initiative (PSI) Global Initiative to Combat Nuclear Terrorism OECD Nuclear Energy Agency Generation IV International Forum (GIF) – Agreement Extending the Framework Agreement for International Collaboration on Research and Development of Generation IV Nuclear Energy Systems, Deposited Instrument of Accession on 14 September 2017	
18	Statement on non-provision of WMD and related materials to non-State actors	State reports that it does not provide any form of support to non-State actors.	
19	Membership in relevant international, regional or sub-regional organisations	World Customs Organization INTERPOL International Maritime Organization (IMO) World Health Organization (WHO) World Organisation for Animal Health (OIE)	

	<p>Inter-Parliamentary Union (IPU) Financial Action Task Force (FATF) IMF World Bank Customs Mutual Assistance Agreements (CMAA) have been concluded for the exchange of Customs information with 19 States. Australian Transaction Reports and Analysis Centre has concluded agreements for the exchange of financial transaction data with 49 States. Member of the ASEAN Regional Forum Co-Founder of the International Commission on Nuclear Non-Proliferation and Disarmament</p>	
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II. OP 2 - Nuclear Weapons (NW), Chemical Weapons (CW) and Biological Weapons (BW)

National legislation which prohibits persons or entities to engage in one of the following activities and its enforcement		National legal framework					Enforcement and civil/criminal penalties			Remarks
		X / ?			Source document of national implementation law	X / ?			Source document	
		N W	C W	B W		N W	C W	B W		
1	manufacture	X	X	X	<p>NW: South Pacific Nuclear Free Treaty Act 1986, sections (ss.)8-9</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended through Act No. 67 of 2018, ss.11A, 12</p> <p>BW: Crimes (Biological Weapons) Act 1976, as amended 1979, 1980, 1992, 2001, 2008, 2010, 2015, 2016 and 2018, s.8</p>	X	X	X	<p>NW/CW/BW: Criminal Code, s.101.6 (acts done in preparation for, or planning, terrorist acts)</p> <p>NW: South Pacific Nuclear Free Treaty Act 1986, section (s.)16</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12</p> <p>BW: Crimes (Biological Weapons) Act 1976, as amended, ss.6A, 8, 10</p>	
2	acquire	X	X	X	<p>NW/CW: Customs (Prohibited Imports) Regulations 1956, Regulation 4R, 4X, 5J</p> <p>NW: South Pacific Nuclear Free Treaty Act 1986, ss.8-9</p> <p>CW:</p>	X	X	X	<p>NW/CW/BW: Criminal Code, s.101.6 (acts done in preparation for, or planning, terrorist acts)</p> <p>NW/CW: Customs Act 1901, s.50, s.233, s.233AB, s.233BAB Customs Regulation 2015, s.130</p> <p>NW: South Pacific Nuclear Free Treaty Act 1986, ss.8(2) and 16</p> <p>CW:</p>	

					Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12 BW: Crimes (Biological Weapons) Act 1976, as amended, s.8				Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12 BW: Crimes (Biological Weapons) Act 1976, as amended, ss.6A, 8, 10	
3	possess	X	X	X	NW: South Pacific Nuclear Free Treaty Act 1986, s.10 CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12 BW: Crimes (Biological Weapons) Act 1976, as amended, s.8	X	X	X	NW/CW/BW: Criminal Code, s.101.4 (possessing things connected with terrorist act) NW: South Pacific Nuclear Free Treaty Act 1986, s.16 CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12 BW: Crimes (Biological Weapons) Act 1976, as amended, ss.6A, 8, 10	
4	develop	X	X	X	NW: South Pacific Nuclear Free Zone Treaty Act 1986, s.9 CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12 BW: Crimes (Biological Weapons) Act 1976, as amended, s.8	X	X	X	NW/CW/BW: Criminal Code, s.101.6 (acts done in preparation for, or planning, terrorist acts) NW: South Pacific Nuclear Free Zone Treaty Act 1986, s.16 CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12 BW: Crimes (Biological Weapons) Act 1976, as amended, ss.6A, 8, 10	
5	transport	X	X	X	NW/CW/BW: Weapon of Mass Destruction (Prevention of Proliferation) Act 1995, ss.6 and 9-11	X	X	X	NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, ss.6-11 Criminal Code, ss.101.6 (acts done in preparation for, or planning, terrorist acts),	

