



Compliance Directory Watchlist Items as at April 2024

A listing of laws that are not actively assigned on the Compliance Directory for the following reasons:

Instrument specific: items 1-3 may be assigned to particular operating area/s, items 4-5 always should be.

- 1. It is a Bill awaiting to be enacted (as only current Acts of Parliament are listed on the Directory).
- 2. It is an Act that has not yet commenced (as only current Acts of Parliament are listed on the Directory).
- 3. It is an international law/instrument (as only Australian Federal and State laws are listed on the Directory).
- 4. It is a subordinate legislation enabled by a principal Act on the Directory, and contains numerous prescriptive obligations of which particular operating areas must be aware.
- 5. The law is applicable to the University and its operations but the law does not impose a direct or specific obligation onto the University for compliance, as it may set up authority or formulation, or it may be a voluntary instrument.

University specific – currency of operations: items 6-7 may be assigned to particular operating area/s.

- 6. The law is applicable to the University and its potential (but not current) operations.
- 6A. The law is applicable to the University and its potential (but not current) operations, and is subject to an annual review of applicability.
- 7. The law is applicable to the University and its operations but it does not have any current activities or situations (more than 10 years when a relevant situation occurred).

Operational unit specific – accountability of operations: – items 8 should be assigned to particular operating area/s, and always is an active assignment to the operating area/s who has operational legislative compliance accountability.

- 8. For awareness purposes only for particular operating areas not directly involved in or solely accountable for operational compliance of legislative obligations but it affects their operations, or execution and/or implementation of mitigating controls.

University and operational unit specific – applicability of operations: item 9 may be assigned to particular operating area/s.

- 9. The law is not applicable to the University because of particular reasons of its operations.

Awaiting decision

- 10. The law is awaiting SEC strategic decision to trigger applicability / OGC interpretation for applicability.

Legislation	Purpose of Legislation	Relevance to the University	Watchlist assigned unit/s	Watchlist reason number	Watchlist reason
WATCHLIST - Agricultural and Veterinary Chemicals Suite (includes the 1994 Cth Act; 1994 Cth Code Act, and 1994 NSW Act)	<p>1994 Cth Act: An Act to make a law for the government of certain Territories in relation to the evaluation, registration and control of agricultural and veterinary chemical products</p> <p>1994 Cth Code Act: An Act to make provision for the evaluation, registration and control of agricultural and veterinary chemical products, and for related matters, for the purposes of the Agricultural and Veterinary Chemicals Act 1994.</p> <p>1994 NSW: An Act to apply certain laws of the Commonwealth relating to agricultural and veterinary chemical products as laws of New South Wales.</p>	The University has a farm and may use certain agricultural and vet chemicals.	Office of Infrastructure and Commercial	Reason 9	<p>The Commonwealth Agricultural and Veterinary Chemical Act 1994 only applies to Northern Territory and ACT. The University is in NSW.</p> <p>The Agricultural and Veterinary Chemicals Code Act 1994 (Cth) is about labelling, licensing, etc. of active ingredients, within the chemicals, which does not apply to the University.</p> <p>The NSW Act which mimics the Commonwealth one applies to the manufacturing, testing, registration, and import/export of agricultural and vet chemicals, which does not apply to the University.</p>
WATCHLIST - Australian Human Rights Commission Act 1986 (Cth)	An Act to establish the Australian Human Rights Commission, to make provision in relation to human rights and in relation to equal opportunity in employment.	The University is an employer, where it may be possible to receive complaints made to the Australian Human Rights Commission.	<p>Exec Director's Unit, Equity, Safety & Wellbeing</p> <p>Office of the Chief People Officer</p> <p>University General Counsel's Unit</p>	Reason 5	No direct obligation on the University but provides authority for the Commission.
WATCHLIST - Building Code of Australia (Cth)	The goals of the BCA are to enable the achievement and maintenance of acceptable standards of structural sufficiency, safety (including safety from fire), health and amenity for the benefit of the community now and in the future.	The University has buildings on each of its campuses which must comply with the expected standards of conduct for all building industry participants that seek to be, or are, involved in Commonwealth funded building work.	Office of Infrastructure and Commercial	Reason 5	Not a legislative instrument but placed for awareness purposes only.

Legislation	Purpose of Legislation	Relevance to the University	Watchlist assigned unit/s	Watchlist reason number	Watchlist reason
WATCHLIST - Building Energy Efficiency Disclosure Act 2010 (Cth)	An Act to make provision with respect to the leasing of certain retail shops and the rights and obligations of lessors and lessees of those shops, and for other purposes.	The University owns and operates buildings that may fall under the scope of this Act. The University may be considered a constitutional corporation within the meaning of s.51xx of the Australian Constitution. Universities have been held to be trading corporations within the meaning of s.51xx of the Australian Constitution, see Quickenden v O'Connor [2001] FCA 303 (which was an industrial law cases, as many constitutional cases are).	Office of Infrastructure and Commercial	Reason 10	Waiting on OGC to determine applicability.
WATCHLIST - Building Products (Safety) Act 2017 (NSW)	An Act to prevent the unsafe use of building products (sales and use) in buildings and to provide for the rectification of affected buildings.	The University engages in building work on its campuses and on land it owns, manages, and operates.	Office of Infrastructure and Commercial	Reason 5	<p>While WSU does not engage in building work (as defined) that would give rise to a circumstance where it could breach section 15 (Offence to contravene building product use ban), it MAY be subject to a rectification order under Part 4 of the Act if it is the owner of a building where a prohibited product has been used in the construction of the building. It does not matter that the building product was used in the building before the building product use ban was in force (section 17(2)).</p> <p>WSU has buildings that contain Aluminium Composite Panels (ACP). A form of ACP is listed on the prohibited product list. WSU has conducted external audits from fire engineer consultants relating to safety and compliance with the Building Code of Australia (BCA) and the Building Products (Safety) Act 2017.</p>
WATCHLIST - Charities Act 2013 (Cth)	An Act to define charity and charitable purpose, and for related purposes.	<p>The University is a charity, as defined by section 5 of the Act.</p> <p>Charity means an entity: (a) that is a not-for-profit entity; and (b) has a charitable purpose (per s 12 i.e. the purpose of advancing education) that is for the public benefit (per s 7 i.e. advancing education is presumed to be for the public benefit, and (c) none of the purposes of which are disqualifying purposes (per s 11 i.e. engaging in, or promoting, activities that are unlawful or contrary to public policy); and (d) that is not an individual, a political party or a government entity.</p>	Office of the University Secretary	Reason 5	Awareness purposes only of status of University as an entity.

