

**From:** [Iain Watt](#)  
**To:** [James Laurenceson](#)  
**Cc:** [Anne Dwyer](#); [Gaye Morstyn](#)  
**Subject:** Fwd: Letter received from the Attorney General's Department  
**Date:** Wednesday, 29 May 2019 6:08:01 PM  
**Attachments:** [image001.png](#)  
[ATT00001.htm](#)  
[image002.png](#)  
[ATT00002.htm](#)  
[image003.png](#)  
[ATT00003.htm](#)  
[image004.png](#)  
[ATT00004.htm](#)  
[image005.png](#)  
[ATT00005.htm](#)  
[image006.png](#)  
[ATT00006.htm](#)  
[20190522\\_Letter from Attorney General's Department.pdf](#)  
[ATT00007.htm](#)

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Hi James

The university manages this issue so please simply forward any correspondence on FITS or related matters to Anne and Gaye (copied in). ACRI should not respond on its own behalf.

Regards

Iain

Sent from my iPhone

Begin forwarded message:

**From:** James Laurenceson <[James.Laurenceson@uts.edu.au](mailto:James.Laurenceson@uts.edu.au)>  
**Date:** 29 May 2019 at 4:49:59 pm AEST  
**To:** Iain Watt <[Iain.Watt@uts.edu.au](mailto:Iain.Watt@uts.edu.au)>  
**Subject:** Letter received from the Attorney General's Department

Dear Iain,

Please find attached a letter from the Australian Government's Attorney-General's Department addressed to Professor Bob Carr, ostensibly in his capacity as UTS:ACRI Director, sent via UTS:ACRI. The letter is dated May 8 and was received by UTS:ACRI May 22. It concerns the Foreign Influence Transparency Scheme (FITS) and "additional obligations triggered by the federal election".

The letter reads:

"I write to draw your attention to the additional obligations triggered by the federal election and seek your continued consideration of the applicability of the scheme to your organisation."

While Professor Carr's term with UTS:ACRI was completed prior to the receipt of this letter, the contents appear to be directed toward UTS:ACRI broadly. I am

therefore actioning it as Acting Director. Given UTS:ACRI is wholly housed within UTS, I'd like to flag this letter with you and the rest of the university's senior management, and seek the university's advice on any action that might need to be taken under the FITS.

In March UTS had issued a public statement which read:

UTS does not consider any of its activities, including those of ACRI, to be registerable under the Foreign Influence Transparency Scheme (FITS), but will continue to monitor this over time.

Regards,

JL

**James Laurenceson**  
Acting Director, UTS:ACRI

**Australia-China Relations Institute (ACRI)**

University of Technology Sydney  
罗震教授 澳中关系研究院执行院长

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**Australian Government**  
**Attorney-General's Department**  
**Deputy Secretary**  
**Integrity and International Group**

18/4808-3

Professor the Hon. Bob Carr  
ACRI  
UTS, Level 18, Tower Building, 15 Broadway  
Ultimo NSW 2007

Dear Professor the Hon. Carr

**The Foreign Influence Transparency Scheme and the 2019 Federal Election**

As you will be aware from my previous correspondence, the Foreign Influence Transparency Scheme (the scheme) commenced on 10 December 2018. The scheme is designed to provide the public and government decision-makers with visibility of the nature, level and extent of foreign influence on Australia's government and political process.

I write to draw your attention to the additional obligations triggered by the federal election and seek your continued consideration of the applicability of the scheme to your organisation.

Under the scheme, obligations to register arise in the following circumstances:

- a registrable activity is being undertaken, and
- the activity is undertaken on behalf of a foreign principal, and
- the purpose of the activity is for political or governmental influence, and
- no exemptions apply.

For the purposes of the scheme, registrable activities are parliamentary lobbying, general political lobbying, communications activity and disbursement activity.

Importantly, any communications activity must include a disclosure making clear that the information or material is produced, communicated or disseminated on behalf of a foreign principal and is a registrable activity under the *Foreign Influence Transparency Scheme Act 2018* (the Act). This obligation applies regardless of whether the person or entity undertaking the communications activity was already registered. Please see 'Fact Sheet 10 – Disclosures in communications activity' on the Attorney-General's Department's website ([www.ag.gov.au/transparency](http://www.ag.gov.au/transparency)) for further information.

