

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:	Republic of Austria
Date of Report:	28 October 2004
Dates of Additional Reports:	8 November 2005
	19 December 2007
	28 July 2010
	26 August 2019
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 27 June 1969	
2	Nuclear Weapons Free Zone/ Protocol(s)	
3	International Convention for the Suppression of Acts of Nuclear Terrorism Deposit 14 September 2006	
4	Convention on Physical Protection of Nuclear Material (CPPNM) Deposit 22 December 1988	
5	2005 Amendment to the CPPNM Deposit 18 September 2006	
6	Comprehensive Nuclear-Test-Ban Treaty (CTBT) (not in force) Deposit 13 March 1998	
7	Chemical Weapons Convention (CWC) Deposit 17 August 1995	
8	Biological Weapons Convention (BWC) Deposit 10 August 1973	
9	Geneva Protocol of 1925 Deposit 9 May 1928	
10	1997 International Convention for the Suppression of Terrorist Bombings Deposit 6 September 2000	
11	1999 International Convention for the Suppression of the Financing of Terrorism Deposit 15 April 2002	

12	2005 Protocol to the Convention for the suppression of unlawful acts against the safety of maritime navigation	Deposit 18 June 2010	
13	2005 Protocol to the Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf	Deposit 18 June 2010	
14	2010 Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation		
15	Other relevant regional legally binding instruments	EURATOM Treaty	
16	International Atomic Energy Agency (IAEA)	Since 1957	
17	Directly relevant Arrangements	Zangger Committee Nuclear Suppliers Group (NSG) Australia Group (AG) Missile Technology Control Regime (MTCR) Wassenaar Arrangement (WA) Proliferation Security Initiative (PSI) Global Initiative to Combat Nuclear Terrorism (GICNT)	
18	Statement on non-provision of WMD and related materials to non-State actors	The State reported that it has a wide range of legislative measures to prevent the proliferation of WMD, including by non-State actors.	
19	Membership in relevant international, regional or sub-regional organisations	The European Union (EU) The Organization for Security and Co-operation in Europe (OSCE) INTERPOL International Maritime Organization (IMO) World Customs Organization (WCO) World Health Organization (WHO) World Organisation for Animal Health (OIE) Financial Action Task Force (FATF)	

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: Federal Constitutional Act for a Non-Nuclear Austria of 13 August 1999, Section 1 Penal Code of 23 January 1974, as amended, Section 177a</p> <p>CW: Foreign Trade Act ("Aussenwirtschaftsgesetz") 2011 as amended, Section 41 Nr. 1 Penal Code, as amended, Section 177a</p> <p>BW: Foreign Trade Act 2011, as amended, Section 41 Nr. 5 Penal Code, as amended, Section 177a</p>	X	X	X	<p>NW: Penal Code, as amended, Section 177a</p> <p>CW: Foreign Trade Act 2011, as amended, Part 10, in particular Section 81 Penal Code, Section 177a</p> <p>BW: Foreign Trade Act 2011, as amended, Part 10, in particular Section 81 Penal Code, as amended, Section 177a</p>		
2	acquire	X	X	X	<p>NW: The Federal Constitution, Article 9 NPT Ratification Law Penal Code, as amended, Section 177a</p> <p>CW: Foreign Trade Act 2011, as amended, Section 41 Nr. 1 Penal Code, as amended, Section 177a</p> <p>BW: Foreign Trade Act 201,1 as amended, Section 41 Nr. 5 Penal Code, as amended, Section 177a</p>	X	X	X	<p>NW: Penal Code, as amended, Section 177a</p> <p>CW: Foreign Trade Act 2011, Part 10, in particular Section 81 Penal Code, as amended Section 177a</p> <p>BW: Foreign Trade Act 2011, as amended, Part 10, in particular Section 81 Penal Code, Section 177a</p>		

3	possess	X	X	X	<p>NW: The Federal Constitution, Article 9 NPT Ratification Law Penal Code, as amended, Section 177a</p> <p>CW: Foreign Trade Act 2011, as amended, Section 41 Nr. 1 and Nr. 4 (prohibition of possession of chemicals of Schedule 1 or 2 in States not party to the CWC, by Austrian nationals or by individuals or companies resident in the federal territory) Penal Code, as amended, Section 177a</p> <p>BW: Foreign Trade Act 2011, as amended, Section 41 Nr. 5 Penal Code, as amended, Section 177a</p>	X	X	X	<p>NW: Penal Code, as amended, Section 177a</p> <p>CW: Foreign Trade Act 2011, as amended, Part 10, in particular Section 81 Penal Code, as amended, Section 177a</p> <p>BW: Foreign Trade Act 2011, as amended, Part 10, in particular Section 81 Penal Code, as amended, Section 177a</p>
4	develop	X	X	X	<p>NW: Federal Constitutional Act for a Non-Nuclear Austria of 13 August 1999, Section 1 Penal Code, as amended, Section 177a</p> <p>CW: Foreign Trade Act 2011, as amended, Section 41 Nr. 1 Penal Code, as amended, Section 177a</p> <p>BW: Foreign Trade Act 2011, as amended, Section 41 Nr. 5 Penal Code, as amended, Section 177a</p>	X	X	X	<p>NW: Penal Code, as amended, Section 177a</p> <p>CW/BW: Foreign Trade Act 2011, as amended, Part 10, in particular Section 81 (Penalties) Penal Code, as amended, Section 177a</p>
5	transport	X	X	X	<p>NW: Federal Constitutional Act for a Non-Nuclear Austria of 13 August 1999, Section 1 Penal Code, as amended, Section 177b European Agreement concerning the International Carriage of Dangerous Goods by road (ADR)</p>	X	X	X	<p>NW: Penal Code, as amended, Section 177b</p>