Legislation	Purpose of Legislation	Relevance to the University	Watchlist assigned unit/s	Watchlist reason number	Watchlist reason
WATCHLIST - Chemical Weapons (Prohibition) Act 1994 (Cth)	An Act relating to the prohibition of the development, production, stockpiling or use of chemical weapons and the control of certain chemicals capable of being used as chemical weapons, and related provisions.	The University stores chemicals for the purposes of research, and other teaching activities, which may be subject to this Act.	Exec Director's Unit, Equity, Safety & Wellbeing Office of Infrastructure and Commercial Research Services TRTS	Reason 6A	The University does not currently engage in any activity that requires a permit under the convention i.e. Centralised Research Facilities do not use any chemicals that are listed in the Schedules of the Chemical Weapons (Prohibition) Act. Permits are required for: <ul style="list-style-type: none"> • it produces, acquires, retains, uses, consumes or transfers any amount of Schedule 1 chemical (permit not required for a Schedule 1 chemical if no production, and use less than 100 g in a year, and intended for research, medical or pharmaceutical purposes.); • it produces, processes or consumes a Schedule 2 chemical above the Schedule 2 permit threshold (permit limits for Schedule 2 chemicals are Schedule 2A 100kg or 1 kg, and Schedule 2B 1 tonne); or • a plant within the facility produces more than 30 tonnes of a Schedule 3 chemical.
WATCHLIST - Code of Practice for Supply Diversion into Illicit Drug Manufacture	The Code of Practice for Supply Diversion into Illicit Drug Manufacture offers best practice principles to assist companies in the prevention of diversion of legitimate industrial chemicals into illicit drug manufacture. Note: It is important to note that compliance with the Code is voluntary, and compliance with the Code will not ensure compliance with current legislative requirements. The relevant legislation in each jurisdiction must be consulted.	The University stores chemicals for the purposes of research.	Exec Director's Unit, Equity, Safety & Wellbeing	Reason 5	It is important to note that compliance with the Code is voluntary. WHS maintains a ChemWatch database with these included.
WATCHLIST - Commons Management Act 1989 (NSW)	An Act to provide for the establishment of trusts in relation to commons and the election of trust boards, and in certain cases the appointment of local authorities or administrators, to manage the affairs of those trusts; to provide for the care, control and management of commons; to provide for related matters; and to repeal the Commons Regulation Act 1898 and certain other enactments.	The University is on a land district as defined in section 3A of the Act.	Office of Infrastructure and Commercial	Reason 7	This Act may only be relevant, and it may not be, for a small portion of land in Hawkesbury campus when particular events are triggered.
WATCHLIST - Conveyancing Act 1919 (NSW)	An Act to amend and consolidate the law of property and to simplify and improve the practice of conveyancing; and for such purposes to amend certain Acts relating thereto.	The University owns and develops land that may be subject to contracts for the sale or transfer of any land, including land subject to the provisions of the Real Property Act 1900.	Office of Infrastructure and Commercial University General Counsel's Unit	Reason 5	No direct and specific legislative obligation imposed on the University. Kept on Watchlist to ensure awareness of the type of situation where the general and non-specific controls of each Watchlist unit is executed as per normal procedure, such as complying with Section 52A.