					<p>NW: South Pacific Nuclear Free Zone Treaty Act 1986, s.11 (stationing)</p>			<p>102.7 (providing support to a terrorist organisation)</p> <p>NW: South Pacific Nuclear Free Zone Treaty Act 1986, s.16</p>		
6	transfer	X	X	X	<p>NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.9</p> <p>NW/CW: Customs (Prohibited Exports) Regulations 1958, Regulation 4A, 9, 9AC, 9AD, 13E, 13G</p> <p>NW: South Pacific Nuclear Free Treaty Act 1986, s.11 (stationing)</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12</p>	X	X	X	<p>NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.9 Criminal Code, ss.101.6 (acts done in preparation for, or planning, terrorist acts), 102.7 (providing support to a terrorist organisation)</p> <p>NW/CW: Customs Act 1901 s.112, s.233, s.233AB, s.233BAB Customs Regulation 2015 s.130</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12</p>	
7	use	X	X	X	<p>NW: South Pacific Nuclear Free Zone Treaty Act 1986, s.12 (testing) Comprehensive Nuclear Test Ban Treaty (CTBT) Act 1998, Part 2, s.8</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12</p> <p>BW:</p>	X	X	X	<p>NW/CW/BW: Criminal Code, ss.115.1-115.4 (if used to cause harm to Australians outside of Australia)</p> <p>NW: South Pacific Nuclear Free Zone Treaty Act 1986, s.16 Comprehensive Nuclear Test Ban Treaty (CTBT) Act 1998, Part 2, s.8</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12</p> <p>BW:</p>	

					Crimes (Biological Weapons) Act 1976, as amended, s.8				Crimes (Biological Weapons) Act 1976, as amended, ss.6A, 8, 10	
8	attempt to engage in abovementioned activities	X	X	X	<p>NW/CW/BW: Criminal Code, ss.11.1, 101.6 (acts done in preparation for, or planning, terrorist acts), 102.7 (providing support to a terrorist organisation)</p> <p>NW: South Pacific Nuclear Free Zone Treaty Act 1986, s.13: (any act to facilitate)</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12</p>	X	X	X	<p>NW/CW/BW: Criminal Code, ss.11.1, 101.4, 101.6, 102.7 (terrorism-related)</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12</p>	
9	participate as an accomplice in abovementioned activities	X	X	X	<p>NW/CW/BW: Criminal Code, s.11.2A</p> <p>NW: South Pacific Nuclear Free Zone Treaty Act 1986, s.13: (any act to facilitate)</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12</p>	X	X	X	<p>NW/CW/BW: Criminal Code, s.11.2A</p> <p>NW: South Pacific Nuclear Free Zone Treaty Act 1986, s.16</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12</p>	
10	assist in abovementioned activities	X	X	X	<p>NW/CW/BW: Criminal Code, s.11.2</p> <p>NW: South Pacific Nuclear Free Zone Treaty Act 1986, s.13: facilitate</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12</p>	X	X	X	<p>NW/CW/BW: Criminal Code, s.11.2A</p> <p>NW: Crimes Act 1914 South Pacific Nuclear Free Zone Treaty Act 1986, s.16</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12</p>	

11	finance abovementioned activities	X	X	X	<p>NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, ss. 4 and 11 Criminal Code, ss.102.6, 103.1, 103.2, 103.3 (financing terrorism) Anti-Money Laundering and Counter-Terrorism Financing Act 2006, s.41 (Suspicious Matter Reporting – within 24 hours for terrorism financing); ss.84, 85 (AML/CTF Programs to identify, mitigate and manage risk of terrorism financing); ss.135-143 (offences – with terrorist intent) and ss.173-207 (enforcement of offences and civil penalty provisions) Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1), Chapters 8, 9 (AML/CTF Programs), Chapter 15 (ongoing and enhanced customer due diligence) In accordance with Part 9 of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006, the Anti-Money Laundering and Counter-Terrorism Financing (Prescribed Foreign Countries) Regulations 2018 prescribe certain countries as subject to countermeasures.</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12 (under assist in any way)</p>	X	X	X	<p>NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.11 Criminal Code, ss.102.6, 103.1, 103.2, 103.3 (financing terrorism) Anti-Money Laundering and Counter-Terrorism Financing Act 2006, s.41(2) (SMR civil penalty provision); s.81 (AML/CTF Programs civil penalty provision); s.123 (tipping off) ss.135-143 (offences – with terrorist intent) and ss.173-207 (enforcement of offences and civil penalty provisions)</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12</p>	
12	abovementioned activities related to means of delivery ¹	X	X	X	<p>NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.9-11 Space (Launches and Returns) Act 2018, ss.28, 30 and 46L Space (Launches and Returns) (General) Rules 2019, s.119 Customs (Prohibited Imports) Regulations 1956, Regulation 4H Customs (Prohibited Exports) Regulations 1956, Regulation 13E</p> <p>CW:</p>	X	X	X	<p>NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.9-11 Space (Launches and Returns) Act 2018, ss.12, 13, 31, and 46M Customs Act 1901, s.233BAB Customs Regulation 2015, s130</p> <p>CW:</p>	

