|  |  |
| --- | --- |
| **Agreement name:** |  |
|  |  |
| **Agreement/contract number:** |  |
|  |  |
| **Project sponsor:** |  |
|  |  |
| **Nature of agreement** |  |
|  |  |
| **Value of agreement:** |  |
|  |  |
| **Foreign Country/Countries Involved:** |  |
|  |  |
| **Parties to agreement:** |  |

Federation University Australia (the University) has an obligation to comply with Australia’s Foreign Relations (State and Territory Arrangements) Act 2020. The Act requires the University to notify the Department of Foreign Affairs and Trade of arrangements made with foreign governments and/or foreign entities which may be, subject to government control or influence. The Checklist below will assist you in determining whether an agreement is notifiable under the Foreign Arrangements Scheme and in determining the level of due diligence required to make this determination.

**Is any party to this agreement a foreign government, government related entity or government related individual? (National, regional or local government?)** Yes No

*If* ***YES*** *this agreement must be registered to the Foreign Arrangements Scheme Portal.*

*Please confirm the nature of this entity e.g. local government, national government dept, government run research institution, etc.*

**Is any party to this agreement a foreign university**? Yes No

Is a foreign government able to exercise substantial control over the university (i.e. does the university lack institutional autonomy)? Yes No

*If* ***YES*** *this agreement must be registered to the Foreign Arrangements Scheme Portal.*

*Please confirm due diligence undertaken in making this assessment. Refer page 2 of this Checklist. For guidance on what constitutes institutional autonomy refer* [*DFAT Guidance on institutional autonomy*](https://www.foreignarrangements.gov.au/sites/default/files/2021-03/Guidance%20on%20Institutional%20Autonomy.pdf)*: see also the Matrix to Assess Institutional autonomy, below.*

**Is any party to this foreign agreement a not-for-profit organisation?** Yes No

Is a foreign government able to exercise substantial control over the organisation? Yes No

*Please confirm due diligence undertaken in making this assessment. Refer page 2 of this Checklist.*

**Is any party to this agreement a foreign commercial entity?** ☐Yes ☐No

*Foreign arrangement with private or public companies are not notifiable under the Foreign Arrangements Scheme.*

**Due Diligence Checks**

**Step 1: Assess the likelihood of government influence based on the attached:** [**Institutional Risk by Country**](https://federationuniversity.sharepoint.com/sites/FedUni/chief-operating-office/corporate-governance/FedStaffDocuments/Forms/AllItems.aspx)

Country Risk assessment

(Risk assessments are based on annual ratings provided by the [V-Dem Institute](https://www.v-dem.net/en/)) *Note: the V-Dem Institute is an independent research institute established in the University of Gothenburg, Sweden and is funded by a number of government organizations, the World Bank and several leading international research centres.*

**Step 2: Internet and Document Search**

In addition to establishing the country risk rating, the following should be considered:

|  |  |
| --- | --- |
| Risk Score |  |
| Low | Notification will **not** be required unless internet search suggests  Government involvement in ownership or governance of the organisation.  Refer: Governing documents, annual reports where available. |
| High | All agreements must be notified unless with privately owned, commercial organisations. Copies of governing documents must be obtained and provided with draft agreement to verify autonomy of any public body. |

Results of internet and document searches must be confirmed in relevant places on page 1 of this document.

**Step 3: DFAT Checks:**

Consolidated List: Is any party to the agreement, individual or organisation, identified on the consolidated list? [DFAT Consolidated List](https://www.dfat.gov.au/international-relations/security/sanctions/consolidated-list)

Sanctions Regimes: Are any sanctions in place which may impact on the exercise of this agreement? [Sanctions Regimes](https://www.dfat.gov.au/international-relations/security/sanctions/sanctions-regimes)

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|  |  |  |
| Project Officer/ Sponsor Name | Signature | Date |