Legislation	Purpose of Legislation	Relevance to the University	Watchlist assigned unit/s	Watchlist reason number	Watchlist reason
WATCHLIST - Copyright Amendment (Access Reform) Bill 2021 (Cth) (Exposure Draft)	A Bill for an Act to amend the Copyright Act 1968, and for related purposes.	<p>The University must comply with the Copyright Act 1968 (Cth) as an educational institution that possesses copies of works for educational or other specified purposes, and is able to make special versions of works under statutory licences. Such statutory licences give the copyright owner a right to be paid equitable remuneration through an approved collecting society.</p> <p>Copying by the University may also be done without infringement of copyright when done by libraries and archives for students. Such copies and communications must be made in accordance with the strict conditions of copyright law and the rules of the licence.</p> <p>University employees and students also create copyright.</p>	Director's Unit, Library Services	Reason 1	Submissions on an exposure draft of the Copyright Amendment (Access Reforms) Bill 2021 and on the technological protection measure exceptions in the Copyright Regulations 2017 by emailing copyright.consultation@communications.gov.au by 5pm 11 February 2022.
WATCHLIST - Crimes Legislation Amendment (Combatting Foreign Bribery) Act 2024 (Cth)	An Act to amend the law in relation to foreign bribery.	The University has campuses and staff in foreign countries other than Australia (Indonesia, India, Vietnam).	<p>PVC, International</p> <p>University General Counsel's Unit</p>	Reason 2	Australia's foreign bribery regime is contained in division 70.2 of the Criminal Code Act 1995 (Cth) (Criminal Code) and the amendments will come into force on 9 September 2024 (six months after the bill received Royal Assent).
WATCHLIST - Criminal Records Act 1991 (NSW)	An Act to limit the effect of a person's conviction for a relatively minor offence if the person completes a period of crime-free behaviour, and to make provision with respect to quashed convictions and pardons.	The University may be considered a public authority under section 4. It collects, uses, discloses, and stores personal and health information about its staff and students at different intervals, including recruitment, and also has a educational care facilities (i.e. day cares) as a controlled entity. This Act only contains personal liability offences but provides a scope of authority for disclosing spent convictions in relation to working with children checks.	Office of the University Secretary	Reason 5	This Act only contains personal liability offences but provides a scope of authority for disclosing spent convictions in relation to working with children checks.
WATCHLIST - Customs Act 1901 (Cth)	An Act to amend the law relating to Duties of Customs.	The University may import and export goods and technology out of Australia for teaching and research purposes.	Financial Operations	Reason 7	Currently not applicable to Finance, Procurement, or Research Services re importing and exporting tangible goods and technology as it relates to research and/or have a customs duty/tariff attached. Kept on Watchlist in the event it becomes applicable to activities.
WATCHLIST - Customs Tariff Act 1995 (Cth)	An Act to impose duties of Customs, to repeal the Customs Tariff Act 1987, and for related purposes.	The University may import goods which may be subject to a customs duty.	Financial Operations	Reason 7	Currently not applicable to Finance, Procurement, or Research Services re importing and exporting tangible goods and technology as it relates to research and/or have a customs duty/tariff attached. Kept on Watchlist in the event it becomes applicable to activities.
WATCHLIST - Dangerous Goods (Road and Rail Transport) Act 2008 (NSW)	An Act to make provision for safety in the transport of dangerous goods by road and rail as part of the system of nationally consistent road and rail transport laws, to ensure that dangerous goods are transported efficiently and safely to minimise impacts on people, property and the environment.	The University may store and prepare dangerous goods for transport in vehicles owned and licensed by external suppliers (e.g. clinical and chemical waste contractors). Currently only the suppliers use road and rail transport to the University only.	<p>Exec Director's Unit, Equity, Safety & Wellbeing</p> <p>Research Services</p> <p>TRTS</p>	Reason 6A	The University currently only receives and stores dangerous goods that may reach placard limits. It does not bulk transport them out of the University.

Legislation	Purpose of Legislation	Relevance to the University	Watchlist assigned unit/s	Watchlist reason number	Watchlist reason
WATCHLIST - Data Availability and Transparency Act 2022 (Cth)	An Act to authorise the sharing of public sector data. The objects of this Act are to: (a) serve the public interest by promoting better availability of public sector data; and (b) enable the sharing of public sector data consistently with the Privacy Act 1988 and appropriate security safeguards; and (c) enhance integrity and transparency in sharing public sector data; and (d) build confidence in the use of public sector data; and (e) establish institutional arrangements for sharing public sector data.	The University collects, stores, uses, discloses, and destroys information of individuals (e.g. staff, students). The University conducts research and may use public sector data.	Office of the University Secretary Research Services	Reason 10	<p>This Act establishes a data sharing scheme under which Commonwealth bodies are authorised to share their public sector data with accredited users, and accredited users are authorised to collect and use the data, in a controlled way. [Commonwealth body: (a) means:</p> <p>(i) a Commonwealth entity, or a Commonwealth company, within the meaning of the Public Governance, Performance and Accountability Act 2013; or</p> <p>(ii) any other person or body that is an agency within the meaning of the Freedom of Information Act 1982; but</p> <p>(b) does not include an Australian university.]</p> <p>entity means any of the following:</p> <p>(a) a Commonwealth body, a State body or a Territory body;</p> <p>(b) a body politic;</p> <p>(c) an Australian university;</p> <p>(d) a body corporate;</p> <p>(e) an individual.</p> <p>The sharing, collection and use of data must be part of a project that is for one or more of the defined data sharing purposes, and must be done consistently with the data sharing principles and under a registered data sharing</p>