I strongly encourage you to consider whether the scheme applies to your current circumstances as a matter of urgency, and to continue to monitor this issue as circumstances change. It is an offence not to register if you are required to do so and penalties apply.

Registration is done through a secure portal hosted on the Department's website. Registrations must be completed within 14 days of entering into an agreement to undertake a registrable activity, or within 14 days of undertaking a registrable activity – whichever is sooner.

*Changes to registration and reporting timeframes in the lead up to the 2019 Federal Election*

During a voting period more stringent obligations apply under the scheme. This is because, during this period, there will be increased activities aimed at influencing political processes (or influencing the public or sections of the public in relation to political processes). It is vital that there is transparency about the source of these activities for the Australian community.

From 12 April 2019 until the end of the Federal Election period on 18 May 2019:

- Those who are not already registered in relation to a foreign principal have 14 days to register once an obligation arises. Following registration, all registrants must report additional registrable activities within seven days.
- Those who are already registered in relation to a foreign principal must report any additional registrable activities on behalf of that foreign principal within seven days of undertaking the activity.
- Disbursement activities must be registered within seven days of the value of disbursements reaching the electoral donations threshold of \$13,800, or a multiple of this threshold.

More detail about these obligations is available in 'Fact Sheet 9 – Registrant obligations during voting periods' on the Department's website.

*Where to get more information*

Detailed information about the scheme, including about how to register, is available in a series of fact sheets on the Department's website at [www.ag.gov.au/transparency](http://www.ag.gov.au/transparency).

If you are unsure of your obligations after reading the guidance material, I encourage you to contact the Foreign Influence Transparency Scheme team on (02) 6141 3222, Monday to Friday between 9am-12pm and 2pm-5pm, or by email at [transparency@ag.gov.au](mailto:transparency@ag.gov.au). The team is able to provide general information about the operation of the scheme. You may also consider seeking independent legal advice specific to your circumstances.

Yours sincerely



Sarah Chidgey  
8 May 2019

**From:** [Iain Watt](#)  
**To:** [Anne Dwyer](#)  
**Cc:** [Gaye Morstyn](#)  
**Subject:** Re: Query  
**Date:** Monday, 3 June 2019 8:06:21 PM

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Hi Anne

Yes this article was written well before Bob's time at ACRI finished. Permission to print in the Chinese paper was also given while still at ACRI but the article was not published until three days after the end of his contract. I'll be in from around 8 tomorrow if you want to discuss?

Regards

Iain

Sent from my iPhone

On 3 Jun 2019, at 7:42 pm, Anne Dwyer <[Anne.Dwyer@uts.edu.au](mailto:Anne.Dwyer@uts.edu.au)> wrote:

Hi I have now read through this entire email trail. it appears this particular article may have been done in his role as ACRI director (this would need to be checked) so it may be that, as noted, he would be covered in any case by the UTS exemption.....

Gaye - Iain was having a discussion with Bob re this late this afternoon and popped in to see me before he did so.....

i see you may have been planning to meet with BC which i think is probably still a good idea... as we need to be clear about what he does/did as part of his role at UTS and what is private and also when he might have a personal obligation to register. There is a line of course in terms of when he might need to get personal legal advice beyond UTS....

before you connect with BC it might be helpful to know more of his call with Bob today.....

regards

Anne

Sent from my iPad

Begin forwarded message:

Decision 2.1.2 Legal Professional Privilege



**From:** [Christine Burns](#)  
**To:** [Attila Brungs](#)  
**Cc:** [Anne Dwyer](#); [Gaye Morstyn](#)  
**Subject:** Foreign Influence matters - an update  
**Date:** Wednesday, 17 July 2019 10:16:45 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)  
[image008.png](#)  
[image009.png](#)  
[20190704 - Secretary Moraitis to the Hon Bob Carr.pdf](#)  
[FITS chronology.docx](#)

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Dear Attila,

A quick email to update you on this matter. In short, the Attorney General's department has advised Bob Carr that he does not need to register in relation to the reproduction of the article in the China Daily.

