



1. Purpose

An inherent element of Vital Anaesthesia Simulation Training (VAST)'s obligations as an organisation is that it observes good stewardship of funds. VAST renounces all forms of terrorism and will never knowingly support, tolerate or encourage terrorism or the activities of those who embrace terrorism. The purpose of this policy is to ensure that VAST's resources are not used to directly or indirectly facilitate terrorist activities.

2. Objectives

To ensure that:

- VAST's Representatives and Partners make themselves aware of VAST's compliance standards relevant to the prevention of terrorism financing and money laundering
- VAST's Board make themselves aware of relevant security watch lists (Lists) provided by the Australian Department of Foreign Affairs, the Australian National Security Agency, the World Bank and the Asian Development Bank
- VAST's Partners are checked against the aforementioned Lists on an annual basis as part of annual proposal requirements
- VAST uses Best Endeavours to ensure that all activities (including those carried out by an implementing organisation) comply with relevant Australian and Partner Government laws and regulations. This includes, but is not limited to those in relation to the proscription against providing direct or indirect support or resources to organisations and individuals associated with terrorism, including 'terrorist organisations' as defined in Division 102 of the Commonwealth Criminal Code Act 1995 and listed in regulations under the act and regulations made under the Charter of the UN Act 1945

3. Guiding principles

VAST has a zero-tolerance approach towards terrorism and money laundering. VAST will use Best Endeavours to meet its obligations to avoid inadvertently funding terrorist activity and being involved in money laundering.

The Australian Government has enacted legislation consistent with a number of international counter-terrorism treaties designed to combat terrorism. There are two separate legislative mechanisms directly prohibiting activities in relation to individuals and organisations associated with terrorism:

- Part 5.3 of the Criminal Code Act 1995 (The Criminal Code)
- Part 4 of the Charter of United Nations Act 1945 (The UN Charter Act)

Under the Criminal Code there are stringent penalties for, amongst other things, intentionally or recklessly 'getting funds to or from a terrorist organisation' (section 102.6), 'providing support to a terrorist organisation' (section 102.7) and 'financing terrorism' (section 103.1). A list of 'terrorist organisations' for the purposes of the

Criminal Code is available on the National Security Australia website <http://www.nationalsecurity.gov.au/Listedterroristorganisations>

Under the UN Charter Act, it is an offence to “directly or indirectly make any Asset available to a proscribed person or entity”. While the UN Charter Act applies less stringent penalties, it has a much broader application in the aid context due to its very wide definition of Asset.

A list of proscribed persons and entities is available from DFAT at: <http://dfat.gov.au/international-relations/security/sanctions/Pages/consolidated-list.aspx>

In addition, VAST will check the following two lists to ensure it doesn't deal with any listed terrorist organisations and/or proscribed persons or entities:

1. [World Bank Listing of ineligible firms and individuals](#)
2. [Asian Development Bank Sanctions List.](#)

4. Scope

This document applies to all VAST Representatives, projects funded by and/or through VAST, Partners and individuals that are beneficiaries of those funds.

5. Dictionary

| Term | Meaning |
|-------------------------|---|
| Know / Knowingly | To perform due diligence and enquire as to the name, contact details, statement of purpose for supporting funds. For an organisation, to enquire about the implementing partner's project portfolio, including number of beneficiaries and region of operation. |
| Partner | Any individual or organisation with whom VAST conducts and activity and or provides financial support. |
| Representative | VAST office bearers, staff and volunteers associated with Vital Anaesthesia Simulation Training (VAST). |
| Best Endeavour/s | Refers to the need for positive action and a common sense approach; the level of risk exposure in relation to terrorism financing will influence what measures are best. VAST will adjust its practice accordingly to meet legal obligations and avoid inadvertently financing terrorism. |
| Asset | A broad definition including anything of value of any kind, or property of any kind, whether tangible or intangible, movable or immovable. |
| VAST Instructor | Senior VAST Facilitator, with responsibilities for oversight and quality control of project delivery. |

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| Lists | <ol style="list-style-type: none"> 1. Australian National Security Listed terrorist organisations https://www.nationalsecurity.gov.au/Listedterroristorganisations/Pages/default.aspx 2. Department of Foreign Affairs and Trade Consolidated List https://www.dfat.gov.au/internationalrelations/security/sanctions/Pages/consolidated-list 3. World Bank Listing of Ineligible Firms and Individuals https://www.worldbank.org/en/projectsoperations/procurement/debarred-firms 4. Asian Development Bank Anticorruption Sanctions List https://lnadbg4.adb.org/oga0009p.nsf/sancALL1P?OpenView&StarKey=H |
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6. Policy

6.1 Best Endeavours

VAST will undertake positive action and a common sense approach to ensure that no project funds are used to support terrorist groups or be involved in money laundering.