Legislation	Purpose of Legislation	Relevance to the University	Watchlist assigned unit/s	Watchlist reason number	Watchlist reason
WATCHLIST - Data Sharing (Government Sector) Act 2015 (NSW)	An Act with respect to the sharing of government sector data with a government data analytics centre and between other government sector agencies and to the privacy and other safeguards that apply to the sharing of that data.	The University collects, uses, discloses, and stores personal and health information of its staff and students.	Office of the University Secretary	Reason 10	The law may be ambiguous as to whether it applies to the University. - The University may be defined as a Government sector agency under section 4 (CF the University is only considered a Government sector agency under the Government Sector Employment Act 2013 (NSW) for the purposes of workplace diversity reports, and not whole of Act). Under section 5(2) the University may be permitted or required to: (a) to collect, use, disclose, protect, keep, retain or dispose of any government sector data that is health information or personal information otherwise than in compliance with the privacy legislation, or (b) to disclose any government sector data that is: (i) excluded information of an agency specified in Schedule 2 to the Government Information (Public Access) Act 2009 (being any information that relates to any function specified in that Schedule in relation to the agency), or (ii) information of a kind described in Schedule 1 to that Act, or (c) to deal with any government sector data to which the State Records Act 1998 applies after it is shared under this Act otherwise than in compliance with the State Records Act 1998. Under s 7, Minister may give directions for data sharing with DAC under section 7.
WATCHLIST - Electricity Supply Act 1995 (NSW)	The objects of this Act are— (a) to promote the efficient and environmentally responsible production and use of electricity and to deliver a safe and reliable supply of electricity, and Note— Customer choice and rights in relation to electricity connections and electricity supply are provided for by the National Energy Retail Law (NSW). (b) to confer on network operators such powers as are necessary to enable them to construct, operate, repair and maintain their electricity works, and (c) (Repealed) (d) to promote and encourage the safety of persons and property in relation to the generation, transmission, distribution and use of electricity, and (e) to ensure that any significant disruption to the supply of electricity in an emergency is managed effectively.	The University has a Work Health Safety and Wellbeing framework for safety purchasing, maintenance testing, and tagging as it relates to managing electrical risks in the workplace, construction and demolition sites, and electrical installations.	Exec Director's Unit, Equity, Safety & Wellbeing	Reason 5	Awareness purposes only. OEC and WHS would be the ones who should be most aware of it.
WATCHLIST - Employees Liability Act 1991 (NSW)	An Act relating to the liability of employees in respect of torts committed by them; and to repeal the Employee's Liability (Indemnification of Employer) Act 1982.	The University is an employer, and should be aware of sections 3 and 6 (tort liability, and insurance policy).	Office of the Chief People Officer	Reason 5	No direct obligations, awareness purposes only.

Legislation	Purpose of Legislation	Relevance to the University	Watchlist assigned unit/s	Watchlist reason number	Watchlist reason
WATCHLIST - Environmentally Hazardous Chemicals Act 1985 (NSW)	An Act to provide for control of the effect on the environment of chemicals and chemical wastes.	The University may handle and dispose of chemicals considered environmentally hazardous.	Exec Director's Unit, Equity, Safety & Wellbeing Hawkesbury Institute for the Environment NICM Office of Infrastructure and Commercial Research Services School of Health Sciences School of Medicine School of Science Senior Managers Unit, Environmental Sustainability - U51IDA TRTS	Reason 6A	Currently the University does hold any chemicals as outlined by this Act but it is on the Watchlist for awareness purposes to ensure the University maintains its operations as such, or if it changes to ensure it will become an active assignment should it need to comply with any chemicals control order or licenses issued by the EPA, or to apply to the EPA for approval if it wanted to undertake a prohibited activity.
WATCHLIST - EU General Data Protection Regulation	Related to Privacy legislation and Personal information	Impacts Research collaboration, participants, IT systems, EU students and staff, marketing, products. An international Act that has potential to affect internal operations and domestic legal obligations, currently being discussed. Will always be on Watchlist due to international status, and any changes due to Act are folded into the PMP.	Office of the University Secretary	Reason 3	It is an international law/instrument (as only Australian Federal and State laws are listed on the Directory).
WATCHLIST - Excise Act 1901 (Cth)	An Act relating to Excise. Excise duty is a tax on alcohol, tobacco, fuel and petroleum products (excisable goods) produced or manufactured in Australia.	The University may manufacture and store excisable goods and may need to pay duty on goods delivered into the Australian domestic market.	Financial Operations	Reason 7	Currently not applicable to Finance, Procurement, or Research Services re importing and exporting tangible goods and technology as it relates to research and/or have a customs duty/tariff attached. Kept on Watchlist in the event it becomes applicable to activities.
WATCHLIST - Exhibited Animals Protection Act 1986 (NSW)	An Act with respect to the exhibition of animals at marine or zoological parks, circuses and other places.	The University may have animals on display, for example during open day and for educational purposes.	School of Health Sciences	Reason 6	The School has no plans to exhibit any animals in the future, and none were exhibited since 2021(all animals were removed by 2021). Left on Watchlist for awareness purposes only in case this changes in the future.

