



REPORTING A SANCTIONS CONTRAVENTION

LAST UPDATED: 6 DECEMBER 2024

This guidance note is produced by the Australian Sanctions Office (ASO) within the Department of Foreign Affairs and Trade (DFAT). This document should not be used as a substitute for legal advice. Users are responsible for ensuring compliance with sanctions laws.



OVERVIEW

The ASO is committed to working cooperatively with the regulated community to address sanctions non-compliance.

The community plays a key role in reporting sanctions non-compliance to the ASO. The ASO encourages the public to report any instances of sanctions non-compliance they become aware of. This includes reporting non-compliance by others, such as businesses, and self-reporting their own non-compliance.

Glossary

Term	Definition
Australian Sanctions Office	The Australian Sanctions Office (ASO) is the Australian Government's sanctions regulator. The ASO sits within the Department of Foreign Affairs and Trade (DFAT).
Designated person or entity.	A person or entity listed under Australian sanctions laws. Listed persons and entities are subject to targeted financial sanctions. Listed persons may also be subject to travel bans. See DFAT website for further information. Some sanctions legislation also refers to these persons or entities as 'proscribed persons or entities'. DFAT keeps a Consolidated List of designated persons and entities, available on the Department's website.
Pax	Pax is the Australian sanctions platform. You can make general enquiries or submit sanctions permit applications to the ASO in Pax.
Regulated entity	A government agency, individual, business or other organisation whose activities are subject to Australian sanctions laws.

Reporting sanctions non-compliance

Members of the public can report sanctions non-compliance to the ASO by email to sanctions@dfat.gov.au, or submitting a query through DFAT's sanctions portal, [Pax](#).

When reporting non-compliance with Australian sanctions laws, please include as much detail as possible and any evidence demonstrating the contravening conduct. Useful information may include:

- details of financial transactions that could indicate dealings with designated persons and entities;
- documentation of goods being transported to/from a sanctioned country or entity, including bills of lading, shipping manifests, and customs declarations;
- shipping documents indicating the diversion of goods to circumvent sanctions;

- evidence of prohibited services being provided to sanctioned countries, persons or entities; and
- details of properties, vehicles, or other assets in Australia owned by a designated person or entity.

Notice to give information or documents

In response to reports of non-compliance, DFAT may issue a notice requiring a person to provide information or documents, even under oath, to determine compliance with Australian sanctions laws. The person must comply despite any other laws and cannot refuse on the grounds of self-incrimination. Non-compliance is punishable by 12 months in prison. DFAT can issue such a notice at the request of someone seeking legal coverage to share information or documents.

Graduated Risk-Based Approach to Compliance

If you or your business have contravened Australian sanctions laws, you can report the contravention to the ASO.

Australian sanctions laws are complex and often difficult to navigate. The ASO understands that most of the regulated community seek to comply with Australian sanctions laws.

The ASO adopts a [graduated risk-based approach](#) to compliance, which is designed to uphold Australia's sanctions frameworks while minimising the impact on legitimate business activities. This approach involves extensive outreach to the community to educate and prevent breaches, ensuring that Australian sanctions laws are effective. The ASO's compliance strategy is guided by principles of cooperation, evidence-based decision-making, risk and proportionality, consistency and fairness, and transparency and accountability.

In practice, the ASO's graduated risk-based approach means that the severity of enforcement actions is proportional to the risk and nature of the non-compliance. For low-risk breaches, the ASO may take remedial actions such as providing informal warnings or assistance to prevent future breaches. For moderate-risk breaches, corrective actions like formal warnings and increased monitoring may be implemented. High-risk breaches may lead to enforcement actions, including referrals to the Australian Federal Police or the Australian Border Force for investigation and possible prosecution.



Penalties for sanctions offences

Sanctions offences are punishable by:

- For an individual - up to 10 years in prison and/or a fine of 2500 penalty units (\$825,000 as of 7 November 2024) or three times the value of the transaction(s) (whichever is the greater).
- For a body corporate – a fine of up to 10,000 penalty units (\$3.3 million as of 7 November 2024) or three times the value of the transaction(s) (whichever is the greater).



Further information and Resources

Further information is available on the Department's [website](#) and in [ASO guidance notes](#) on specific sanctions topics. If you have any questions, you can make an enquiry through [Pax](#).