



AUSTRALIA'S FOREIGN RELATIONS (STATE AND TERRITORY ARRANGEMENTS) ACT 2020

FACT SHEET 6 – COMPARATIVE SCHEMESⁱ

Australia's Foreign Relations (State and Territory Arrangements) Act 2020 (the Act) fosters a systematic and consistent approach to foreign engagement across all levels of Australian government. It creates a scheme to ensure that arrangements between State or Territory governments and foreign government entities do not adversely affect Australia's foreign relations and are not inconsistent with Australia's foreign policy.

This Fact Sheet should be read with 'Fact Sheet 1–Overview'

How does the scheme compare to others?

The Foreign Arrangements Scheme (the scheme) ensures state and territory arrangements with foreign governments are consistent with Australian foreign policy.

There are a number of other schemes which are also important to ensure Australia's national interests are protected in dealings with foreign entities:

Foreign Investment Review Board

- Under the *Foreign Acquisitions and Takeovers Act 1975* (the Foreign Investment Review Board regime), the Treasurer is responsible for reviewing foreign investments to ensure that they are not contrary to the national interest.
- This scheme applies to foreign persons and foreign government investors and regulates significant and notifiable actions – such as the change of a controlling interest in an Australian business.

University Foreign Interference Taskforce

- Through the University Foreign Interference Taskforce, government and universities have jointly developed Guidelines to counter foreign interference in the Australian university sector.
- The guidelines apply to Australian public universities and the scope includes areas such as governance and risk, knowledge sharing and cyber security.

Foreign Influence Transparency Scheme

- The Foreign Influence Transparency Scheme is designed to provide the public with visibility of the nature, level and extent of foreign influence on Australia's government and politics.
- It applies to Australian or foreign individuals and entities who undertake registrable activities on behalf of a foreign principal; for example, parliamentary lobbying or general political lobbying.

Defence Export Control

- The Defence Export Control scheme enables the export of defence and strategic goods and technologies or related information where it is consistent with Australia's national interests and international obligations.
- It applies to anyone exporting regulated goods/technologies from Australia or transferring information from Australia; for example, commercial items and technologies that may be used or adapted for use in a military program.



Sanctions

- The sanctions regime aims to bring an end to situations of international concern by influencing those responsible.
- This applies only to specific regimes (usually country regimes) designated by the United Nations Security Council or the Australian Government. Common sanctions include travel bans and targeted financial sanctions such as asset freezes.

While there may, at times, be some intersection between these schemes, they all serve a different purpose and have a different policy intent to the Foreign Arrangements Scheme.

DFAT will work with other responsible Commonwealth Government departments to ensure that any replication between the Foreign Arrangements Scheme and other schemes is minimised.

Where can I get further information?

Contact the Department of Foreign Affairs and Trade at foreignarrangements@dfat.gov.au.

ⁱ * This FACT SHEET sets out some of the requirements of the Australia's Foreign Relations (State and Territory Arrangements) Act 2020. It is not intended to be comprehensive and should not be relied on as a definitive interpretation of the Act. It is also not intended as legal advice. Readers should rely on the substantive provisions of the Act as enacted by Parliament, and any applicable rules, in assessing their obligations and seek independent legal advice.