				<p>CW: Penal Code, Section 177a European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)</p> <p>BW: European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)</p>			<p>CW/BW: Penal Code, as amended, Sections 12 and 177a</p>		
6	transfer	X	X	X	<p>NW: Penal Code, as amended, Section 177a</p> <p>CW: The Federal Constitution, 2000, Article 9 (The generally recognized rules of international law are regarded as integral parts of Federal Law) CWC ratification law</p> <p>BW: The Federal Constitution, Article 9 (the generally recognized rules of international law are regarded as integral parts of Federal law) BWC Ratification Law</p>	X	X	X	<p>NW/CW/BW: Penal Code, as amended, Section 177a</p>
7	use	X	X	X	<p>NW: Federal Constitutional Act for a Non-Nuclear Austria of 13 August 1999, Section 1</p> <p>CW: Foreign Trade Act 2011, as amended, Section 41 Nr. 1</p> <p>BW: Foreign Trade Act 2011, as amended, Section 41 Nr. 6 (use as a method of warfare either means of riot control or incapacitating substances)</p>	X	X	X	<p>NW: Penal Code, as amended, Sections 171 and 177b, 278c (qualification as a terrorist act)</p> <p>CW: Foreign Trade Act 2011, as amended, Part 10, in particular Section 81 Penal Code, as amended, Section 89 (Austria reports that general criminal provisions would apply, here: threats to physical safety)</p> <p>BW: Foreign Trade Act 2011, as amended, Part 10, in particular Section 81 Penal Code, as amended, Sections 89, 178 (intentional release of communicable diseases)</p>

					Implementing Act of the 1925 Geneva Protocol of 28 July 1928				
8	attempt to engage in abovementioned activities	X	X	X	NW/BW/CW Penal Code, as amended, Section 15	X	X	X	NW/BW/CW Penal Code, as amended, Section 15
9	participate as an accomplice in abovementioned activities	X	X	X	NW/CW/BW: See prohibitions / penalties as mentioned above in conjunction with Section 12 of the Penal Code CW: Foreign Trade Act 2011, as amended, Section 41 Nr. 3, Section 12 of the Penal Code	X	X	X	NW/CW/BW: Penal Code, as amended, Section 12
10	assist in abovementioned activities	X	X	X	NW/CW/BW: See prohibitions / penalties as mentioned above in conjunction with Section 12 of the Penal Code Foreign Trade Act, as amended, Section 22 (prohibition of “technical assistance” in connection with the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of chemical or biological weapons, nuclear weapons / other nuclear explosive devices or in connection with the development, manufacture, maintenance or storage of their means of delivery) CW: Foreign Trade Act 2011, as amended, Section 41 Nr. 3	X	X	X	NW/CW/BW: Penal Code, as amended, Section 12 Foreign Trade Act 2011, as amended, Sections 79, 82 CW: Foreign Trade Act 2011, as amended, Part 10, in particular Section 81
11	finance abovementioned activities				NW/CW/BW: Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purpose of money laundering and terrorist financing, as amended The Federal Constitution, Article 9 Ratification Law of the International Convention for the Suppression of the Financing of Terrorism				