				<p>Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12 (engage in military preparations for use)</p> <p>BW: Crimes (Biological Weapons) Act 1976, as amended, s.8</p>			<p>Chemical Weapons (Prohibition) Act 1994, as amended, ss.11A, 12</p> <p>BW: Crimes (Biological Weapons) Act 1976, as amended, ss.6A, 8, 10</p>	
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1. Means of delivery: missiles, rockets and other unmanned systems capable of delivering nuclear, chemical, or biological weapons that are specially designed for such use.

III. OP 3 (a) and (b) - Account for/Secure/Physically protect NW, CW and BW, including Related Materials ²

Measures to establish domestic controls to prevent the proliferation of NW, CW, BW, and their means of delivery; controls over related materials		National legal and/or regulatory framework				Enforcement and civil/criminal penalties				Remarks
		X /?			Source document	X /?			Source document	
		N W	C W	B W *		N W	C W	B W		
1	Measures to account for production	X	X	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, s.13 (related to Health and safety)</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, part 3 & 4 (Permit & record keeping) Chemical Weapons (Prohibition) Regulations 1997, as amended</p> <p>BW: National Health Security (NHS) Act 2007, as amended, s.35 (handling) Security Sensitive Biological Agent (SSBA) Standards 2013, Part.3 Gene Technology Act 2000, Parts 5-7</p>	X	X	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, ss.23, 25, 26 and 28 State system for accountancy and control</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.31 (offence against record keeping), 77-85</p> <p>BW: NHS Act 2007, as amended, ss.42-43, 56-62 Gene Technology Act 2000, Parts 4 and 10</p>	
2	Measures to account for use	X	X	X	<p>NW/CW/BW: Space (Launches and Returns) (General) Rules 2019, ss.48, 50 (delivery means) Space (Launches and Returns) (High Power Rocket) Rules 2019, ss.20 and 23 (delivery means)</p> <p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, s.13</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, part 3 & 4</p>	X	X	X	<p>NW: State system for accountancy and control Nuclear Non-Proliferation (Safeguards) Act 1987, ss.23, 25, 26 and 28</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as</p>	

				<p>Chemical Weapons (Prohibition) Regulations 1997, as amended</p> <p>BW: NHS Act 2007, as amended, s.35 (handling) SSBA Standards 2013, Part.3 Gene Technology Act 2000, Parts 5-6</p>			<p>amended, ss.31, 77-85</p> <p>BW: NHS Act 2007, as amended, ss.42-43, 56-62 Gene Technology Act 2000, Parts 4 and 10</p>			
3	Measures to account for storage	X	X	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, s.13</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, part 3 & 4 Chemical Weapons (Prohibition) Regulations 1997, as amended</p> <p>BW: NHS Act 2007, as amended, s.35 SSBA Standards 2013, Part.4A National Health Security Regulations 2018 Gene Technology Act 2000, Parts 5-7 Guidelines for the Transport, Storage and Disposal of GMOs</p>	X	X	X	<p>NW: State system for accountancy and control Nuclear Non-Proliferation (Safeguards) Act 1987, ss.23, 25, 26 and 28</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.31, 77-85</p> <p>BW: NHS Act 2007, as amended, ss.42-43, 56-62 Gene Technology Act 2000, Parts 4 and 10</p>	
4	Measures to account for transport	X	X	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, s.16</p> <p>CW/BW: The Australian Dangerous Goods Code (ADG Code) (technical requirement for the land transportation of dangerous goods)</p> <p>BW: NHS Act 2007, as amended, s.35 (transport) SSBA Standards 2013, Part.6 National Health Security Regulations 2018 Gene Technology Act 2000, Parts 5-7</p>	X	X	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, ss.23, 25, 26 and 28</p> <p>CW/BW: The transport of dangerous goods is regulated in each Australian state and territory by that jurisdiction's dangerous goods transport laws, modelled (by and large) on the ADG Code, model legislation and subordinate instruments.</p> <p>BW: NHS Act 2007, as amended, ss.42-43, 56-62 Gene Technology Act 2000, Parts 4 and 10</p>	

