



SNAPSHOT

COUNTER-TERRORISM (UNSCR 1373) SANCTIONS REGIME

Why are sanctions imposed?

The United Nations Security Council (UNSC) adopted Resolution 1373 on 28 September 2001 in response to the terrorist attacks in the United States of America on 11 September 2001. Resolution 1373 requires Australia, as a UN Member State, to suppress terrorism by implementing targeted financial sanctions in relation to persons involved in terrorist activities. Under Australian law, Australia's Foreign Minister can designate a person or entity who commits, attempts to commit, participates in or facilitates the commission of, terrorist acts. The effect of being designated is that it is an offence to use or deal with the assets of, or to make an asset available to, the designated person or entity. This is a national security measure aimed at combating terrorism financing.

What is prohibited by the Counter-Terrorism (UNSCR 1373) sanctions regime?

The Counter-Terrorism (UNSCR 1373) 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	✓	

Restrictions on providing assets to designated persons or entities

It is prohibited to directly or indirectly make an asset available to a designated person or entity.

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, or listed by the Foreign Minister. The prohibition on 'dealing' with assets includes using, selling or moving assets. 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.

'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.

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 counter-terrorism (1373) sanctions regime is:

- *Charter of the United Nations Act 1945*
- *Charter of the United Nations (Dealing with Assets) Regulations 2008*



Where can I get more information?

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

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.