Legislation	Purpose of Legislation	Relevance to the University	Watchlist assigned unit/s	Watchlist reason number	Watchlist reason
WATCHLIST - Explosives Act 2003 (NSW)	An Act to provide for the regulation and control of the handling of explosives and explosive precursors, and to provide for the regulation of certain other dangerous goods. The Act establishes the Workcover Authority as the regulatory authority for the purposes of this Act.	The University may handle explosives and explosive precursors.	Exec Director's Unit, Equity, Safety & Wellbeing Office of Infrastructure and Commercial Research Services TRTS	Reason 6A	The University currently does not handle, store, or use explosives, nor does it have specialised facilities and licensing to handle them. - The University does not currently hold enough or any of the particular classes or types of explosives as required how and when to be handled by the Act. - WSU will only require a license to use security sensitive ammonium nitrate for education, research or analytical purposes if the amount exceeds 3 kg. - Unauthorised explosives may be handled under a license to manufacture for research and development. - It also only uses and stores organic fertilizer, such as seasoil (seaweed). In the event of purchasing chemical fertilizer, the amounts will not have enough precursors in it without an exemption which the University does not have.
WATCHLIST - Firearms Act 1996 (NSW)	An Act to provide for the regulation, control and registration of firearms; to repeal the Firearms Act 1989; to amend the Prohibited Weapons Act 1989.	The University has a farm and may use firearms for use on its animals in its care. The University handles livestock (cattle and deer) and may have a genuine reason pursuant to s 12 to having a licence to hold a firearm. The Farm uses a captive bolt gun to euthanise animals in its care. Section 88 of the Act enables the Firearm Regulations 2017, and pursuant to s 4 of those Regs, a bolt gun is not considered a firearm and would not require a licence.	Office of Infrastructure and Commercial	Reason 9	Farm staff use a bolt gun if they need to put an animal down, and bolt guns are not considered firearms under the Firearm Regulation 2017 (NSW): https://legislation.nsw.gov.au/view/html/inforce/current/s1-2017-0442 pursuant to s 4. The farm engages a professional shooter for fox control and liaises with campus security.
WATCHLIST - Gene Technology (Licence Charges) Act 2000 (Cth)	An Act to impose charges on licences issued under the Gene Technology Act 2000, and for related purposes.	The University must pay annual charge for GMO licenses.	Financial Operations	Reason 5	No specific control deployed - BAU procedures executed on Watchlist for awareness purposes of what TYPE of invoices may be paid.
WATCHLIST - Government Information (Information Commissioner) Act 2009 (NSW)	An Act to create the office of Information Commissioner; and for other purposes.	The University is a public authority (aka agency) for the purposes of the Government Information (Public Access) Act 2009, and may be investigated by the Commissioner under section 21 of this Act.	Office of the University Secretary	Reason 5	No direct obligation, to be aware of the authority of the Commissioner.
WATCHLIST - Hazardous Waste (Regulation of Exports and Imports) Act 1989 (Cth)	An Act to provide for the regulation of the export, import and transit of hazardous waste, and for related purposes.	The University must apply and obtain a permit for the export, import and transit of hazardous waste in the event to export, import, or transit waste to ensure it is managed in an environmentally sound manner.	Exec Director's Unit, Equity, Safety & Wellbeing Office of Infrastructure and Commercial Research Services TRTS	Reason 6A	The University does not currently import or export or transports hazardous waste as part of its operations. It generates hazardous waste that is collected, transported, and disposed of by licenced waste contractors. This is on the Watchlist for preventative and awareness reasons, and also should this situation ever change.
WATCHLIST - Insurance Contracts Act 1984 (Cth)	An Act to reform and modernise the law relating to certain contracts of insurance so that a fair balance is struck between the interests of insurers, insureds and other members of the public and so that the provisions included in such contracts, and the practices of insurers in relation to such contracts, operate fairly, and for related purposes.	The University may enter into insurance contracts as an insured party.	Financial Operations University General Counsel's Unit	Reason 5	BAU of general and non-specific controls of each Watchlist unit is executed as per normal procedure, such as complying with sections 13, and 21. Also to be mindful of sections 22, 35, and 54.
WATCHLIST - Jury Act 1977 (NSW)	An Act to amend and consolidate the law relating to juries; to repeal the Jury Act 1912 and certain other Acts; and to amend the Mental Health Act 1958, the Coroners Act 1960 and the Supreme Court Act 1970.	The University is an employer, and its employees may be called for jury service.	Office of the Chief People Officer	Reason 5	See Sections 69A and 69 (dismissal, leave, reimbursement).

Legislation	Purpose of Legislation	Relevance to the University	Watchlist assigned unit/s	Watchlist reason number	Watchlist reason
WATCHLIST - Liquor Act 2007 (NSW)	An Act to regulate and control the sale and supply of liquor and the use of premises on which liquor is sold or supplied.	The University may have premises/venues, activities, and events which may involve the promotion and service of alcohol, either University-run or by another party where the relevant licences must be obtained.		Reason 6	In the event when the University requires to obtain licence for particular venues.
WATCHLIST - Local Government Act 1993 (NSW)	An Act to provide for local government in New South Wales.	The University is exempt from rates under s 556.	Office of Infrastructure and Commercial	Reason 5	To ascertain exemption status.
WATCHLIST - Medicines, Poisons and Therapeutic Goods Act 2022 (NSW)	An Act to regulate activities involving scheduled substances and certain therapeutic goods to protect public health and safety; to repeal the Poisons and Therapeutic Goods Act 1966 and certain instruments under that Act; and to make consequential amendments to other legislation.	The University is involved in research activities, teaching activities, delivery of Health and Veterinary Services and in the Facilities Management storage of chemicals used for landscape management. It must comply with the Poisons and Therapeutic Goods Act 1966 (NSW), which is proposed to be repealed by this Act once proclaimed for commencement.	Exec Director's Unit, Equity, Safety & Wellbeing NICM	Reason 2	This rest of this Act commences on a day or days to be appointed by proclamation, which is yet unknown.
WATCHLIST - Migration Act 1958 (Cth)	An Act relating to the entry into, and presence in, Australia of non-citizens, and the departure or deportation from Australia of non-citizens and certain other persons.	The University recruits, enrolls and teaches overseas students, and may have to comply with requests and/or searches regarding student visas from the ABF Commissioner and/or authorised officers.	Office of Infrastructure and Commercial PVC, International Research Services University General Counsel's Unit	Reason 5	BAU procedures/controls executed when dealing with search warrants, visa conditions, visa cancellations, visa refusals, and requests for information. Should be aware of scope of authority and potential outcomes from Ministerial direction. - Students will need to seek approval from Home Affairs in order to change their field of research to one which would be deemed as Critical Technologies, whether while undertaking PG research, or while undertaking coursework which is a pre-requisite for PG research. If the Minister deems that there is a risk of critical technologies being impacted by the notifying student. The curse and cure of this being that this process is entirely up to the student, and no university shall receive notification from Home Affairs if the student is unsuccessful in receiving approval.
WATCHLIST - My Health Records Act 2012 (Cth)	An Act to provide for a system of access to electronic health records.	Potentially impacts IT systems, health clinics	Office of the Chief Information & Digital Officer Office of the University Secretary	Reason 6	The law is applicable to the University and its potential (but not current) operations. The University does not operate a health clinic that uses MyHealth on its campuses.