				Guidelines for the Transport, Storage and Disposal of GMOs					
5	Measures to secure production	X	X	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, ss.13-14, 16A-16B</p> <p>CW: Australian Safeguards and Non-proliferation Office (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.</p> <p>BW: NHS Act 2007, as amended, s.35 (handling) National Health Security Regulations 2018 Gene Technology Act 2000, Parts 5-7</p>	X	X	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, ss.23, 25, 26 and 28</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, ss.77-85 ASNO requires certain security measures to be in place for issuing permits</p> <p>BW: NHS Act 2007, as amended, ss.42-43, 56-62 Gene Technology Act 2000, Parts 4 and 10</p>
6	Measures to secure use	X	X	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, ss.13-14, 16A-16B</p> <p>CW: 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.</p> <p>BW: NHS Act 2007, as amended, s.35 Gene Technology Act 2000, Parts 5-7</p>	X	X	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, ss.23, 25, 26 and 28</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss. 77-85 ASNO requires certain security measures to be in place for issuing permits</p> <p>BW: NHS Act 2007, as amended, ss.42-43, 56-62 Gene Technology Act 2000, Parts 4 and 10</p>
7	Measures to secure storage	X	X	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, ss.13-14, 16A-16B National Radioactive Waste Management Act 2012, s.23</p> <p>CW: 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.</p>	X	X	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, ss.23, 25, 26 and 28</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.77-85 ASNO requires certain security measures to be in place for issuing permits</p>

					<p>BW: NHS Act 2007, as amended, s.35 SSBA Standards 2013, Part.4A National Health Security Regulations 2018 Guidelines for the Transport, Storage and Disposal of GMOs</p>				<p>BW: NHS Act 2007, as amended, ss.42-43, 56-62 Gene Technology Act 2000, Parts 4 and 10</p>	
8	Measures to secure transport	X	X	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, s.16: permit required</p> <p>CW: 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. (Schedule 1 Chemicals)</p> <p>BW: NHS Act 2007, as amended, s.35 SSBA Standards 2013, Part.6 Gene Technology Act 2000, Parts 5-7 Guidelines for the Transport, Storage and Disposal of GMOs Biosecurity Act 2015</p> <ul style="list-style-type: none"> - Chapter 4 (e.g. ss.189-257) – assessment and management of biosecurity risks associated with conveyances under biosecurity control - Chapter 6 (e.g. ss.309-403) – the assessment and management of biosecurity risks associated with goods and premises (including conveyances). 	X	?	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, ss.23, 25, 26 and 28</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, ss.77-85 ASNO requires certain security measures to be in place for issuing permits</p> <p>BW: NHS Act 2007, as amended, ss.42-43, 56-62 Gene Technology Act 2000, Parts 4 and 10 Biosecurity Act 2015</p> <ul style="list-style-type: none"> - Provisions under Chapter 4 that provide for civil and/or criminal penalties: e.g. ss.193-204, 214-221, 237-239; 243, 245-247, 251, 252A - Provisions under Chapter 6 that provide for civil and/or criminal penalties: e.g. ss.317-323, 327-330, 373-376, 381-383, 391-393, 401-403. 	
9	Physical protection measures	X	X	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, ss.13-14</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, ss.76 (facility agreement)</p>	X	X	X	<p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, ss.23, 25, 26 and 28</p> <p>CW: Description of security measures for physical protection of CWC Scheduled chemicals with annual updates</p>	

				<p>BW: NHS Act 2007, as amended, s.35 SSBA standards, Part.4 Gene Technology Act 2000, Parts 5-7 Biosecurity Act 2015, insofar as the below provisions provide for the power to secure, direct movement, or otherwise affect physical protection of goods and premises (including conveyances):</p> <ul style="list-style-type: none"> - Chapter 3 (e.g. ss.117-188) – powers for assessing and managing biosecurity risks associated with goods under biosecurity control - Chapter 4 (e.g. ss.189-257) - Chapter 6 (e.g. ss.309-403) <p>(State interprets the provisions to cover physical protection)</p>			<p>BW: NHS Act 2007, as amended, ss.42-43, 56-62 Gene Technology Act 2000, Parts 4 and 10 Crimes Act 1914 Biosecurity Act 2015</p> <ul style="list-style-type: none"> - Provisions under Chapter 3 that provide for civil and/or criminal penalties: e.g. ss.120-122, 124-130, 143-149, 151,152, 155, 171-188. - Provisions under Chapter 4 that provide for civil and/or criminal penalties: e.g. ss.193-204, 214-221, 237-239; 243, 245-247, 251, 252A - Provisions under Chapter 6 that provide for civil and/or criminal penalties: e.g. ss.317-323, 327-330, 373-376, 381-383, 391-393, 401-403 <p>(State interprets the provisions to cover physical protection)</p>	
10	Personnel Reliability		X	<p>BW: NHS Act 2007, as amended, s.35 (2A) AusCheck Act 2007 AusCheck Regulations 2017, s.3. SSBA standards, Part 3</p>		X	<p>BW: NHS Act 2007, as amended, ss.42-43, 56-62 SSBA Standards, as of 14 June 2013 AusCheck Act 2007 AusCheck Regulations 2017, s.3.</p>	