		X	X	X	<p>NW: Penal Code, Sections 165, 278a, 278d (financing of terrorism; "...of an intentional endangering by nuclear energy or ionized radiation (Article 171) or a threat with it, of an unlawful use of nuclear materials or radioactive substances (Section 177b), of any other criminal offense to obtain nuclear materials or radioactive substances or of the threat to commit a theft or robbery of nuclear materials or radioactive substances aiming to force another person to an action, permission or omission")</p> <p>CW/BW: Penal Code, Sections 178d No 7, 278d (financing of terrorism: "...of the transportation of a blasting composition or another deadly device in a public place, to a governmental or public institution or a public traffic system or services of supply or of the operation of these means aiming to cause the death or a grievous bodily injury of another person or the destruction of the place, institution or system to a high degree, as far as the destruction is appropriate to bring about a considerable economic damage</p>	X	X	X	<p>NW: Penal Code, as amended, Sections 165, 278a, 278d with Section 171</p> <p>CW/BW: Penal Code, as amended, Sections 178d, 278d, 278 (3)</p>	
12	abovementioned activities related to means of delivery ¹	X	X	X	<p>NW/CW/BW: Foreign Trade Act 2011, as amended, Section 22 (prohibition of "technical assistance" from Austrians outside the EU or by Austrians to non-EU nationals in connection with the development, production, maintenance or storage of missiles capable of delivering chemical, biological or nuclear weapons)</p> <p>CW: Foreign Trade Act 2011, as amended, Section</p>	X	X	X	<p>NW: Foreign Trade Act 2011, as amended, Section 79</p> <p>CW/BW: Foreign Trade Act 2011, as amended, Part 10,</p>	

				<p>41 Nr. 1 (prohibitions refer to “chemical weapons as defined by the CWC)</p> <p>BW: Foreign Trade Act 2011, as amended, Section 41 Nr. 5(b)</p>			<p>Section 81 Penal Code, Sections 177a and 12</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: Commission Regulation (EURATOM) 302/2005 of 8 February 2005 on the application of Euratom safeguards. Nuclear Non-Proliferation Act 2013, Section 22 Radiation Protection Act (“Strahlenschutzgesetz”), as amended, Section 24</p> <p>CW: Foreign Trade Act 2011, as amended, Sections 42 (licensing requirement for the development, production, acquisition, storage and retention of CWC-Schedule 1 chemicals) and 44 (Reporting requirements for CWC-Schedules 1-3 as well as other related chemicals defined by the Act) Federal Act on Occupational Safety and Health Protection (“ArbeitnehmerInnenschutzgesetz”), as amended (contains reporting requirements) Industrial Code (“Gewerbeordnung”), as amended (contains licensing requirements for different activities involving chemicals) Regulation (EG) 1907/2006 of the European Parliament and of the Council of 18 December 2008 concerning the Registration, Evaluation and Restriction of Chemicals (REACH), as amended Chemicals Act 1996, as amended</p>	X	X	X	<p>NW: EUROATOM Treaty, Article 83 Commission Recommendation of 11 February 2009 on the implementation of a nuclear material accountancy and control system by operators of nuclear installations Nuclear Non-Proliferation Act 2013, Sections 21 (control measures), 26 (penalties) Radiation Protection Act, as amended, Part V</p> <p>CW: Foreign Trade Act 2011, as amended, Part 10 Federal Act on Occupational Safety and Health Protection, as amended, Section 130 Industrial Code, as amended, Section 366 Chemicals Act, as amended, Part 6</p>			

				<p>BW: Regulation (EC) n. 851/2004 of the European Parliament and the Council of 21 April 2004 establishing a European Centre for Disease Prevention and Control (ECDC) (its mission includes the identification and assessment of emerging threats, including the collection of relevant data and coordination of public health services and surveillance networks) Foreign Trade Act 2011, Section 42 (licensing requirement for the development, production, stockpiling, acquisition or the retention of agents, toxins, weapons, equipment or ingredients as defined by Article I of the BWC) Federal Act on Occupational Safety and Health Protection, as amended Regulation on Biological Work Material, Section 11 (reporting requirement for first use of biological material as defined) Industrial Code, as amended</p>			<p>BW: Foreign Trade Act 2011, as amended, Part 10 Federal Act on Occupational Safety and Health Protection, as amended, Section 130 Industrial Code, as amended, Section 366 ECDC The Federal Ministry of Health is responsible for contact with the ECDC and for the coordination of the Early Warning and Response System for the EU and WHO The Austrian Agency for Health and Food Safety (AGES)</p>			
2	Measures to account for use	X	X	X	<p>NW: Commission Regulation (EURATOM) 302/2005 of 8 February 2005 on the application of Euratom safeguards Nuclear Non-Proliferation Act 2013, Section 22 Radiation Protection Act, as amended, Section 24</p> <p>CW: Foreign Trade Act 2011, as amended, Sections 42, 44 Federal Act on Occupational Safety and Health Protection, as amended Industrial Code, as amended Regulation (EG) 1907/2006 of the European Parliament and of the Council of 18 December 2008 Chemicals Act 1996, as amended</p> <p>BW: Regulation (EC) n. 851/2004 of the European Parliament and the Council of 21 April 2004</p>	X	X	X	<p>NW: EURATOM Treaty, Article 83 Nuclear Non-Proliferation Act 2013, Sections 21, 26 Radiation Protection Act, as amended, Part V</p> <p>CW: Foreign Trade Act 2011, as amended, Part 10 Federal Act on Occupational Safety and Health Protection, as amended, Section 130 Industrial Code, as amended, Section 366 Chemicals Act, as amended, Part 6</p> <p>BW: Foreign Trade Act 2011, as amended, Part 10 Federal Act on Occupational Safety and Health Protection, as amended, Section 130</p>	

