



SNAPSHOT

IRAN SANCTIONS FRAMEWORK

Why are sanctions imposed?

Between 2006 and 2010, the UNSC passed a number of resolutions imposing sanctions in relation to Iran in response to Iran's refusal to suspend its uranium enrichment program. On 20 July 2015, the UNSC adopted Resolution 2231, which endorsed the Joint Comprehensive Plan of Action (JCPOA). The Resolution took effect on 16 January 2016. Under the Resolution, previous sanctions were terminated but new sanctions measures that restrict certain activities relating to the JCPOA were imposed. Australia implements United Nations Security Council (UNSC) sanctions by incorporating them into Australian law.

In addition, Australia imposes autonomous sanctions in relation to Iran, which complement the UNSC sanctions.

UNSC resolution 2231 (2015) remains in place despite the decision by the United States to withdraw from the JCPOA on 8 May 2018. As such, Australia's UN sanctions against Iran to reflect measures imposed by UNSC resolution 2231 remain in effect.

Australia's autonomous sanctions are likewise not affected by the United States' withdrawal from the JCPOA. The Australian Government encourages Australian businesses to examine and take legal advice on implications of re-established domestic sanctions by the United States.

What is prohibited by the Iran sanctions framework?

The Iran sanctions framework imposes the following sanctions measures:

Measure	UNSC	Autonomous
restrictions on the export or supply of certain goods	✓	✓
restrictions on the import, purchase or transport of certain goods	✓	-
restrictions on certain commercial activities	✓	-
restrictions on the provision of certain services	✓	✓
restrictions on providing assets to designated persons or entities	✓	✓
restrictions on dealing with the assets of designated persons or entities	✓	✓
travel bans on listed persons	✓	✓

Restrictions on the export or supply of certain goods

It is prohibited to supply, sell or transfer to Iran (directly or indirectly) any of the following goods:

- arms or related matériel

- certain goods which the UNSC or Australia's Minister for Foreign Affairs have determined could contribute to activities inconsistent with the JCPOA, including goods on the control lists issued by the [Nuclear Suppliers Group](#), and the [Missile Technology Control Regime](#).
- certain kinds of graphite, raw metals, semi-finished metals, and software for integrating industrial processes.

Arms or related matériel includes, but is not limited to, weapons, ammunition, military vehicles and equipment, and spare parts and accessories for any of those things. It also includes paramilitary equipment. While each case will be considered individually, goods on the [Defence and Strategic Goods List](#) are likely to be considered arms or related matériel. Depending on the context, end user and end use, other goods may also be considered arms or related matériel.

Restrictions on the import, purchase or transport of certain goods

It is prohibited to procure from Iran, or from a person or entity in Iran, arms or related matériel (whether or not they originate in Iran) or to transport these goods.

Restrictions on certain commercial activities

It is prohibited to sell or otherwise make available an interest in a 'sensitive commercial activity' to Iran, an Iranian national, an entity incorporated in Iran, an entity controlled by Iran or Iranians, or any person or entity acting on his/her/their behalf. A 'sensitive commercial activity' is a commercial activity which involves any of the following:

- uranium mining or production
- the use of certain nuclear materials or technology
- the supply, sale, transfer, manufacture or use of goods sanctioned on the basis of their connection with missile technology or nuclear weapon delivery systems development
- an activity undertaken by Iran related to ballistic missiles capable of delivering nuclear weapons.

Restrictions on the provision of certain services

To complement the restrictions on the export/import of goods and on some commercial activities, the provision of services which relate to those sanctioned goods or activities is also restricted. It is prohibited to provide:

- services (including but not limited to technical, brokering, financial and investment services, and the transfer of financial resources on certain technology) which assist with or relate to the supply, sale, transfer, manufacture, maintenance or use of export sanctioned goods by or for Iran (see 'Restrictions on the export or supply of goods' above)

Restrictions on providing assets to designated persons or entities

It is prohibited to directly or indirectly make an asset available to (or for the benefit of) a designated person or entity, their agents, or an entity they own or control.

Restrictions on dealing with the assets of designated persons or entities (requirement to freeze assets)

It is prohibited to use or deal with an asset, or allow or facilitate another person to use or deal with an asset owned or controlled by a designated person or entity (the assets are 'frozen' and cannot be used or dealt with). The prohibition on 'dealing' with assets includes using, selling or moving assets. 'An 'asset' includes an asset or property of any kind, whether tangible or intangible, movable or immovable.

Go to the [Consolidated List](#) to search the names of designated persons and entities.

If you become aware that you are holding an asset of a designated person or entity, you are required to freeze (hold) that asset and notify the AFP as soon as possible.

Travel bans

Persons designated for the Iran sanctions framework are prohibited from transiting through or entering Australia.

Who must comply with sanctions?

Australian sanction laws apply to activities in Australia and to activities undertaken overseas by Australian citizens and Australian-registered bodies corporate. In some circumstances, it may be possible to obtain a permit from the Minister for Foreign Affairs to engage in an activity that would otherwise be prohibited by a sanctions measure. Information on planning an activity and submitting an application for a sanctions permit is available on the DFAT website. It is a serious criminal offence to contravene a sanctions measure (or a condition of a sanctions permit). The penalties include up to ten years in prison and substantial fines.

Relevant legislation

The relevant legislation for the Iran sanctions framework includes the following:

- [Charter of the United Nations Act 1945](#)
- [Charter of the United Nations \(Dealing with Assets\) Regulations 2008](#)
- [Charter of the United Nations \(Sanctions – Iran\) Regulation 2016](#)
- [Charter of the United Nations \(Sanctions – Iran\) \(Export Sanctioned Goods\) List Determination 2016](#)
- [Customs \(Prohibited Exports\) Regulations 1958](#)
- [Customs \(Prohibited Imports\) Regulations 1956](#)
- [Autonomous Sanctions Act 2011](#)
- [Autonomous Sanctions Regulations 2011](#)
- [Autonomous Sanctions \(Export and Import Sanctioned Goods – Iran\) Amendment Specification 2016](#)
- [Autonomous Sanctions \(Designated Persons and Entities and Declared Persons – Iran\) List 2012](#)
- [Migration \(United Nations Security Council Resolutions\) Regulations 2007](#)

Where can I get more information?

[Australia and sanctions](#) webpage.

Enquiries can be made to DFAT by emailing sanctions@dfat.gov.au

DFAT maintains a [mailing list](#) for people interested in receiving updates on Australian sanctions laws.

This document provides a summary only of relevant sanctions laws. It should not be relied upon as a substitute for legal advice. It is your responsibility to ensure you do not contravene sanctions law, including by obtaining your own legal advice.