2. Related materials: materials, equipment and technology covered by relevant multilateral treaties and arrangements, or included on national control lists, which could be used for the design, development, production or use of nuclear, chemical and biological weapons and their means of delivery.

* Information required in this section may also be available in the State's Confidence Building Measures report, if submitted to the BWC Implementation Support Unit (online at: [http://www.unog.ch/80256EE600585943/\(httpPages\)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument](http://www.unog.ch/80256EE600585943/(httpPages)/4FA4DA37A55C7966C12575780055D9E8?OpenDocument))

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

Measures to establish domestic controls to prevent the proliferation of NW, and their means of delivery; controls over related materials		Source document	Remarks
1	National regulatory authority	Nuclear Non-Proliferation (Safeguards) Act 1987, s.54 Australian Safeguards and Non-proliferation Office (ASNO)	
2	Licensing of nuclear installations/entities/ use of materials	Nuclear Non-Proliferation (Safeguards) Act 1987, ss.23, 25, 26 and 28: Unauthorized possession, taking of nuclear material is an offence, Part II: Permit conditions applied to all nuclear materials and facilities Australian Radiation Protection and Nuclear Safety Act 1998, ss.32-35, 41-53 and 62-80 Australian Radiation Protection and Nuclear Safety Regulations 2018, Part 5 (Licenses)	
3	IAEA Safeguards Agreements	Safeguards Agreement in force 10 July 1974 Additional Protocol enacted into law on 12 December 1997 Amendment to the Additional Protocol ratified 17 July 2008	
4	IAEA Code of Conduct on Safety and Security of Radioactive Sources	Australian Radiation Protection and Nuclear Safety Regulations 2018 Australia has notified the IAEA of its support for the Code of Conduct as States were urged to do so 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 so by Resolution GC(48)/RES/10.D On 4 September 2018, Australia notified the IAEA of Australia's political commitment to implement the IAEA's Guidance on the Management of Disused Radioactive Sources	
5	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources	Australia gave its commitment to each instrument (2004 and 2005). Australia gave a non-binding commitment to work towards implementing the guidance in the Code of Conduct on the Safety and Security of Radioactive Sources (consistent with the terms of GC(47)/Res/7.B) in May 2004 and notified the Director General of its intention to act in accordance with the IAEA Guidance on the Import and Export of Radioactive Sources (consistent with the terms of GC(48)/Res/10.D) in November 2004 Customs (Prohibited Imports) Regulations 1956, Customs (Prohibited Exports) Regulations 1958	
6	IAEA Incident and Trafficking Database	Contributes to Database Programme	
7	Integrated Nuclear Security Support Plan (INSSP) / International Physical Protection Advisory Service (IPPAS)	IPPAS follow-up Mission to Australia held 30 October 2017	

8	Applying the physical protection recommendations in INFCIRC/225/Rev.5	Australia has implemented in full the physical protection recommendations in INFCIRC/225/Rev.5 as per commitments made under IAEA INFCIRC/869, via legally binding permit conditions	
9	Other Agreements related to IAEA	<p>Agreement on the Privileges and Immunities of the IAEA - In force 9 May 1986</p> <p>Convention on Nuclear Safety - In force 24 March 1997</p> <p>Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management - In force 3 Nov 2003</p> <p>Regional Co-operative Agreement for Research, Development and Training Related to Nuclear Science and Technology (RCA), 2017 - In force 11 June 2017</p>	
10	National legislation and regulations related to nuclear material including CPPNM	Nuclear Non-Proliferation (Safeguards) Act 1987, s.18 & 26: restrictions and conditions on communication of associated technology	