Further detail:

Gaye followed up with Bob Carr on 4 July (as he was leaving to spend two weeks attending a conference in China) and he advised that he had written to the Attorney General's department seeking clarification on the requirement for him to register under the Scheme in this instance. Bob has subsequently received a response from the Attorney General's department (attached) advising that he does not need to register in relation to the reproduction of the article in China Daily.

I am currently reviewing draft communications for relevant staff about the operation of the foreign influence transparency scheme **Out of Scope** and anticipate that will be circulated shortly. A summary of the previous awareness activity/communications at UTS following the introduction of the scheme is attached. That included papers to SEM, VCMG and Council and a note in one of your InBrief updates last July.

Kind regards – Chrissy

Privileged and confidential

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**From:** Anne Dwyer <[Anne.Dwyer@uts.edu.au](mailto:Anne.Dwyer@uts.edu.au)>  
**Sent:** Tuesday, 11 June 2019 9:25 PM  
**To:** Attila Brungs <[Attila.Brungs@uts.edu.au](mailto:Attila.Brungs@uts.edu.au)>  
**Cc:** Christine Burns <[Christine.Burns@uts.edu.au](mailto:Christine.Burns@uts.edu.au)>; Iain Watt <[Iain.Watt@uts.edu.au](mailto:Iain.Watt@uts.edu.au)>; Gaye Morstyn <[Gaye.Morstyn@uts.edu.au](mailto:Gaye.Morstyn@uts.edu.au)>  
**Subject:** Foreign Influence matters - an update

Hi Attila,

Per our earlier discussion and to recap....

There are 2 different pieces of correspondence from A/G office on this subject

1. Letter to UTS Chancellor/VC and to ACRI (they are duplicate and also the same as letters

sent across the sector) advising all parties to be mindful during an election period of the Foreign Influence/Interference legislation and the potential need to register if involved in any lobbying or other activities on behalf of foreign parties.

- a. We have not responded to these letters and do not believe there was any need to do so unless we had something to report.
2. a letter to Bob Carr querying an article he had written that was published by a Chinese media organisation and suggesting need for registration as a result.
  - a. We are currently seeking legal advice on this to establish whether UTS should register this activity and also whether Bob Carr might need to separately register. This advice is expected by the end of this week. We will need to consider this advice and agree a course of action early next week.
  - b. Some further facts
    - Bob has provided acknowledgement to AG advising he is seeking advice.
    - Iain and Gaye have both confirmed that it seems the article has been produced under his role as the head of ACRI at that time
    - The article was in fact written for an Australian org. Bob Carr was later approached by the Chinese media org for permission to reproduce – it is this latter point in particular that adds complexity to the advice we are seeking. It seems the A/G office believes this work may have been commissioned by the Chinese media.
    - We must be careful not to end up in a situation that would prevent broader publication of articles by academics or other leaders in the organisation. This would be very restrictive on a broad range of usual university activity I would think and surely not contemplated by the legislation.....
  - c. If it seems we should register then we do not intend to prevaricate on that except to be sure that it does not have broader unintended consequence at which point I would advise we write a fulsome response to the A/G on our concerns or for clarification.
  - d. **Out of Scope** [REDACTED]

Sorry that we cannot get the legal advice any sooner however, as I mentioned last Friday this legislation is not simple, the guidance notes are not necessarily fulsome or helpful enough and of course there is no precedent cases on which to base advice. Allen's are advising other clients on this legislation as well.

Regards  
Anne

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**Anne Dwyer**  
Deputy Vice-Chancellor  
Corporate Services

**University of Technology Sydney**

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**UTS Number 1 young uni banner**







**Australian Government**  
**Attorney-General's Department**

**Secretary**

19/2093-4

4 July 2019

Professor the Hon Bob Carr

By email only: **Out of Scope**

Dear Professor Carr

Thank you for your letters of 19, 26 June and 3 July 2019 in response to my correspondence regarding the Foreign Influence Transparency Scheme (the scheme). I appreciate the time you have taken to provide me with further information regarding the nature of the op-ed you wrote, which was then reproduced in *China Daily*.