				<p>Directive 2000/54/EC of the European Parliament and of the Council of 18 September 2000 on the protection of workers from risks related to exposure to biological agents at work, Article 13</p> <p>Foreign Trade Act 2011, as amended, Section 42 (“development” / “retention”)</p> <p>Federal Act on Occupational Safety and Health Protection, as amended</p> <p>Regulation on Biological Work Material, Section 11</p> <p>Industrial Code, as amended</p>			<p>Industrial Code, as amended, Section 366</p> <p>ECDC</p> <p>The Federal Ministry of Health is responsible for contact with ECDC and for the coordination of the Early Warning and Response System for the EU and WHO</p> <p>The Austrian Agency for Health and Food Safety</p>		
3	Measures to account for storage	X	X	X	X	X	X	<p>NW:</p> <p>Commission Regulation (EURATOM) n. 302/2005 of 8 February 2005 on the application of Euratom safeguards</p> <p>Nuclear Non-Proliferation Act 2013, Section 22</p> <p>Radiation Protection Act, as amended, Section 24</p> <p>CW:</p> <p>Foreign Trade Act 2011, as amended, Sections 42, 44</p> <p>Federal Act on Occupational Safety and Health Protection, as amended</p> <p>Industrial Code, as amended</p> <p>Regulation (EG) 1907/2006 of the European Parliament and of the Council of 18 December 2008</p> <p>Chemicals Act 1996, as amended</p> <p>BW:</p> <p>Regulation (EC) n. 851/2004 of the European Parliament and the Council of 21 April 2004</p> <p>Foreign Trade Act 2011, as amended, Section 42</p> <p>Federal Act on Occupational Safety and Health Protection, as amended</p> <p>Regulation on Biological Work Material, Section 11</p> <p>Industrial Code, as amended</p>	<p>NW:</p> <p>EURATOM Treaty, Article 83</p> <p>Commission Recommendation of 11 February 2009 on the implementation of a nuclear material accountancy and control system by operators of nuclear installations</p> <p>Nuclear Non-Proliferation Act 2013, Sections 21, 26</p> <p>Radiation Protection Act, as amended, Part V</p> <p>CW:</p> <p>Foreign Trade Act 2011, Part 10</p> <p>Federal Act on Occupational Safety and Health Protection, as amended, Section 130</p> <p>Industrial Code, as amended, Section 366</p> <p>Chemicals Act, as amended, Part 6</p> <p>BW:</p> <p>Foreign Trade Act 2011, as amended, Part 10</p> <p>Federal Act on Occupational Safety and Health Protection, as amended, Section 130</p> <p>Industrial Code, as amended, Section 366</p> <p>ECDC</p> <p>The Federal Ministry of Health is responsible for contact with ECDC and for the coordination of the Early Warning and Response System for the EU and WHO</p>

									The Austrian Agency for Health and Food Safety	
4	Measures to account for transport	X	X	X	<p>NW/CW/BW: ADR (European Agreement concerning the international carriage of dangerous goods) EU Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (implementing ADR, RID and ADN), as amended Transport of Dangerous Goods Act ("Gefahrgutbeförderungsgesetz), as amended</p> <p>NW: Commission Regulation (EURATOM) n. 302/2005 of 8 February 2005 on the application of Euratom safeguards Nuclear Non-Proliferation Act 2013, Section 22 Radiation Protection Act, as amended, Sections 10a, 24</p> <p>CW: Foreign Trade Act 2011, as amended, Sections 42, 44 ("possession" and "transfer") Federal Act on Occupational Safety and Health Protection Chemicals Act 1996, as amended</p> <p>BW: Foreign Trade Act 2011, as amended, Section 44 ("possession") Federal Act on Occupational Safety and Health Protection, as amended</p>	X	X	X	<p>NW/CW/BW: Transport of Dangerous Goods Act, as amended, Part 9</p> <p>CW/BW: Foreign Trade Act 2011, Part 10 Federal Act on Occupational Safety and Health Protection, as amended, Section 130</p> <p>NW: Nuclear Non-Proliferation Act 2013, Sections 21, 26 Radiation Protection Act, as amended, Part V</p> <p>CW: Chemicals Act, as amended, Part 6</p>	
5	Measures to secure production	X	X	X	<p>NW: Nuclear Non-Proliferation Act 2013, Part 3</p>	X	X	X	<p>NW: Penal Code, as amended, Section 177b Nuclear Non-Proliferation Act 2013, Sections 8 (enforcement measures), 26 (penalties)</p>	