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

Measures to establish domestic controls to prevent the proliferation of CW, and their means of delivery; controls over related materials		Source document	Remarks
1	National CWC authority	Chemical Weapons (Prohibition) Act 1994, ss.86-91 Australian Safeguards and Non-Proliferation Office, Chemical Weapons Convention Office, Department of Foreign Affairs and Trade	
2	Licensing/registration of installations/facilities/persons/entities/use/handling of related materials	Chemical Weapons (Prohibition) Act 1994, ss.77-85 National Code of Practice for Chemicals of Security Concern Statement of site security arrangement	
3	Old or abandoned chemical weapons	Chemical Weapons (Prohibition) Act 1994, ss.13-14 and 81	

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

Measures to establish domestic controls to prevent the proliferation of BW, their means of delivery; controls over related materials	Source document	Remarks
<p>1</p> <p>Licensing/registration of installations/facilities/ persons/entities/use/ handling of materials</p>	<p>National Health Security (NHS) Amendment Act 2009 (to include security-sensitive biological agents) National Health Security (NHS) Act 2007, ss.46, 48, 51, 54, 58, 60 and 70 Biosecurity Act 2015</p> <ul style="list-style-type: none"> - Part 3 of Chapter 3 (e.g. ss.171-188) – provisions for prohibited goods, suspended goods, conditionally non-prohibited goods and import permits (regulating the entry of goods into Australian territory) - Chapter 7 (e.g. ss.404-441) – provisions pertaining to approved arrangements, where persons covered by the arrangement may carry out biosecurity activities to manage biosecurity risks associated with specified goods, premises or things <p>Gene Technology Act 2000 Security-Sensitive Biological Agent (SSBA) Standards, as of 14 June 2013</p>	

VII. OP 3 (c) and (d) and related matters from OP 6 - Controls of NW, CW and BW, including Related Materials

Border controls and export and trans-shipment controls to prevent the proliferation of nuclear, chemical and biological weapons and their means of delivery including related materials		National legal framework					Enforcement and civil/criminal penalties					Remarks
		X/?			Source document	X/?			Source document			
		N W	C W	B W		N W	C W	B W				
1	Border control to detect, deter, prevent and combat illicit trafficking	X	X	X	<p>NW/CW/BW: Customs Act 1901, ss. 183-227 Customs (Prohibited Imports) Regulations 1956, Regulation 4H, 4R, 4X, 5J Customs (Prohibited Exports) Regulations 1958, Regulation 4A, 9, 9AC, 9AD, 13E, 13G</p> <p>BW: Biosecurity Act 2015, Chapter 3 (e.g. ss.117-188) (Only apply to 1540 relevant materials to the extent that it is consistent with the objects of the Act) – provide for the assessment and management of biosecurity risks associated with goods under biosecurity control (i.e. at the border)</p>	X	X	X	<p>NW/CW/BW: Customs Act 1901, Part XIV (Customs prosecutions), and s.50, s.112, s.233, s.233AB, s.233BAB Customs Regulation 2015 s.130</p> <p>BW: Biosecurity Act 2015, provisions under Chapter 3 that provide for civil and/or criminal penalties: e.g. ss.120-122, 124-130, 143-149, 151,152, 155, 171-188</p>			
2	Law enforcement to detect, deter, prevent and combat illicit trafficking	X	X	X	<p>NW/CW/BW: Customs Act 1901, ss.183-227 Customs (Prohibited Imports) Regulations 1956, Regulation 4H, 4R, 4X, 5J Customs (Prohibited Exports) Regulations 1958, Regulation 4A, 9, 9AC, 9AD, 13E, 13G</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended</p>	X	X	X	<p>NW/CW/BW: Customs Act 1901, Part XIV (Customs prosecutions), and s.50, s.112, s.233, s.233AB, s.233BAB, Customs Regulation 2015 s.130 Australian Border Force Australian Federal Police Department of Home Affairs</p> <p>NW: Australian Radiation Protection and Nuclear Safety Agency (ARPANSA)</p>			