In light of the information you have provided, the department agrees with your assessment that this op-ed is not an activity undertaken by you on behalf of a foreign principal, and therefore does not need to be registered under the scheme.

**Out of scope**



With respect to the reproduction of an interview or op-ed by another media outlet, there are provisions in the FITS Act to ensure appropriate transparency of the involvement of a foreign principal. These obligations apply to the entity that reproduces the original source material. The department has engaged with both mainstream and culturally and linguistically diverse media outlets to ensure that they are aware of the application of the FITS Act to their activities.

**Out of scope**



Out of scope



If you require any further information, the Foreign Influence Transparency Scheme team will be happy to assist you and can be contacted on (02) 6141 3222 or at [transparency@ag.gov.au](mailto:transparency@ag.gov.au).

Yours sincerely



Chris Moraitis

## **Activities related to assessing and communicating UTS position under the new Foreign Influence Transparency Scheme**

### **June 2018**

Bills for the Foreign Influence Transparency Scheme are significantly revised following successful lobbying, including from Universities Australia. Exemptions now apply in Bills for university business of teaching and scholarship.

**Legal advice** obtained advises that ACRI and other areas of the university do not need to be registered under the current Bills. Future activity that falls within the Bills if passed may need to be registered.

### **28 June 2018**

Australian Senate passed the following legislation:

1. **National Security Legislation Amendment (Espionage and Foreign Interference) Bill 2018** - amendments to tighten/increase existing espionage, secrecy, treason, sabotage and related offences.
2. **Foreign Influence Transparency Scheme Bill 2018** - establishes the Foreign Influence Transparency Scheme (Scheme). The primary component of the Scheme is the registration of applicable activities.
3. **Foreign Influence Transparency Scheme (Charges Imposition) Bill 2018** provides legislative authority for the Government to impose charges for applications for registration and renewal of registration under the Scheme.

**Legal advice** (June/July) advises that ACRI and other known activities of the university do not need to be registered under the final Acts.

### **5 July 2018**

Paper presented to Senior Executive, *Foreign Interference Laws – Preliminary Review*, regarding the purpose of the legislation and impact on UTS; registrable activities and the relevant exemption for UTS; when the Acts would come into effect; new offences and penalties created under the Scheme; and preliminary next steps including further review of the legislation and consideration of appropriate processes to ensure compliance and communications to staff.

### **26 July 2018**

Above paper presented to VCMG (Exec and Deans) to inform Deans and further discuss applicability.

### **15 August 2018**

Paper presented to Council *Foreign Interference*, providing Council with the information contained in the above SEM paper (5 July 2018), along with updated information including the Vice-Chancellor's communication to staff in his In Brief and reinforced by area leadership which covered the recent public and parliamentary debates around foreign interference, impact on UTS and ongoing commitment to broad global research and education.

### **August 2018**

Legislation added to the Legal Compliance Register and included in relevant Risk documentation and frameworks by the Director of Risk.

### **September 2018**

Ongoing discussion of impact of legislation at SEM and VCMG, including potential activities that would be registrable. SEM and VCMG agreed current activities including those of ACRI do not require registration and noted new university activities and partnerships with foreign entities/nationals would be assessed and registered where applicable to ensure compliance.

### **28 November 2018**

Vice Chancellor's report to Council included general update on the discourse surrounding Australia-China relations and the impact of the foreign interference legislation.

### **November 2018**

Commonwealth Attorney-General's Department releases Guidance notes 'Fact Sheets' for the legislation. Our assessment was unaltered as a result of these guidelines and they have been used to inform our decision tree and supplementary online advice to staff.

### **November 2018**

Draft decision tree infographic (to assess new activities) developed and presented to VCMG for feedback. The infographic is intended to assist UTS faculty management and research centres in determining whether proposed activities fall within scope of legislation.

### **February 2019**

Commonwealth Attorney-General's Department significantly revises Guidance notes 'Fact Sheets' for the legislation. Revisions include significantly broader interpretation of the length of time cabinet members and government ministers are liable to register. Changes include the statement that former cabinet ministers have a 'lifetime obligation', and government ministers are now liable for 15 years from leaving their government role, as opposed to being liable to register as a 'recent minister' (which formerly applied to their first appointment following leaving the public service).