				<p>CW: Federal Act on Occupational Safety and Health Protection, as amended Chemicals Act 1996, as amended</p> <p>BW: Federal Act on Occupational Safety and Health Protection, as amended Regulation on Biological Work Material as well as regulations on regional level General Employees Protection Ordinance 1983, as amended Ordinance on Work Equipment and Tools 2000, as amended Occupational Health Surveillance Ordinance, as amended Epidemics Act 1950, as amended</p>			<p>CW: Federal Act on Occupational Safety and Health Protection, as amended, Section 130 Chemicals Act, as amended, Part 6</p> <p>BW: Federal Act on Occupational Safety and Health Protection, as amended, Section 130 Epidemics Act 1950, as amended, Part IV ECDC's bio risk expert group and related projects (see above)</p>			
6	Measures to secure use	X	X	X	<p>NW: Nuclear Non-Proliferation Act 2013, Part 3</p> <p>CW: Federal Act on Occupational Safety and Health Protection, as amended Chemicals Act 1996, as amended</p> <p>BW: Federal Act on Occupational Safety and Health Protection, as amended Regulation on Biological Work Material as well as regulations on regional level General Employees Protection Ordinance 1983, as amended Ordinance on Work Equipment and Tools 2000, as amended Occupational Health Surveillance Ordinance, as amended Epidemics Act 1950, as amended</p>	X	X	X	<p>NW: Penal Code, as amended, Section 177b Nuclear Non-Proliferation Act 2013, Sections 8, 26</p> <p>CW: Federal Act on Occupational Safety and Health Protection, as amended, Section 130 Chemicals Act, as amended, Part 6</p> <p>BW: Federal Act on Occupational Safety and Health Protection, as amended, Section 130 Epidemics Act 1950, as amended, Part IV ECDC's biorisk expert group and related projects</p>	
7	Measures to secure storage	X	X	X	<p>NW: Nuclear Non-Proliferation Act 2013, Part 3</p>	X	X	X	<p>NW: Penal Code, Section 177b</p>	

				<p>CW: Council Directive 98/24/EC of 7 April 1998 Federal Act on Occupational Safety and Health Protection, as amended Chemicals Act 1996, as amended</p> <p>BW: Federal Act on Occupational Safety and Health Protection, as amended Regulation on Biological Work Material as well as regulations on regional level General Employees Protection Ordinance 1983, as amended Ordinance on Work Equipment and Tools 2000, as amended Occupational Health Surveillance Ordinance, as amended Epidemics Act 1950, as amended</p>			<p>Nuclear Non-Proliferation Act 2013, Sections 8, 26</p> <p>CW: Federal Act on Occupational Safety and Health Protection, as amended, Section 130 Chemicals Act, as amended, Part 6</p> <p>BW: Federal Act on Occupational Safety and Health Protection, as amended, Section 130 Epidemics Act 1950, as amended, Part IV ECDC's biorisk expert group and related projects</p>			
8	Measures to secure transport	X	X	X	<p>NW/CW/BW: ADR (European Agreement concerning the international carriage of dangerous goods), RID and ADN EU Directive 2008/68/EC of 24 September 2008 on the inland transport of dangerous goods (adapting ADR, RID and ADN for intra EU transfers), as amended Transport of Dangerous Goods Act, as amended</p> <p>NW: Nuclear Non-Proliferation Act, Part 3 Radiation Protection Act, as amended</p> <p>CW: Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures</p>	X	X	X	<p>NW/CW/BW: Transport of Dangerous Goods Act, as amended, Part 9</p> <p>NW: Penal Code, Section 177b Nuclear Non-Proliferation Act 2013, Sections 8, 26 Radiation Protection Act, as amended, Part V</p> <p>CW: Chemicals Act, as amended, Part 6</p>	

				Chemicals Act 1996, as amended BW: Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal 1993, as amended and as implemented in Austrian national law				
9	Physical protection measures	X	X	NW: Nuclear Non-Proliferation Act 2013, Part 3 (physical protection levels are based on the IAEA Guidelines and Recommendations for the physical protection of nuclear materials) BW: Directive 2000/54/EC of the European Parliament and of the Council of 18 September 2000, Annex V	X			NW: Penal Code, as amended, Section 177b Nuclear Non-Proliferation Act 2013, Sections 8, 26
10	Personnel Reliability	X	X	X	X	X	X	NW: Licenses for the handling of nuclear material as defined by the Nuclear Non-Proliferation Act may only be issued under the condition that persons handling nuclear material undergo a security check in accordance with Sections 55, 55b of the Security Police Act (“Sicherheitspolizeigesetz”) Foreign Trade Act 2011, as amended, Section 50 (suspension of license applications) CW/BW: Foreign Trade Act 2011, as amended, Sections 50, 51 Industrial Code 1994, as amended, Sections 95, 103 (reliability check for persons applying for business licences for chemical laboratories or the production of medicines and toxins)

