



## FOREIGN RISK COMMITTEE CONSTITUTION

### 1. Establishment

- 1.1. The Foreign Risk Committee (*FRC*) was established by the Vice-Chancellor on the recommendation of the Senior Executive Team (Resolution SET 90/23) on 2 November 2023 to commence on 1 January 2024.

### 2. Functions

- 2.1. The functions of FRC are:
  - 2.1.1. To provide foreign risk oversight for the University;
  - 2.1.2. To promote a consistent and informed foreign risk aware culture across the University;
  - 2.1.3. To monitor institutional foreign risk profile, culture and maturity;
  - 2.1.4. To review and support relevant Policy and Procedure updates;
  - 2.1.5. To review and support foreign risk appetite updates; and
  - 2.1.6. To advise and approve the Foreign Risk Program of Work.
- 2.2. FRC is responsible for advising and making recommendations to the Vice-Chancellor on significant matters relating to foreign risk and interference in areas including but not limited to:
  - 2.2.1. Matters requiring Vice-Chancellor approval as per the Foreign Risk Appetite Statement;
  - 2.2.2. Significant decisions that the Committee does not support by consensus;
  - 2.2.3. Compliance with statutory obligations;
  - 2.2.4. Geopolitics; and
  - 2.2.5. Matters or relationships which may misalign with University values or national interest.
- 2.3. FRC is responsible for providing advice to the Foreign Interference Accountable Authority (FIAA) on:

2.3.1. Significant strategic or precedent setting decisions as referred by the FIAA; and

2.3.2. Relevant systems, and processes as referred by the FIAA.

### **3. Membership**

3.1. The membership of FRC will comprise of:

3.1.1. The Foreign Interference Accountable Authority (Chair);

3.1.2. The Deputy Vice-Chancellor, Research or nominee; *ex officio*

3.1.3. The Deputy Vice-Chancellor, Global or nominee; *ex officio*

3.1.4. The Deputy Vice-Chancellor, Academic or nominee; *ex officio*

3.1.5. The Chief Legal Officer or nominee; *ex officio*

3.1.6. The Pro Vice-Chancellor or nominee, *ex officio*:

a. Faculty of Science and Engineering; and

b. Faculty of Humanities.

3.1.7. Director Defence and Space; *ex officio*

3.1.8. The Chief Security Officer; *ex officio*

3.1.9. The Chief Information Officer; *ex officio*

3.1.10. The Director, Data & Information Governance; *ex officio*

3.2. FRC is committed to gender balance and diversity of membership and will work towards achieving gender balance (40% women; 40% men and 20% of either, and/or other genders) on average assessed over a reasonable period of time, noting that this may not be possible at all times due to the composition of the membership.

3.3. FRC can co-opt additional members, appointed by FRC and reviewed by the FRC each calendar year, having regard to gender balance; diversity; disciplinary expertise and faculty/campus distribution of FRC's membership.

3.4. Members must be willing and able to apply for an Australian Government Security Clearance to facilitate potential government briefings.

3.5. The FIAA will have consideration of members who are ineligible to apply for or hold an Australian Government Security Clearance.

#### **4. Officers in attendance and attendance of observers**

4.1. The Chair may appoint an Executive Officer. The Executive Officer is to have the rights to be present and participate (but not vote) at all meetings of FRC. The Executive Officer must be willing and able to apply for an Australian Government Security Clearance.

4.2. The Chair may invite any person or persons internal or external to the University to attend an entire meeting or meetings, or to attend for one or more specified items, to participate (but not vote) and assist FRC in its deliberations.

#### **5. Quorum**

5.1. A quorum for an FRC meeting is to be not less than one-half of the total number of members of FRC, excluding any vacancies.

#### **6. Voting**

6.1. FRC will aim to decide issues by consensus. Where a consensus cannot be reached, a vote will be taken at a meeting as follows:

- a) Each member who is present at a meeting is entitled to one vote; and
- b) The Chair is to have a deliberative vote only and does not have a casting vote.

6.2. Significant decisions that FRC does not endorse by consensus may be referred to the Vice-Chancellor (2.2.2).

#### **7. Nominees**

7.1. In this Constitution, *nominee* means –

7.1.1. The nominee of an ex officio member of FRC –

- a. Whose nomination has been approved under clause 7.2; and
- b. Who is not ineligible to be a nominee under clause 7.4 or 7.5.

7.2. Subject to clauses 7.4 and 7.5, the Chair may approve the nomination by an ex officio member of a person to be the nominee of the ex officio member.

- 7.3. A FRC member is to ensure the details of the nomination are provided in writing to the Chair prior to commencement of the FRC meeting which the member is unable to attend.
- 7.4. A FRC member is not eligible to be approved as a nominee if they are a current member of the FRC.
- 7.5. Nominees must be willing and able to apply for an Australian Government Security Clearance.
- 7.6. A nominee may act temporarily in place of the FRC member for whom they are approved on any occasion on which, or during any period in which, the FRC member is unable to perform the functions of the position.
- 7.7. If a nominee is attending an FRC meeting in place of the FRC member, the nominee may exercise all the rights and is subject to the same responsibilities as the member.

## **8. Chairing of a meeting in absence of Chair**

- 8.1. Where sufficient advance notice is given of the intended absence of the Chair at a scheduled meeting of the FRC, the Chair is to appoint one of the members of FRC to chair the meeting.
- 8.2. If an appointment is not made by the Chair under clause 8.1, FRC is to elect one of its members who is present to chair the meeting.

## **9. Foreign Risk Sub-Committees**

FRC will be assisted in the performance of its functions by the standing Foreign Risk Working Group.

## **10. Establishment of Working Parties**

- 10.1. FRC may establish working parties or sub-groups for a specified term to address specific issues.
- 10.2. The composition of a working party or sub-group may include persons other than members of FRC and may include persons who are external to the University.
- 10.3. The role of a working party or sub-group is to advise FRC on the specific issue it has been tasked to consider.

10.4. The working party or sub-group will report to FRC as specified by FRC.

### **11. Meeting Schedule**

FRC is to meet at least 4 times in each calendar year.

### **12. Reporting**

FRC will report to the Vice-Chancellor by way of its minutes.

### **13. Servicing of the Committee**

The Secretary of FRC will be appointed by the Director, Secretariat and Council Secretary and must be willing and able to apply for an Australian Government Security Clearance.

#### **REVISION HISTORY**

<b>Revision Ref. No.</b>	<b>Approved/ Rescinded</b>	<b>Date</b>	<b>Committee</b>	<b>Resolution Number</b>	<b>Document Reference</b>
1	Approved	2 November 2023	Senior Executive Team	SET 90/23	Item 5.2