					<p>BW: Biosecurity Act 2015, Chapter 6 (e.g. ss.309-403) (Only apply to 1540 relevant materials to the extent that it is consistent with the objects of the Act)</p>				<p>BW: Biosecurity Act 2015, Provisions under Chapter 6 that provide for civil and/or criminal penalties: e.g. ss.317-323, 327-330, 373-376, 381-383, 391-393, 401-403</p>	
3	Border control detection measures	X	X	X	<p>NW/CW/BW: Export Control Act 1982, s.24 Customs Act 1901, Parts III-VI</p> <p>CW: Chemical Weapons (Prohibition) Act 1994, as amended, s.8</p>	X	X	X	<p>NW/CW/BW: Customs Act 1901, Parts III-VI Customs Regulation 2015</p> <p>NW: Australian Radiation Protection and Nuclear Safety Agency (ARPANSA)</p>	.
4	Control of brokering	X	X	X	<p>NW/CW/BW: Customs Act 1901, ss.181-183 Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.11 Defence Trade Controls Act 2012, s.15</p>	X	X	X	<p>NW/CW/BW: Customs Act 1901, ss.181-183 Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.11 Defence Trade Controls Act 2012, ss.15-25</p>	
5	Export control legislation in place	X	X	X	<p>NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.9-10 Customs Act 1901, s.112 Customs (Prohibited Exports) Regulations 1958, Regulation 4A, 9, 9AC, 9AD, 13E, 13G</p> <p>CW/BW: Export Control Act 1982, as amended, ss.6-9 Export Control (Orders) 1982 as amended</p>	X	X	X	<p>NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, ss.9 and 10 Customs Act 1901 s.112, s.233, s.233AB, s.233BAB Customs Regulation 2015 s.130</p> <p>CW/BW: Export Control Act 1982, ss.6-18</p>	
6	Licensing provisions and Authority	X	X	X	<p>NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.13 Customs (Prohibited Imports) Regulations 1956, Regulation 4H, 4R, 4X, 5J Customs (Prohibited Exports) Regulations 1958, Regulation 4A, 9, 9AC, 9AD, 13E, 13G</p>	X	X	X	<p>NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.13 Customs Act 1901, s.112 Customs (Prohibited Imports) Regulations 1956, Regulation 4H, 4R, 4X, 5J Customs (Prohibited Exports) Regulations 1958, Regulation 4A, 9, 9AC, 9AD, 13E, 13G</p>	

													Defence Export Controls (DEC) in the Australian Department of Defence regulates the export of defence and strategic goods and technologies. Information is available online at: https://www.defence.gov.au/ExportControls/Default.asp	
													CW: Chemical Weapons (Prohibition) Act 1994, as amended, "transfers" includes exports	
7	Control lists of materials, equipment and technology	X	X	X	NW/CW/BW: Defence and Strategic Goods List (DSGL) Customs (Prohibited Imports) Regulations 1956, Regulation 4H, 4R, 4X, 5J and associated schedules Customs (Prohibited Exports) Regulations 1958, Regulation 4A, 9, 9AC, 9AD, 13E, 13G and associated schedules Customs Regulation 2015 CW: Chemical Weapons (Prohibition) Act 1994, as amended: "transfers" includes exports CWC Schedule Chemicals List National export control lists are fully consistent with export control regimes (NSG, MTCR, ZC, AG, WA) BW: NHS Act 2007, as amended, s.31 (list of security-sensitive biological agents)	X	X	X				NW/CW/BW: Defence and Strategic Goods List (DSGL) DSGL lists the goods, software and technology that are subject to export controls Customs (Prohibited Imports) Regulations 1956, Regulation 4H, 4R, 4X, 5J and associated schedules Customs (Prohibited Exports) Regulations 1958, Regulation 4A, 9, 9AC, 9AD, 13E, 13G and associated schedules Customs Regulation 2015		
8	Intangible technology transfers	X	X	X	NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.11 Defence Trade Controls Act 2012, Part II Customs (Prohibited Exports) Regulations 1958, Regulation 13E	X	X	X				NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.11 Defence Trade Controls Act 2012, Part II Customs (Prohibited Exports) Regulations 1958, Regulation 13E		