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	Federal Ministry of Science, Research and Economy: safeguards and export control Ministry of the Interior: physical protection measures For different aspects in the area of radiation protection: Federal Ministry of Agriculture, Forestry, Environment and Water Management; Federal Ministry of Science, Research and Economy; Federal Ministry of Health; Federal Ministry of Defence See: Nuclear Non-Proliferation Act 2013, Sections 4, 7, 9 and Radiation Protection Act, as amended, Section 41	
2	Licensing of nuclear installations/entities/ use of materials	Nuclear Non-Proliferation Act 2013, Part 2 (registration requirement for research and development activities), Part 3 (licensing requirement for the handling of nuclear material), Part 4 (licensing requirements for exports) and Sections 8, 26 Radiation Protection Act, as amended, Part 2 and Part V Penal Code, as amended, Section 177b	
3	IAEA Safeguards Agreements	Individual agreement suspended after accession to EU (now: Safeguards Agreement 78/164/Euratom and INFCIRC/193 of 14 September 1973; Additional Protocol 1999/188/Euratom and INFCIRC/193/Add.8 of 12 January 2005) Safeguards Agreement: accession 31 July 1996 Additional Protocol: in force 30 April 2004 Nuclear Non-Proliferation Act 2013	
4	IAEA Code of Conduct on Safety and Security of Radioactive Sources	Notification pursuant to GC(47)/RES/7.B1 PoC: Federal Ministry of Agriculture, Forestry, Environment and Water Management	
5	Supplementary Guidance on the Import and Export of Radioactive Sources of the Code of Conduct on the Safety and Security of Radioactive Sources		

6	IAEA Incident and Trafficking Database	Participates in ITDB	
7	Integrated Nuclear Security Support Plan (INSSP) / International Physical Protection Advisory Service (IPAS)		
8	Applying the physical protection recommendations in INFCIRC/225/Rev.5		
9	Other Agreements related to IAEA	INFCIRC/254/Rev.6/Part 1 of 16 May 2003 Guidelines for Nuclear Transfers	
10	National legislation and regulations related to nuclear material including CPPNM		

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	Federal Ministry of Science, Research and Economy, see Foreign Trade Act 2011, as amended, Section 47 (National Authority)	
2	Licensing/registration of installations/facilities/persons/entities/use/handling of related materials	Foreign Trade Act 2011, as amended, Section 42 (licensing requirement for the development, production, acquisition, storage and retention of CWC-Schedule 1 chemicals) and Part 10 Regulation (EG) 1907/2006 of the European Parliament and of the Council of 18 December 2008 (registration requirement for materials) Chemicals Act 1996, as amended including Part VI Industrial Code 1994, as amended, Section 103 (business licence required for the operation of chemical laboratories) and Section 366	
3	Old or abandoned chemical weapons		

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>Foreign Trade Act 2011, as amended, Section 42 (licensing requirement for the development, production, stockpiling, acquisition or the retention of agents, toxins, weapons, equipment or ingredients as defined by Article I of the BWC) and Part 10</p> <p>Directive 2000/54/EC of the European Parliament and of the Council of 18 September 2000</p> <p>Federal Act on Occupational Safety and Health Protection, as amended, Sections 42 (first use of certain biological material), 92 (licensing requirement for facilities), and 130</p> <p>Regulation on Biological Work Material, Section 11 (first use)</p> <p>Medicines Act 1983, as amended including Part XIII, and related Ordinances</p> <p>Gene Technology Act 1994, as amended, including part XII, and related Ordinances</p> <p>Industrial Code 1994, as amended, Sections 94, 366</p> <p>Animal Infectious Disease Act 1909, as amended including Part VIII</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	NW/CW/BW: Council Regulation (EU) No. 952/2013 (Union Customs Code), as amended, especially Articles 264 and 267	X	X	X	NW/CW/BW: Council Regulation (EU) No. 952/2013 (Union Customs Code), as amended, Article 22 Federal Customs Law Enforcement Act of 1994 ("Zollrechts-Durchfuehrungsgesetz"), as amended Austrian Tax and Customs Administration			
2	Law enforcement to detect, deter, prevent and combat illicit trafficking	X	X	X	NW/CW/BW: Foreign Trade Act 2011, as amended, Articles 63, 64, 84, 95 War Material Act 1977, as amended, Section 6 Union Customs Code, as amended, especially Article 198 NW: Nuclear Non-Proliferation Act 2013, Sections 18, 25, 32 (administration)	X	X	X	NW/CW/BW: Federal Ministry of Science, Research and Economy Federal Ministry of Finance/Customs			
3	Border control detection measures	X	X	X	NW/CW/BW: Union Customs Code, as amended, Articles 4, 13, 15, Title IX	X	X	X	NW/CW/BW: Finance Ministry: Anti-Fraud Unit/Risk Information and Analysis Center Union Customs Code, as amended, Article 22			
4	Control of brokering	X	X	X	NW/CW/BW: Council Regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, as amended, Article 5	X	X	X	NW/CW/BW: Foreign Trade Act 2011, as amended, Part 10			

