Non-Education External Collaboration Policy

Section 1 - Purpose

(1) This Policy covers non-education external partnerships, emphasising the University's commitment to establishing and nurturing beneficial partnerships that are characterised by transparency, alignment with the ACU Mission, Identity and Values, strategic importance, mutuality, and robust and sustainable relationships. By setting standards, the Policy ensures that all partnerships, whether international or local, adhere to the same high standards, supporting the University's strategic objectives and fostering an ecosystem of collaboration that is both secure, sustainable, and conducive to innovation and excellence. The Policy particularly facilitates and secures the international research partnerships that are an essential element of our Mission to create and preserve knowledge globally, engaging in and helping to increase the free exchange of knowledge and expertise across borders and cultures.

(2) In this context, the Policy aims to ensure that the University has a robust framework for managing potential risks related to external partnerships, including ensuring compliance with Australian Government law and regulations (including sanctions) and by minimising the potential for foreign interference and harm (e.g., harm associated with dual use technology). This policy framework therefore aims to advance the University's partnership ambitions in accordance with the University's stated Risk Appetite Statement.

Section 2 - Scope / Application

(3) This Policy applies to all members of the University community, including staff and affiliates involved in external collaborations. This Policy covers all forms of non-Education external engagement, including research partnerships, commercial partnerships, joint ventures, and any other activities involving domestic or foreign entities.

(4) This Policy only applies to partnerships that are not related to education (e.g., research and / or enterprise). For education partnerships (including those involved in research training) please see the Educational Partnerships Policy.

Section 3 - Terms / Definitions

(5) In this Policy, the following terms are used as defined:

Term	Definition
Dual Use	Dual-use refers to items, including goods, software, technologies, and related services, that have both civilian applications and military, terrorism, weapons of mass destruction, or law-enforcement-related applications. The exporting of dual-use items, including through academic mediums (such as international publication, presentation, and collaboration), may require an export permit, which can be granted by Defence Export Controls, a branch of the Department of Defence.
Foreign Arrangements	A foreign arrangement is a written agreement, contract, understanding, or undertaking between an Australian State / Territory entity, or an Australian public university, and a foreign entity, whether legally binding or not. This includes collaborations with foreign universities and research institutions. Arrangements with foreign government entities and non-autonomous organisation require registration with the Department of Foreign Affairs & Trade.

Term	Definition
Foreign Influence	Foreign influence refers to efforts by foreign governments, organisations, or individuals to sway or impact Australian policies, decisions, or activities. As the Department of Home Affairs states: “It is important to distinguish foreign interference from foreign influence. All governments, including the Australian Government, seek to influence issues of importance to them. Australia is not concerned with foreign influence activity that is open and transparent and that respects our people, society and systems.” (see Defining Foreign Interference)
Foreign Interference	Foreign interference occurs when activities carried out by, or on behalf of, a foreign power are coercive, corrupting, deceptive, or clandestine, and contrary to Australia’s sovereignty, values, and national interests. It involves attempts to covertly or improperly interfere in Australian society to advance foreign strategic, political, military, social, or economic goals.
Non-autonomous organisation	A non-autonomous organisation refers to an entity that does not operate independently or make decisions solely based on its own governance structures, policies, or interests. Instead, its operations, decision-making processes, or policies are significantly influenced, directed, or controlled by external entities such as foreign governments. This influence can compromise the organisation's ability to act independently and may align its activities with the interests or directives of the controlling entity rather than its own or its stakeholders’ interests.

Section 4 - Policy Statement and Principles

Principles

(6) Mission and Vision Alignment: All collaborations must be aligned with the Australian Catholic University’s Mission and with Vision 2033. Partnering is critical to achieving the Mission of the University provided those partnerships are based on trust, mutual benefit, value alignment, openness and transparency.

(7) Quality: All collaborations must be founded on a commitment to the production of high-quality outcomes and outputs, alignment to University KPIs and any additional mutually developed KPIs that underpin the partnering.

(8) Compliance: All collaborations must comply with relevant Australian and foreign laws, including but not limited to the Defence Trade Controls Act 2012 (Cth), the Autonomous Sanctions Act 2011 (Cth), the Autonomous Sanctions Regulations 2011 (Cth), and Australia’s Foreign Relations (State and Territory Arrangements) Act 2020 (Cth), as well as all relevant ACU policies and procedures.

(9) Transparency: The University commits to conducting its external collaborations transparently, ensuring clear documentation and reporting of activities, especially those involving sensitive technologies or dual-use research. Where a collaboration requires an non-disclosure agreement, transparency will flow through appropriate governance channels that allow for appropriate oversight while respecting requirements for confidentiality.

(10) Due Diligence: Due diligence will be conducted for all collaborations to identify and mitigate risks related to Mission and value misalignment, foreign interference, sanctions, modern slavery, money laundering and other financial risk, and compliance with dual-use regulations.

(11) Risk Management: The University will implement effective risk management strategies to protect its Mission and values, academic freedom and integrity, quality of research outputs, reputation, and financial interests.

(12) Ethical Standards: All collaborations must adhere to the highest ethical standards, respecting intellectual property rights, academic freedom, and the University's values and promoting diversity, equity, and inclusion.

Foreign Interference

(13) To safeguard against foreign interference, the University will:

a. Conduct background checks on foreign partners and collaborators.

b. Ensure collaborations do not compromise the University's autonomy or academic freedom.
c. Report and manage any suspicious activities in line with the Guidelines to Counter Foreign Interference in the Australian University Sector (UFIT).
d. In accordance with the UFIT Guidelines, develop, implement, and where necessary update the University's internal frameworks for managing risks and addressing threats relating to foreign interference.