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WATCHLIST - National Code of Practice for Chemicals of Security Concern	<p>The Code is designed to help prevent chemicals falling into the wrong hands. It encourages companies and individuals that manage or handle chemicals of security concern to consider the risk of terrorism in their security planning processes. The Code provides guidance and information on a range of practical security measures that businesses and individuals can take. There are 15 chemicals that are assessed as being particularly high-risk. These 15 are covered by the National Code of Practice for Chemicals of Security Concern.</p> <p>Note: The code is voluntary, and has been developed by Australian governments in partnership with industry. The code is based on good business practices that prevent the loss and theft of chemicals. It encourages organisations to consider and examine their own risks from a national security perspective and to take steps to reduce risks to ensure that chemicals are not stolen or diverted for terrorist purposes.</p>	The University stores chemicals for the purposes of research.	Exec Director's Unit, Equity, Safety & Wellbeing	Reason 5	It is important to note that compliance with the Code is voluntary. WHS maintains a ChemWatch database with these included.
WATCHLIST - National Consumer Credit Protection Act (Cth)	An Act relating to credit.	The University may provide student loans.	Financial Operations	Reason 7	Finance records show there have been no student loans issued since 2012, with no outstanding student loan balances in the Finance system. Loans are still advertised though to eligible students, so while not currently applicable, it may be applicable in the future.
WATCHLIST - National Health Security Act 2007 (Cth)	<p>An Act to provide for National Health Security. The Act seeks to:</p> <ul style="list-style-type: none"> - provide a national system of public health surveillance to enhance the capacity to identify, and respond to, significant public health events including the occurrence of:- certain communicable diseases; certain releases of chemical, biological or radiological agents; public health risks; overseas mass casualties; and - provide for the sharing of information with the World Health Organization; and countries affected by an event relating to public health or an overseas mass casualty; and - support the Commonwealth, States and Territories in giving effect to the International Health Regulations. 	The University may store, possess, use or transport Security Sensitive Biological Agents (SSBA).	<p>Exec Director's Unit, Equity, Safety & Wellbeing</p> <p>Hawkesbury Institute for the Environment</p> <p>NICM</p> <p>Research Services</p> <p>School of Health Sciences</p> <p>School of Medicine</p> <p>School of Science</p> <p>TRTS</p>	Reason 6A	<p>The University does not currently handle Security Sensitive Biological Agents (SSBA). Entities/facilities that handle SSBA are required to maintain and review:- records of authorised/ approved personnel; incident reports; inventory records; decontamination procedures; transport, handling and management of SSBA; SSBA risk assessment and risk management plans; Policy, procedures relating to SSBA.</p> <p>The University must comply with any direction given by Govt, DFAT, Department of Health, and Safe Work to minimise the risk of communicable diseases / any biological transferable diseases, and with the requirements concerning the regulations for the secure storage, possession, use and transport of biological agents in order to minimise the risk of use for terrorism purposes.</p>
WATCHLIST - National Parks and Wildlife Act 1974 (NSW)	An Act to consolidate and amend the law relating to the establishment, preservation and management of national parks, historic sites and certain other areas and the protection of certain Aboriginal objects; to repeal the Wild Flowers and Native Plants Protection Act 1927, the Fauna Protection Act 1948, the National Parks and Wildlife Act 1967 and certain other enactments; to amend the Local Government Act 1919 and certain other Acts in certain respects; and for purposes connected therewith.	The University owns, occupies, controls, and manages land that includes Crown land. This Act poses limitations of particular land in sections 30C and 30D.	Office of Infrastructure and Commercial	Reason 6	The law is applicable to the University and its potential (but not current) operations.