6.2 Risk measures relative to risk level

VAST Representatives will be equipped to understand and implement risk measures relative to the risk level. In particular, VAST will endeavour to ensure that:

- VAST Knows the persons/organisations that it is directly assisting
- the people/organisations being supported are checked against the Lists identified in the guiding principles section of this document (Item 3)
- directly funded persons/organisations are aware of and obliged to comply with this Policy, and that they in turn are obliged to make sure that their distribution of the funds or support is made on the same basis

6.3 Financial controls and transparency

VAST will perform due diligence on its Partners to ensure it Knows the identity and integrity of the Partner. This includes foundational organisational information (e.g. name, contact details, statement of purpose, corporate documents) and where applicable the history of the Partner's project portfolio, including number of beneficiaries and region of operation. VAST will also use financial controls in its management of funds to ensure that funds are sent and received as intended, e.g. where practical, the holding and transferring funds through regulated financial channels such as reputable banks.

VAST will undertake Best Endeavours to ensure that Partners have financial controls in place to prevent terrorism financing and money laundering. These activities may include, and are not limited to establishing programming budgets, audits of program activities, using formal financial channels (e.g. reputable banks) to hold and transfer funds, and checking that finance and projects were delivered as intended to agreed project participants.

6.4 Reporting suspected terror related activity

VAST will report any known or suspected terrorist links to the relevant national authority. The VAST Instructor on any related VAST activity must notify the VAST

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Managing Director and DFAT immediately if they suspect a link to any criminal/criminal organisation or terrorist/terrorist organisation. Any suspected terrorism related or money laundering activity must also be reported immediately to the Australian Federal Police or the National Security Hotline on 1800 123 400 or through the liaison officers located in Australian embassies:

7. Procedure

- 7.1 VAST Representatives must enquire as to the identity, credentials and good standing of their Partners and recipient organisations.
- 7.2 Prior to signing any partnership agreement, MOU or funding arrangement, a VAST Representative will check that future recipients of funds, Partners or organisations are not on the Lists identified in Item 3 of this document.
- 7.3 VAST will, wherever possible, transmit funds using reputable banks and other financial institutions for this purpose.
- 7.4 Every project proposal will include a risk assessment with a subsection on risk of terrorism financing.
- 7.5 To the extent possible, all VAST's Partners will be made aware of VAST's obligations under Australian law and undertake to adopt similar measures in respect of funds from Australian sources. VAST will immediately withdraw all support, including provision of resources, if it has reason to believe that an individual or Partner has breached the requirements of this policy.
- 7.6 As far as practicable, any MOU, partnership or funding agreement will include wording that requires the recipient organisation to adopt policies and procedures consistent with Australian Government requirements. DFAT suggested wording is:

“The Organisation acknowledges that the Australian Government has adopted a policy and laws consistent with relevant international counter-terrorism Treaties and UN Security Council Resolution 1373 (2001) of not providing direct or indirect support or resources to organisations and individuals associated with terrorism. The Organisation must use its best endeavours to ensure that funding provided under this Agreement is expended in a manner consistent with the UN Security Council Resolution and related Australian laws. If, during the course of this Agreement, the Organisation discovers any link whatsoever with any organisation or individual associated with terrorism it must inform the Australian Federal Police and/or AusAID immediately”.

- 7.7 Funding recipients will be required to provide reports showing how funds have been spent, at least annually.
- 7.8 Where recipient organisations or individuals are found to be on any Lists as per section 3 of this document, forwarding funds will cease and the national security hotline on 1800 123 400 will be informed immediately.

8. Related and supporting documents

- Part 5.3 of the Criminal Code Act 1995 (Criminal Code)
- Part 4 of the Charter of the United Nations Act 1945 (UN Charter Act)
- VAST Code of Conduct
- VAST Anti-Bribery, Fraud and Corruption Policy
- VAST Whistleblower Policy

9. Document revisions

| Version | Date approved | Summary of changes |
|---------|-----------------|--------------------|
| v1.0 | 24 October 2020 | |
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