



SNAPSHOT SIGNIFICANT CYBER INCIDENTS SANCTIONS REGIME

Why are sanctions imposed?

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

Under the regime, 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, assisted with causing, or been complicit in, a cyber incident or an attempted cyber incident that is significant or which, had it occurred, would have been significant.

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 regime will be reserved for the most egregious situations of international concern. Before making a designation or declaration under the regime, 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 incidents sanctions regime?

The significant cyber incidents sanctions regime 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 designated 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)

The significant cyber incidents sanctions regime prohibits making an asset available directly or indirectly to, or for the benefit of, a 'designated person or entity'.

It is also prohibited to use or deal with an asset that is owned or controlled by a 'designated person or entity'.

An 'asset' includes an asset or property of any kind, whether tangible or intangible, movable or immovable. The [Consolidated List](#) available on DFAT's website includes the names of all designated persons and entities.


Travel bans

All declared persons are prohibited from transiting through or entering Australia.

Relevant legislation

The relevant legislation for the significant cyber incidents sanctions regime includes the following:

- *Autonomous Sanctions Act 2011*
- *Autonomous Sanctions Regulations 2011*

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- *Autonomous Sanctions (Designated and Declared Persons – Thematic Sanctions) Instrument 2022*
 - *Customs (Prohibited Exports) Regulations 1958*
 - *Migration Regulations 1994*

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. 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.

Where can I get more information?

More information on Australia's sanctions can be found on DFAT's website: <https://www.dfat.gov.au/international-relations/security/sanctions>.

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. You can subscribe to this list via the [DFAT website](#).

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.