



## South Australian Protective Security Framework

# GOVSEC 6

## SECURITY GOVERNANCE FOR INTERNATIONAL SHARING



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# POLICY

## PURPOSE

1. From time to time, agencies in South Australia may need to enter official relationships with foreign partners or entities.<sup>1</sup> Security protections are required to ensure that the information or assets are not compromised or exposed to uncontrolled risks.
2. This policy ensures all agencies formalise all partnerships or relationships with foreign partners or agencies through international agreements or arrangements that safeguard the interests, information, and assets of both the South Australian and Commonwealth Governments.

**Communicating, or making available, security classified information with another country or foreign organisation could be considered espionage under the Criminal Code Act 1995**

**However, specific legislative provisions authorise agencies to share information internationally under arrangements made or directions given by the relevant minister**

## CORE REQUIREMENT

**Ensure adherence to any provisions for the security of people, information and assets contained in international agreements and arrangements to which Australia is a party**

## SUPPORTING REQUIREMENTS

3. To ensure adherence to security provisions contained in international agreements and arrangements, agencies<sup>2</sup> must:
  - I. comply with the core and supporting requirements of the [Australian Government Protective Security Policy Framework \(PSPF\) policy 7:Security Governance for international sharing](#) .

<sup>1</sup> A foreign entity includes a foreign government and foreign contractors (meaning any individual or legal entity entering into or bound by a classified contract and includes subcontractors)

<sup>2</sup> This policy applies to all South Australian public sector agencies (as defined in section 3(1) of the [Public Sector Act 2009](#)) and to any other person or organisation that is generally subject to the direction of a Minister of the Crown; all of which are referred to in this policy as “Agencies”.

## GUIDANCE

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### INTERNATIONAL SECURITY AGREEMENTS AND ARRANGEMENTS

4. The Australian Governments PSPF policy [Security governance for international sharing](#) outlines the necessary protections, including legislative considerations, all agencies **must** adhere to when engaging with, or entering into partnerships with, foreign partners or entities which assist in safeguarding Australian information and assets from compromise or uncontrolled risks.
5. Australia has General Security Agreements with the [European Union](#), [Japan](#), [Republic of France](#) and the [United States of America](#) and also agreements or arrangements with each of Australia's Five Eyes partners (US, United Kingdom, New Zealand and Canada). Some Australian entities also have specific entity-to-entity level agreements or arrangements that provide similar assurances and protections for information sharing. If an agency has any relationships with foreign entities outside the nations above, then it must be determined what governance has been set up around those relationships to ensure the security of information and/or assets exchanged.
6. The [Australian Treaties Database](#) provides further details of international agreements to which Australia is a party, noting that not all international arrangements are publicly available.
7. All agencies **must** be aware of key provisions in international security agreements and arrangements related to:
  - I. marking of sensitive and security classified information and assets
  - II. protection of sensitive and security classified information and assets, including how they are handled and transferred
  - III. access to and disclosure of sensitive and security classified information and assets, including employee security clearance requirements and recognition
  - IV. responding to security breaches or security violations
  - V. undertaking security inspections and visits.
8. All South Australian agencies **must** be aware of any requirements or obligations they have under international security agreements or arrangements, and ensure new agreements or arrangements are put in place prior to the commencement of any sharing.



## DOCUMENT CONTROL

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## CHANGE LOG

Version	Date	Changes
1.0	20/04/2020	First issue of policy
2.0	26/10/2022	Additional guidance added (paras 5 & 6)