Foreign Arrangements

(14) In compliance with the Australia's Foreign Relations (State and Territory Arrangements) Act 2020 (Cth), the University will:

a. Notify the Department of Foreign Affairs and Trade (DFAT) of proposed arrangements with foreign government with non-autonomous entities.
b. Notification to DFAT will occur at the proposal stage, which ACU deems to be the point at which an arrangement is sufficiently advance to require approval via the Delegations of Authority Policy and Register. The University will notify DFAT again upon entering an arrangement with any government or non-autonomous organisations upon a formalised agreement in accordance with the requirements of the Act.

Dual Use and Sanctions

(15) The University recognises the importance of managing research with dual-use potential and complying with Australian sanctions laws. Therefore, it will:

a. Obtain necessary permits for the transfer of regulated goods, technologies and related services to foreign entities;
b. Take reasonable steps to mitigate the risk that collaborations and partnerships do not contribute to the development of military capabilities or other harmful outcomes in sanctioned countries;
c. Identify and mitigate the potential for harm caused by misuse of research undertaken with external partners;
d. Conduct regular reviews of collaborations to ensure currency and compliance with sanctions and dual-use regulations.

Financial Basis for Relationship

(16) The University is committed to conducting its operations and partnerships in an ethical and responsible manner, free from any involvement in modern slavery, money laundering, or other financial crimes. To uphold this commitment, the University shall implement robust due diligence processes to assess potential risks of modern slavery, money laundering, and other financial crimes in its supply chains, operations, and partnerships with external stakeholders consistent with the ACU Modern Slavery Statement.

Due Diligence and Risk Assessments

Due Diligence Process

(17) ACU may only enter into partnership agreements after due diligence has been conducted. The due diligence requirements for specific agreement types are outlined in the Educational Partnerships Procedure.

(18) The Approver (Delegate) must be satisfied as to:

a. The proposed partner's reputation and alignment with the ACU Mission, Identity and Values;
b. ACU's ability to comply with the Higher Education Standards Framework (Threshold Standards) 2021;
c. The proposed partner's experience in delivering the required services where relevant.

(19) For international agreements:

a. Legislative requirements and / or restrictions to obtaining in-country approval for the agreed activity; and
b. Compliance with Australia's Foreign Relations (State and Territory Arrangements) Act 2020 (Cth) and the Foreign Influence Transparency Scheme Act 2018 (Cth) or related legislation and guidelines; and
c. Potential impacts on existing partnerships, where relevant;
d. The proposed partner's existing relationships with other educational institutions where relevant;
e. The proposed partner's financial standing and legal position;
f. The proposed partner's government registration where relevant; and
g. Matters of cultural safety for partnerships involving Aboriginal and Torres Strait Islander cohorts and communities.

Approval Process

(20) High-risk collaborations will require approval from a member of the Vice-Chancellor's Advisory Committee.

Training and Awareness

(21) The University will provide up-to-date training and resources to staff and students involved in international collaborations to ensure they are aware of their obligations under this Policy and relevant laws and regulations.

(22) All continuing and fixed-term staff and Higher Degree by Research students must undertake Foreign Interference Awareness Training.

(23) Staff with delegation to approve collaboration or who make decisions about collaborative projects must also undertake Due Diligence training.

Section 5 - Review

(24) In accordance with the Policy Development and Review Policy, this Policy is scheduled for review every (3) years.

(25) The University will establish mechanisms to monitor compliance with this Policy and related legal requirements.

(26) Any breaches of this Policy or relevant laws will be addressed promptly, and corrective actions will be taken.

Section 6 - Duration and Review of Agreements

Agreement Type	Duration	Monitoring
Within Australia	The maximum duration will be 5-years if deemed low risk following due diligence and risk assessment. A shorter period of 1-2 years and enhanced monitoring will be required where the collaborator is considered higher-risk.	Monitoring by the Foreign Interference and Transparency Committee.
International	The maximum duration will be 5-years if deemed low risk following due diligence and risk assessment. A shorter period of 1-2 years and enhanced monitoring will be required where the collaborator considered higher-risk.	Monitoring by the Foreign Interference and Transparency Committee.

Section 7 - Roles and Responsibilities

Approval Authority (approves all new policies and major amendments to reviewed policies)	Vice-Chancellor and President
Governing Authority (endorses new policies and major amendments to reviewed policies; approves minor amendments to policy; approves procedures)	Deputy Vice-Chancellor (Research and Enterprise)
Responsible Officer (oversees the development and review of policies and procedures; approves minor amendments to procedures; approves editorial amendments to policies and procedures)	Pro Vice-Chancellor (Research)

Section 8 - Associated Information

(27) For related legislation, policies, procedures and guidelines and any supporting resources, please refer to the Associated Information tab.

Status and Details

Status	Current
Effective Date	4th October 2024
Review Date	4th October 2029
Approval Authority	Vice-Chancellor and President
Approval Date	4th October 2024
Expiry Date	Not Applicable
Responsible Executive	Abid Khan Deputy Vice-Chancellor (Research and Enterprise)
Responsible Manager	Phil Parker Pro Vice-Chancellor (Research)
Enquiries Contact	Office of the Deputy Vice-Chancellor (Research and Enterprise)