9	Inclusion of means of delivery	X	X	X	NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, ss. 3 and 11 Defence Trade Controls Act 2012, Part II Customs (Prohibited Exports) Regulations 1958, Regulation 13E	X	X	X	NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.11 Defence Trade Controls Act 2012, Part II Customs (Prohibited Exports) Regulations 1958, Regulation 13E
10	End-user controls	X	X	X	NW/CW/BW: Customs Act 1901, s.112BA Customs (Prohibited Exports) Regulations 1958, Regulation 4A, 9, 9AC, 9AD, 13E, 13G Defence Trade Controls Act 2012, s.10 CW: Chemical Weapons (Prohibition) Act 1994, as amended, "transfers" includes exports	X	X	X	NW/CW/BW: Customs Act 1901, s.112BA Customs (Prohibited Exports) Regulations 1958, Regulation 4A, 9, 9AC, 9AD, 13E, 13G Customs Regulation 2015
11	Catch all clause	X	X	X	NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.9-11 Customs Act 1901, s. 112BA	X	X	X	NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.9-11 Customs Act 1901, s. 112BA
12	Transit control	X	X	X	NW/CW/BW: Customs Act 1901 s.203DA and 203DB	X	X	X	NW/CW/BW: Customs Act 1901, s.203
13	Trans-shipment control	X	X	X	NW/CW/BW: Customs Act 1901 s.203DA and 203DB	X	X	X	NW/CW/BW: Customs Act 1901, s.203
14	Re-export control	X	X	X	NW/CW/BW: Customs Act 1901 Customs (Prohibited Exports) Regulations 1958, Regulation 4A, 9, 9AC, 9AD, 13E, 13G (State interprets export control to cover re-export)	X	X	X	NW/CW/BW: Customs Act 1901 Customs Regulation 2015
15	Control over financing of exports/transshipments that would contribute to proliferation	X	X	X	NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, ss.4 and 11 Criminal Code, ss.102 & 103 (terrorism) Anti-Money Laundering and Counter-Terrorism Financing Act 2006, s.41 (Suspicious Matter Reporting – within 24 hours for terrorism financing); ss.84, 85 (AML/CTF Programs to	X	X	X	NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.11 Criminal Code, s.103: financing terrorism Anti-Money Laundering and Counter-Terrorism Financing Act 2006, s.41(2) (SMR civil penalty provision); s 81 (AML/CTF Programs civil

				<p>identify, mitigate and manage risk of terrorism financing); ss.135-143 and 173-207 (offences - with terrorist intent)</p> <p>Anti-Money Laundering and Counter-Terrorism Financing Rules Instrument 2007 (No. 1), Chapters 8, 9 (AML/CTF Programs), Chapter 15 (ongoing and enhanced customer due diligence)</p> <p>In accordance with Part 9 of the Anti-Money Laundering and Counter-Terrorism Financing Act 2006, the Anti-Money Laundering and Counter-Terrorism Financing (Prescribed Foreign Countries) Regulations 2018 prescribe certain countries as subject to countermeasures.</p>			<p>penalty provision); s.123 (tipping off) ss.135-143 (offence provisions - with terrorist intent)</p>			
16	Control over services related to exports/transshipments that would contribute to proliferation including transportation	X	X	X	<p>NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, ss.4 and 11</p> <p>NW: Nuclear Non-Proliferation (Safeguards) Act 1987, s.38: extraterritorial provision applies to carriers</p>	X	X	X	<p>NW/CW/BW: Weapons of Mass Destruction (Prevention of Proliferation) Act 1995, s.11</p>	

VIII. OP 7 and 8 (d) - Assistance, Work with and inform Industry and Public, and other Information

1	Assistance offered	Australia would be willing to consider requests for assistance.
2	Assistance Point of Contact (for assistance providers only)	Point of Contact for assistance matters is the Director, Counter-Proliferation Section, Arms Control and Counter-Proliferation Branch, International Security Division, Department of Foreign Affairs and Trade.
3	Assistance requested	
4	Action taken to work with and inform industry	<p>Various Australian Government agencies conduct outreach to industry, research institutes and academia. Some examples are highlighted below:</p> <p>The Australian Department of Home Affairs implements the Agreement on Australia's National Arrangements for the Management of Security Risks Associated with Chemicals. The Department of Home Affairs works together with other Australian, state and territory government agencies to ensure businesses and the community are aware of chemical security risks and appropriate risk management processes are in place.</p> <p>The Australian Department of Health administers the Security Sensitive Biological Agents (SSBA) Regulatory Scheme. More information can be found online at: https://www1.health.gov.au/internet/main/publishing.nsf/Content/ssba.htm</p> <p>The Australian Safeguards and Non-Proliferation Office informs its industry permit holders of relevant security risks associated with use, transport and storage of nuclear materials.</p>
5	Action taken to work with and inform the public	Various Australian Government agencies conduct outreach and provide information to the public. Further information is available on the relevant Australian Government websites.
6	Point of Contact	James Nachipo, Director, Arms Control Policy Section, Department of Foreign Affairs and Trade (James.Nachipo@dfat.gov.au) Peter Horne, First Secretary, Permanent Mission of Australia to the United Nations (Peter.Horne@dfat.gov.au).
7	Voluntary National Implementation Action Plan (NAP)	
8	1540 Committee visits to States	