



## Fact sheet



### Defence Trade Controls Act 2012

If your project involves dealings in goods, technology or services specified within the Defence and Strategic Goods List, you must obtain approval in accordance with this Act.

#### 1. What approvals do I need?

Unless an exception or exemption applies, a permit or approval is required for the supply, publication or provision of goods, technology or services of items listed within the [Defence and Strategic Goods List](#) (DSGL) under the [Defence Trade Controls Act 2012](#) (DTC Act).

The DSGL comprises two Parts:

- Part 1 includes munitions, items designed or adapted for military purposes, including their parts and accessories, and non-military equipment that is inherently lethal, incapacitating or destructive such as non-military firearms, non-military ammunition and commercial explosives and initiators.
- Part 2 comprises dual-use goods, goods designed for commercial purposes with potential military applications, and includes the following categories:
  - nuclear materials
  - materials, chemicals, microorganisms and toxins
  - materials processing
  - electronics
  - computers
  - telecommunications and information security
  - sensors and lasers
  - navigation and avionics
  - marine
  - aerospace and propulsion.

‘DSGL technology’ is specific information necessary for the development, production or use of a product. This information takes the form of technical data or technical assistance. However, this does not include technology produced for, or during, fundamental research.

‘DSGL services’ include the giving of assistance, including training, in relation to the design, development, engineering, manufacture, production, assembly, testing, repair, maintenance, modification, operation, demilitarisation, destruction, processing or use of goods or technology within the scope of Part 1 of the DSGL.

To help determine the DSGL control status of goods, technology or services relevant to your project, a self-help tool is available on the Department of Defence’s [My Australian Defence Exports \(MADE\) portal](#).

Under the DTC Act, unless an exemption applies, permits are required to:

- supply DSGL technology to foreign persons or entities within Australia
- supply specified DSGL goods or DSGL technology that were previously exported or supplied from Australia, outside Australia
- provide DSGL services outside Australia
- arrange the supply of DSGL goods or technology between two foreign entities, as a registered broker.

This fact sheet provides general information and does not constitute legal advice. You should seek independent legal advice tailored to your individual circumstances. The Major Projects Facilitation Agency (MPFA) assists major project proponents to navigate Australian Government approval processes. The MPFA does not grant approvals, nor administer the legislation listed in this fact sheet.

Exceptions and exemptions to approval requirements under the DTC Act are outlined within the Act and the [Defence Trade Control Regulation 2013](#).

Goods, technology or services not on the DSGL may still fall under export control if there is a suspicion they may be used for a military end-use or weapons of mass destruction program. In this case, the Department of Defence can be contacted for advice by [email](#).

## 2. Who provides the approvals?

The Minister for Defence makes decisions on whether to grant permits and approvals under the DTC Act, considering advice from the Department of Defence.

## 3. How do I apply for the approvals?

All applications for permits and approvals under the DTC Act are submitted online on the [MADE portal](#). Prior to applying for a permit or approval, you must use the MADE portal to register for a Defence Exports Control Client Reference Number (DCRN).

Detailed [guidance](#) on how to complete applications for permits and approvals for different activities is available on the Department of Defence website. The Department of Defence also has [guides](#) on how to navigate the MADE portal and register for a DCRN.

## 4. More information

### Department of Defence

Further information on DSGL controls is available on the Department of Defence [website](#).

The Defence Export Controls section within the Department of Defence can be contacted by email at [exportcontrols@defence.gov.au](mailto:exportcontrols@defence.gov.au).

### Major Projects Facilitation Agency

If you would like assistance to identify potential Australian Government regulatory approvals required for your project, please refer to the [Major projects help tool](#) self-assessment.

The MPFA team can be contacted by email at [MPFA@industry.gov.au](mailto:MPFA@industry.gov.au).