### **March 2019**

'Grace period' for registering under the Scheme closes.

### **March 2019**

DVC(CS) and UTS Legal Director conducted a new desk review of the applicability of the legislation to ACRI activities and concluded there remained no reason to register these activities.

**Of Note** - during this review the February changes to the Guidelines on the Attorney Generals website (initially released in November 2018) were substantially different to those published in November 2018 to broaden the interpretation of the legislation including that former Cabinet Ministers are covered by this legislation for life although the legislation actually refers to "recent" position holders. The legislation itself (on which our Legal advice was based) has not been amended. We have now also assessed against the latest guidelines in conjunction with the legislation.

**Summary UTS Legal Director advice:** UTS does not need to register purely because Bob Carr as a former Cabinet Minister is employed by UTS at ACRI, since we have established that ACRI isn't carrying out its activities "on behalf of a foreign principal", nor are we carrying out any of the activities listed in section 21, and even if we were we are exempt as a registered charity in relation to that list. The key definition is "on behalf of a foreign principal".

**From:** [Greg Welsh](#)  
**To:** "Ben Packham"  
**Subject:** RE: Media inquiry from The Australian. Hoping to get a reply by COB please  
**Date:** Friday, 9 August, 2019 5:00:00 PM

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Yes please

**From:** Ben Packham <packhamb@theaustralian.com.au>  
**Sent:** Friday, 9 August 2019 4:59 PM  
**To:** Greg Welsh <Greg.Welsh@uts.edu.au>  
**Subject:** Re: Media inquiry from The Australian. Hoping to get a reply by COB please

Thanks Greg that will cover it. Do I attribute to a UTS spokesman?  
Cheers

**BEN PACKHAM**

Political Reporter

Press Gallery Parliament House Suite 117 Canberra ACT 2600

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On Fri, 9 Aug 2019 at 16:54, Greg Welsh <[Greg.Welsh@uts.edu.au](mailto:Greg.Welsh@uts.edu.au)> wrote:

Hi Ben

I'll do my best to explain how this arrangement works, but feel free to come back to me with any further questions.

Amongst its many international partnerships all over the world, UTS has a collaboration through its Faculty of Science with Hebei Normal University (HNU) in China to jointly teach a four-year undergraduate biotechnology (eg immunology, parasitology, biochemistry etc) degree.

Students in the program complete the first three years of the joint program at HNU, before doing their final year at UTS.

Because in their first three years they must complete UTS-accredited subjects taught in both English and Mandarin, UTS developed a program to support HNU academics to develop the understanding, capability and confidence to deliver these subjects. The program is designed to encourage innovative and active teaching with a strong focus on learning.

The program comprises a range of learning and reflective practices across the core areas of teaching, designing, assessing and evaluating to enhance student learning. These include

shadowing UTS subject coordinators, meetings with UTS Science learning designers, seminars and participating in various blended learning and learner experience programs. HNU staff have access to a range of key teaching tools and technologies that build engagement, which they can adapt to their own subjects at HNU as appropriate.

The visiting HNU staff are given a degree of flexibility to allow them to choose from a range of learning areas most appropriate to their needs at HNU, but they must also undertake a series of specified activities and produce evidence that the activity was successfully completed.

The HNU staff participating in the UTS program are qualified science academics who all possess a PhD in an area relevant to the Biotechnology degree, and whom have all published research papers in related areas.

Earlier this year, the UTS co-ordinator of the program also received a form from HNU, asking for details of the UTS staff (including their qualifications etc) who would teach the HNU students in the fourth year of the program. This was to fulfil accreditation requirements. Amongst the information fields were passport numbers and dates of birth.

UTS did not provide any passport numbers, and only months/years of birth. It advised HNU that Australian government advice is that passport information should only be provided when applying for visas or to immigration officials. This advice was accepted without question.

