

Australian Sanctions Regulator - Performance Framework

Key Performance Indicators	Relevance to Sanctions Administration	Metrics for Self-Assessment
KPI 1: Regulators do not unnecessarily impede the efficient operation of regulated entities.	Varied relevance. Sanctions are often designed to impede business and trade relationships with certain countries. Within this context we aim to clearly and efficiently respond to applications and inquiries through the Online Sanctions Administration System (OSAS) and to administer Australian sanction laws diligently, but also in a way that facilitates trade wherever possible.	Metric 1: ASO provides timely responses to formal applications and inquiries in the Online Sanctions Administration System (OSAS). ¹
KPI 2: Communication with regulated entities is clear, targeted and effective.	Relevant. Engagement with the business community and general public is essential to the effective administration of Australian sanctions laws.	<p>Metric 2A: DFAT Sanctions website is current and changes made within 2 business days of any regulatory change.</p> <p>Metric 2B: Regular, targeted outreach conducted with relevant stakeholders.</p>
KPI 3: Actions undertaken by regulators are proportionate to the regulatory risk being managed.	Varied relevance. Sanctions are not necessarily designed to manage a regulatory risk, but are a tool of UN policy and Australian foreign policy. However, steps can be taken to ensure that the penalties for breaching sanctions laws is tailored to the offence, and that the level of decision making when administering laws is at the appropriate administrative level.	Metric 3: ASO applies risk-informed processes with a view to reducing regulatory burden, including ensuring requests for supplementary information are reasonable and proportionate to regulatory risk.
KPI 4: Compliance and monitoring approaches are streamlined and coordinated.	A company does not commit an offence under a sanctions law if the company can show that it took reasonable precautions and exercised due diligence. Accordingly, monitoring and compliance already rests with those best placed to assess risk – namely businesses.	<p>Metric 4A: ASO coordinates compliance and monitoring activities with other relevant agencies.</p> <p>Metric 4B: ASO engages with businesses to increase understanding of, and compliance with, Australian sanctions regulations.</p>
KPI5: Regulators are open and transparent in their dealings with regulated entities.	Relevant. As businesses are required to take reasonable precautions and exercise due diligence in relation to sanctions laws, the sanctions administrator needs to be transparent in its dealings so that businesses can establish appropriate risk management strategies and due diligence frameworks.	<p>Metric 5A: Administrative decisions and responses to formal applications and inquiries clearly outline the legal basis for such decisions.</p> <p>Metric 5B: DFAT sanctions website is kept up-to-date and provides accurate and helpful information.</p>

¹ OSAS was replaced by the online sanctions portal, Pax, in October 2020.

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KPI 6: Regulators actively contribute to the continuous improvement of regulatory frameworks.	Relevant. To effectively administer sanctions laws, ASO maintains processes that are fit for purpose and adaptable. Accordingly, ASO considers opportunities for improving permit processes, and its online systems.	Metric 6: Regular review of Australian sanctions processes to ensure efficiency, effectiveness and usability for stakeholders.