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WATCHLIST - National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth)	An Act to establish the National Redress Scheme for Institutional Child Sexual Abuse,	The University and its controlled entities have voluntarily joined the National Redress Scheme since June 2023, as a participating institution (with the University as the Representative). It was not requested to join the NRS (as in it was not named in the Royal Commission report). The joining covers its controlled entities.	University General Counsel's Unit	Reason 5	To be aware of the scope of a redress application should it arise based on the University's joining of the Scheme.
WATCHLIST - New Business Tax System (Venture Capital Deficit Tax) Act 2003 (Cth)	An Act to impose a tax in respect of venture capital sub-account deficits of pooled development funds, and for related purposes.	The University is an entity as defined in section 3 of the Act, where it must also comply with the Income Tax Assessment Act 1997 (Cth). In the event that the University is liable to pay venture capital deficit tax, it must comply with section 5 of the Act.	Financial Operations	Reason 5	Should be aware of what circumstances and when venture capital deficit tax is imposed. To date, the University has not had to pay venture capital deficit tax. There is a venture capital fund for research to springboard any endeavours (Western Sydney Ventures).
WATCHLIST - Nuclear Non-Proliferation (Safeguards) Act 1987 (Cth)	An Act to make provision in relation to the non-proliferation of nuclear weapons and to establish, in accordance with certain international treaties and agreements to which Australia is a party, a system for the imposition and maintenance of nuclear safeguards in Australia, and for related matters.	If the University possesses or transports nuclear material or runs a nuclear facility it must obtain appropriate permits; this is only necessary if the materials/facilities being used fall under the definitions found in the relevant treaties.	Exec Director's Unit, Equity, Safety & Wellbeing Research Services	Reason 6A	
WATCHLIST - Payment Times Reporting Act 2020 (Cth)	An Act to provide for certain entities to report payment terms and practices. This Act requires certain entities that carry on an enterprise in Australia to report their payment terms and practices in relation to their small business suppliers. Other entities may elect to report voluntarily. A reporting entity must give the Payment Times Reporting Regulator a report for each period of 6 months. The Regulator keeps the reports on a publicly available register, known as the Payment Times Reports Register. The Regulator is to be an SES employee in the Department. The functions of the Regulator include monitoring and enforcing compliance with this Act. Note: reporting entities are those with an annual total income of over \$100 million, small business suppliers are entities with an annual turnover of less than \$10 million. A reporting entity is required to keep records of information used to prepare a payment times report for 7 years.	The University has an annual total income of over \$100 million and must publicly report on its payment terms and practices for its small business suppliers (entities with an annual turnover of less than \$10 million). Universities have been held to be trading corporations within the meaning of s.51xx of the Australian Constitution which makes a constitutionally covered entity for the purposes of s.6 and therefore may bring it within the meaning of a reporting entity under s.7, see Quickenden v O'Connor [2001] FCA 303 (which was an industrial law cases, as many constitutional cases are).	Financial Operations	Reason 5	While some of the key obligations and controls are similar to what is already being executed at the University, the University is a registered charity and is exempt from the direct obligations of this Act. There are provisions to report voluntarily.
WATCHLIST - Personal Data Protection Decree (Vietnam)	Following international trends, in particular the European Union's General Data Protection Regulation (GDPR), the PDPD seeks to strengthen rules on the collection, processing and transfer of personal data.	The University operates campuses in Vietnam, and has students from Vietnam.	Office of the University Secretary	Reason 3	It is an international law/instrument (as only Australian Federal and State laws are listed on the Directory).
WATCHLIST - Protection of Cultural Objects on Loan Act 2013 (Cth)	An Act to encourage the loan of objects from overseas for temporary public exhibition in Australia, and for related purposes.	The University imports (on loan), collects, and publicly exhibits in Australia objects that are normally in a foreign country for temporary public exhibition and are of interest for archaeological, artistic, ethnological, historical, literary, scientific or technological reasons.	Institute for Australian & Chinese Arts & Culture Western Sydney Creative	Reason 6	The law is applicable to the University and its potential (but not current) operations.

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WATCHLIST - Protection of Movable Cultural Heritage Act 1986 (Cth)	An Act to protect Australia's heritage of movable cultural objects, to support the protection by foreign countries of their heritage of movable cultural objects, and for related purposes.	The University may deal with objects that are significant to Australian history, significant cultural material, or foreign cultural property, where license and export/acquisition/return requirements must be met.	Institute for Australian & Chinese Arts & Culture Western Sydney Creative	Reason 6	The Institute does not engage any type of exportation of Australian projected objects, regardless of the current global pandemic.
WATCHLIST - Public Holidays Act 2010 (NSW)	An Act to provide for the public holidays to be observed in the State; and for other purposes.	The University, as an employer, is required to follow the public holidays declared in ss 4 and 7 of the Act for its employees.	Office of the Chief People Officer	Reason 5	See Section 7 - Employee entitlements on public holidays (Part 2 - Public holidays) where the University must comply with the following provisions of the Fair Work Act 2009 (Cth), which apply as laws of New South Wales to and in respect of employees and employers in the State: - section 114 (Entitlement to be absent from employment on public holiday) - section 116 (Payment for absence on public holiday)
WATCHLIST - Public Works and Procurement Act 1912 (NSW)	Relates to Procurement of goods and services for New South Wales government agencies (excludes Universities for the moment in its definition)	Impacts Procurement and Development.	Office of the Director, Procurement Services	Reason 10	Currently excludes Universities for the moment in its definition, as directed from NSW Procurement.
WATCHLIST - Research Involving Human Embryos Act 2002 (Cth)	An Act to regulate certain activities involving the use of human embryos, and for related purposes.	The University undertakes research involving human embryos, however no direct legislative obligations under this Act applies.	Research Services	Reason 5	While the University undertakes research involving human embryos, the legislative obligations under this Act applies to the external agency / committee to which WSU researchers apply so no operational compliance directly imposed on the University. WSU, per the policy, stills retains responsibility for overall compliance and must be on the Watchlist. If WSU operations change, then this may be moved from the Watchlist to the main directory.
WATCHLIST - Road Transport Act 2013 (NSW)	An Act to make provision with respect to road transport law in New South Wales. An object of the Act is to facilitate the recovery of expenses incurred in the administration of this Act (particularly, in connection with driver licensing and vehicle registration) and the collection of fees and charges payable under this Act and the statutory rules.	The University, under the Road Transport (General) Regulation 2021 (NSW), which is made under the Road Transport Act, is a 'declared organisation' i.e a parking authority who may establish and operate a pay parking scheme for a road and road related areas within its area of operations (the listed campuses in Sch 2).	Office of Infrastructure and Commercial	Reason 5	Being listed in Sch 2 of the Regs authorises the University's areas of operations to a) set aside pay parking spaces or pay parking areas in a road within its area of operations in accordance with TfNSW guidelines, and (b) fix the fees for parking a vehicle in a pay parking space or pay parking area. - It may also install devices for use in connection with payment of the fees (pay parking device), and use Revenue NSW SEINS system for enforcement of fines of parking infringements
WATCHLIST - Sale of Goods Act 1923 (NSW)	An Act to codify and amend the law relating to the Sale of Goods.	The University may be involved in contracts where it transfers or agrees to transfer its right of ownership in goods.	Financial Operations Office of the Director, Procurement Services University General Counsel's Unit	Reason 5	The law is applicable to the University and its potential (but not current) operations.
WATCHLIST - Statement on Consumer and Community Participation in Health and Medical Research 2016 (Cth)	Statement on consumer and Community Participation in Health and Medical Research.	The University conducts research with consumer and community participation at all levels and across all types of health and medical research.	Research Services	Reason 4	There are many Statements that are in existence, and are referenced in the National Statement of Ethical Conduct which is on the Directory. It should not be called out as a primary Statement above all others.
WATCHLIST - The Indigenous Education (Targeted Assistance) Act 2000	An Act to provide targeted financial assistance to advance the education of Indigenous persons, and for related purposes.	The University is a higher education provider as defined in section 4 of the Act. The University also offers an Aboriginal and Torres Strait Islander Pathway Program which is available for Aboriginal and Torres Strait Islander students only. The University aligns with Part 2 Section 5 of the Act which is to equitable and appropriate educational outcomes for Indigenous people.		Reason 5	The law is applicable to the University and its operations but the law does not impose a direct or specific obligation onto the University for compliance, as it may set up authority or formulation, or it may be a voluntary instrument.