				<p>Foreign Trade Act 2011, as amended, Sections 14, 15 (licensing provisions), 18 (prohibitions), 19 (notification requirement), 61 (register) First Foreign Trade Ordinance 2011, Section 5 War Material Act 1977, as amended</p> <p>NW: Nuclear Non-Proliferation Act 2013, Sections 10 (licensing requirement), 11 (notification requirement)</p>					
5	Export control legislation in place	X	X	X	<p>NW/CW/BW: Council Regulation (EC) n. 428/2009 of 5 May 2009, as amended Foreign Trade Act 2011, as amended and related Ordinances (First and Second Foreign Trade Ordinances 2011, as amended) War Material Act 1977, as amended Sanctions Law 2010, as amended as well as various EU Regulations implementing international sanctions</p> <p>NW: Commission Regulation (EURATOM) n. 302/2005 of 8 February 2005 on the application of Euratom Safeguards, as amended, Chapter IV, Article 20 Nuclear Non-proliferation Act 2013, Part IV Radiation Protection Act, as amended, Section 10a</p>	X	X	X	<p>NW/CW/BW: Penal Code, as amended, Section 177a Foreign Trade Act 2011, Part 10 Sanctions Law 2010, as amended, Part 3 Foreign Trade Act 2011, as amended, Section 60 (revocation or suspension of the right to use general licences), Part 6 (penalties for non-compliance) Federal Ministry of Science, Research and Economy (licensing authority) Federal Ministry of Interior (war material)</p> <p>NW: Penal Code, Section 177b Nuclear Non-Proliferation Act 2013, Part 6</p>
6	Licensing provisions and Authority	X	X	X	<p>NW/CW/BW: Council Regulation (EC) n. 428/2009 of 5 May 2009, as amended, Articles 3, 4, 5, Chapter III, Article 9 (intra-Community transfers do not require an authorisation, except for items listed in Annex IV, Article 22), Annexes IIa to IIc (EU General Export Authorisations) First Foreign Trade Ordinance 2011, as amended, Sections 3 (national general license), 16 (registration requirements) Foreign Trade Act 2011, as amended, Part 3</p>	X	X	X	<p>NW/CW/BW: Penal Code, as amended, Section 177a Foreign Trade Act 2011, as amended, Part 10</p>

				<p>(non-EU States), Part 4 (intra EU), Sections 14, 16, 59, 95 War Material Act 1977, Sections 1, 11</p> <p>NW: Nuclear Non-proliferation Act 2013, Part 4, Section 9 The Radiation Protection Act, as amended</p> <p>CW: First Foreign Trade Ordinance 2011, as amended, Section 13</p>				<p>NW: Penal Code, Section 177b Nuclear Non-Proliferation Act 2013, Part 6</p>		
7	Control lists of materials, equipment and technology	X	X	X	<p>NW/CW/BW: Council Regulation (EC) n. 428/2009 of 5 May 2009, as amended, Article 2 (“‘dual-use items’ shall mean items, including software and technology...”), Annex I Foreign Trade Act 2011, as amended, Section 1</p>	X	X	X	<p>NW/CW/BW: Council regulation (EC) n. 428/2009 of 5 May 2009, as amended, Annex I Foreign Trade Act 2011, as amended, Part 10</p>	
8	Intangible technology transfers	X	X	X	<p>NW/CW/BW: Council Regulation (EC) n. 428/2009 of 5 May 2009, as amended, Article 2 Foreign Trade Act 2011, as amended, Section 1 (Nr. 11: definition of “export” also covers intangible transfers) Council Joint Action of 22 June 2000 concerning the control of technical assistance related to certain military end-uses Foreign Trade Act 2011, as amended, Sections 22 (prohibitions), 23 (licensing requirements)</p>	X	X	X	<p>NW/CW/BW: Foreign Trade Act 2011, as amended, Part 10</p>	
9	Inclusion of means of delivery	X	X	X	<p>NW/CW/BW: Council Regulation (EC) n. 428/2009 of 5 May 2009, as amended, Annex I</p>	X	X	X	<p>NW/CW/BW: Council Regulation (EC) n. 428/2009 of 5 May 2009, as amended, Annex I (contains the items controlled by the MTCR) Foreign Trade Act 2011, Part 10</p>	
10	End-user controls	X	X	X	<p>NW/CW/BW: Council Regulation (EC) n. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items Foreign Trade Act 2011, Section 13</p>	X	X	X	<p>NW/CW/BW: First Foreign Trade Ordinance 2011, as amended, Section 2 Advisory board supply information on the end-user and end-use</p>	

