



SNAPSHOT

SIGNIFICANT CYBER INCIDENTS SANCTIONS FRAMEWORK

Why are sanctions imposed?

Australia established a thematic autonomous sanctions framework in relation to significant cyber incidents on 21 December 2021. Unlike a country-specific autonomous sanctions framework a thematic autonomous sanctions framework applies to sanctionable conduct wherever it occurs in the world.

Under the framework, the Minister for Foreign Affairs may designate a person or entity for targeted financial sanctions and declare a person for a travel ban if the Minister is satisfied the person or entity:

- has caused, or attempted to cause, a significant cyber incident;
- has assisted with causing, or with attempting to cause, a significant cyber incident; or
- has otherwise been complicit in causing, or in attempting to cause, a significant cyber incident.

A 'cyber incident' is a cyber-enabled event (or a group of related cyber events) that results in, or seeks to cause, harm to Australia or another country or countries. This may include events that result in harm to individuals, businesses, economies or governments.

The application of the framework will be reserved for the most egregious situations of international concern. Before making a designation or declaration under the framework, the Minister for Foreign Affairs must obtain the agreement in writing of the Attorney-General and consult such other Ministers as the Minister for Foreign Affairs considers appropriate.

What is prohibited by the significant cyber sanctions framework?

The significant cyber incidents sanctions framework imposes the following sanctions measures:

Measure	UNSC	Autonomous
restrictions on providing assets to designated persons or entities	-	✓
restrictions on dealing with the assets of designated persons or entities	-	✓
travel bans on declared persons	-	✓

Restrictions on providing assets to designated persons or entities

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

It is prohibited to directly or indirectly make an asset available to, or for the benefit of, a designated person or entity.

It is also 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

All declared persons 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 serious violations or serious abuses of human rights sanctions framework includes the following:

- [Autonomous Sanctions Act 2011](#)
- [Autonomous Sanctions Regulations 2011](#)
- [Autonomous Sanctions \(Designated Persons and Entities and Declared Persons – Thematic Sanctions\) Instrument 2022](#)
- [Customs \(Prohibited Exports\) Regulations 1958](#)

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.