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WATCHLIST - The People's Republic of China's Personal Information Protection Law	Related to Privacy legislation and Personal information	<p>This international law may capture foreign entities which conduct business in China or deal with Chinese residents, regardless of whether these foreign entities have a physical presence in China or not. In this context, the Law is particularly relevant to multinational corporations. Its scope covers the provision of goods or services to residents in China; the analysis or evaluation of the behaviour of residents in China; or any other purpose as prescribed by law or regulations.</p> <p>An international Act that has potential to affect internal operations and domestic legal obligations, currently being discussed. Will always be on Watchlist due to international status, and any changes due to Act are folded into the PMP.</p>	Office of the University Secretary	Reason 3	
WATCHLIST - Trustee Act 1925 (NSW)	An Act to amend and consolidate the law relating to trustees and trust property; to amend in certain respects the law relating to executors and administrators; to amend the Wills, Probate and Administration Act 1898 and certain other Acts; and for purposes connected therewith.	The University may hold the title of property for the benefit of another, or is a beneficiary.	<p>Financial Operations</p> <p>University General Counsel's Unit</p>	Reason 5	Should be aware of the type of situation where the general and non-specific controls of each Watchlist unit is executed as per normal procedure.
WATCHLIST - VET Student Loans (Charges) Act 2016 (Cth)	An Act to impose approved course provider charge, and for related purposes.	The College is a VET provider.	The College	Reason 5	The VET Student Loans (VSL Tuition Protection Levy) does not contain any direct obligations relevant to The College. It seemed that the VET Student Loans (VSL Tuition Protection Levy) act prescribed how the levy is to be calculated.
WATCHLIST - VET Student Loans (VSL Tuition Protection Levy) Act 2020 (Cth)	An Act to impose VSL tuition protection levy, and for related purposes.	The College is a VET provider.	The College	Reason 5	The VET Student Loans (Charges) acts did not contain any direct obligations relevant to The College, implementing the approved course provider charge as a tax.
WATCHLIST - Waste Avoidance and Resource Recovery Act 2001 (NSW)	An Act to encourage resource efficiency, waste avoidance, and environmental harm reduction in accordance with ecologically sustainable development principles.	The University owns and controls land whereby resource management planning, strategies and programs apply.	Office of Infrastructure and Commercial	Reason 5	This Act applies to industry to reduce waste and to come up with programs to encourage everyone to decrease waste and reduce the use of materials in manufacturing, so on waste companies, such as Suez and manufactures like Coke a Cola. It also allows the 'Return and Earn' scheme to operate. Everything the University does in this space is voluntary and not compelled by the Act, but by its own ethics.
WATCHLIST - Weapons of Mass Destruction (Prevention and Proliferation) Act 1995 (Cth)	An Act to prohibit the supply or export of goods that will or may be used in, and the provision of services that will or may assist, the development, production, acquisition or stockpiling of weapons capable of causing mass destruction or missiles capable of delivering such weapons.	The University must ensure its employees do not supply or export or provide services re goods (including documents) or services that are prohibited under this Act, unless a permit has been provided by the Minister authorising such action.	<p>Exec Director's Unit, Equity, Safety & Wellbeing</p> <p>Office of Infrastructure and Commercial</p> <p>Research Services</p> <p>TRTS</p>	Reason 6A	<p>Currently the University does not hold any permits for use/research related to WMDs. University facilities are not equipped/certified to deal with material of this nature and there are no researchers at the University working in this area.</p> <p>- Re CSS - To be aware of goods that may cause an incident.</p> <p>- Re WHSW and TRTS - to be aware of goods in labs that may cause an incident stemming from chemical safety. Note that BRSC does not cover chemical safety.</p> <p>- The BRSC approves items of a biological or nuclear nature.</p>