					NW: Nuclear Non-Proliferation Act 2013, Section 13				
11	Catch all clause	X	X	X	NW/CW/BW: Council Regulation (EC) n. 428/2009 of 5 May 2009, as amended, Article 4 Foreign Trade Act 2011, as amended, Sections 15, 19 First Foreign Trade Ordinance 2011, as amended, Section 5	X	X	X	NW/CW/BW: Foreign Trade Act 2011, as amended, Part 10
12	Transit control	X	X	X	NW/CW/BW: Council Regulation (EC) n. 428/2009 of 5 May 2009, as amended, Article 6 Union Customs Code, as amended, especially Articles 5, 141, 158, 210, 226, 233 Foreign Trade Act 2011, Sections 14, 15 (licensing requirements), 18 (prohibition) NW: Nuclear Non-Proliferation Act 2013, Section 10	X	X	X	NW/CW/BW: Penal Code, as amended, Section 177a Foreign Trade Act 2011, Part 10 NW: Penal Code, as amended, Section 177b
13	Trans-shipment control	X	X	X	NW/CW/BW: Council Regulation (EC) n. 428/2009 of 5 May 2009, as amended (would be handled either as an “export” or a “transit” as defined by the Regulation) Union Customs Code, as amended	X	X	X	NW/CW/BW: Penal Code, as amended, Section 177a Foreign Trade Act 2011, Part 10
14	Re-export control	X	X	X	NW/CW/BW: Council Regulation (EC) n. 428/2009 of 5 May 2009, as amended, Article 2 (defines “re-export” as an “export” for the purposes of the Regulation) Union Customs Code, as amended, Article 270 Foreign Trade Act 2011, as amended, Section 1, Nr. 11	X	X	X	NW/CW/BW: Penal Code, as amended, Section 177a Foreign Trade Act 2011, Part 10
15	Control over financing of exports/transshipments that would contribute to proliferation	X	X	X	NW/CW/BW: Directive 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system	X	X	X	NW/CW/BW: Austrian FIU at the Criminal Intelligence Service (“Meldestelle Geldwaesche”)

				<p>for the purpose of money laundering or terrorist financing, as amended and national transition acts, especially Act on the prevention of money laundering and terrorist financing of 2016 (official gazette I Np 118/2016)</p> <p>Banking Act 1993 (“Bankwesengesetz”), as amended, Sections 40-40d (Special obligations of due diligence for credit and financial institutions, which aim at preventing money laundering and the financing of terrorism; relevant amendments were also made to other acts regulating the financial sector, e.g. the Insurance Supervision Act, the Securities Supervision Act and the Stock Exchange Act)</p> <p>Sanctions Act 2010, as amended</p> <p>EU Regulations implementing EU restrictive measures / international sanctions (e.g. Council Regulation (EC) no. 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with Usama bin Laden, the Al-Qaida network, etc., as amended)</p> <p>Criminal Intelligence Service Act, as amended, Section 4</p>			<p>Penal Code, as amended, Article 278d (financing of terrorism) with Articles 177a, 278c</p> <p>Sanctions Act 2010, as amended, Part 3</p> <p>Banking Act 1993, as amended, Part XXII</p>	
16	Control over services related to exports/transhipments that would contribute to proliferation including transportation							

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

1	Assistance offered	State reports that appropriate assistance is provided in response to specific requests taking into account the legal and regulatory infrastructure, implementation experience and/or resources for fulfilling the provisions of resolution 1540 (2004). State also reported that it was exploring possibilities to provide assistance through the IAEA and OPCW.
2	Assistance Point of Contact (for assistance providers only)	Unit for Nuclear Weapons, IAEA, CTBTO and NPT - Federal Ministry for Europe, Integration and Foreign Affairs and International Affairs
3	Assistance requested	
4	Action taken to work with and inform industry	Federal Ministry of Science, Research and Economy undertakes regular compliance visits to Austrian exporters; governmental awareness programme to provide advice and assistance to industry and academia.
5	Action taken to work with and inform the public	Information disseminated through the Federal Ministry of Science, Research and Economy website, publications and leaflets.
6	Point of Contact	<p>For matters pertaining to nuclear weapons: Mr. George-Wilhelm Gallhofer (Minister, Head of Unit for Nuclear Weapons, IAEA, CTBTO and NPT - Ministry for Europe, Integration and Foreign Affairs) Tel: + 43-(0)-501150-3667 E-mail: george-wilhelm.gallhofer@bmeia.gv.at</p> <p>For matters pertaining to biological and chemical weapons: Mr. Wolfgang Banyai (Head of Unit for Conventional, Chemical and Biological Weapons - Ministry for Europe, Integration and Foreign Affairs) Email: wolfgang.banyai@bmeia.gv.at</p>
7	Voluntary National Implementation Action Plan (NAP)	
8	1540 Committee visits to States	