Best wishes  
Greg

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**From:** Ben Packham <[packhamb@theaustralian.com.au](mailto:packhamb@theaustralian.com.au)>  
**Sent:** Friday, August 9, 2019 1:35:35 PM  
**To:** Newsroom <[newsroom@uts.edu.au](mailto:newsroom@uts.edu.au)>  
**Cc:** Graham Nicholson <[Graham.Nicholson@uts.edu.au](mailto:Graham.Nicholson@uts.edu.au)>  
**Subject:** Media inquiry from The Australian. Hoping to get a reply by COB please

Hi team,  
I have a leaked email trail that discusses a "HNU Shadowing Program", initiated by Prof Graham Nicholson.  
It appears to have been initiated on 18/07/18 but continued into March this year.  
It talks about a Chinese Ministry of Education approved program with Hebei Normal University.  
The email trail talks about a "shadowing program" that will involve two Chinese "visiting scholars", as well as Chinese students.  
It appears the Chinese university requested the names and passport numbers of all staff involved in this partnership, which caused consternation among staff.  
Can I please ask -

- Why would the university have considered acceding to the demand of a foreign university (and likely a foreign government) in requiring its staff to provide DOB and passport number?
- Did the university confirm that the visiting "scholars" were in fact scholars and not Chinese Communist Party minders?

NB. I'm afraid I can't give you the email but Prof Nicholson will be aware of it.

Can I please get a response by 5pm?

Thanks, Ben.

**BEN PACKHAM**

Political Reporter

Press Gallery Parliament House Suite 117 Canberra ACT 2600

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**From:** [Greg Welsh](#)  
**To:** [Attila Brungs](#)  
**Cc:** [Jain Watt](#); [Andrew Parfitt](#); [Kate Meagher](#)  
**Subject:** China influence radio interview  
**Date:** Sunday, 18 August 2019 12:04:54 PM  
**Attachments:** [1160199678.pdf](#)

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Hi Attila

sorry to interrupt your weekend. The ABC's Radio National breakfast show is seeking a Vice-Chancellor to be interviewed 1-on-1 with Hamish McDonald tomorrow morning around 8.05 re the below story. I have attached another recent story on the topic just as background. Other VC's have been invited also, and it will be first in best dressed. The producer admitted to Fiona, who is manning our media line this weekend, that she's not expecting to be knocked over in the rush.

My recommendation is that we decline on your behalf - you have a very busy day tomorrow, and I think participating in the story suggests there is a case to answer, when despite all the headlines there has been no actual evidence that China has any inappropriate influence. In fact, our Lennon Wall would seem to provide a self evident example that freedom of expression is alive and well.

As always, happy to take on board others' advice and perspectives.

best wishes

Greg

## Government MPs sound alarm over Chinese government influence at Australian universities

By [Max Koslowski](#) and [Nick Bonyhady](#)

August 17, 2019 — 9.33pm

Four Liberal MPs have warned that the Chinese Communist Party holds too much influence over Australian universities, adding their voices to a growing chorus of federal politicians looking to reassess the government's China strategy.

Thousands of pro-democracy and pro-Communist Party protesters [clashed in capital cities on Friday night](#) following an unprecedented week of rising tensions in Hong Kong.

Queensland senator Amanda Stoker, freshman Sydney MP Dave Sharma, and Victorian backbenchers Tim Wilson and James Paterson warned that university administrators must remain vigilant to ensure not only free speech is protected



when managing the clashes, but national security as well. Senator Stoker and Mr Wilson are members of the powerful Parliamentary Joint Committee on Intelligence and Security.

It comes after Education Minister Dan Tehan on Saturday [urged universities to subscribe to the model free speech code](#) proposed by former High Court chief justice Robert French in his government-commissioned review released this year.

Senator Stoker said universities were battling through a "crisis of leadership" on foreign influence.

"[There is a] reluctance in their administrations to defend the rights of non-CCP aligned students who dare to speak out against Beijing; it is legitimate to ask questions about how China came to have so much influence in these institutions," she said.

This month, *The Sydney Morning Herald* and *The Age* [revealed one student's account of his family in China being approached by authorities](#) after he participated in a pro-democracy Hong Kong protest in Brisbane.

Mr Sharma said he was concerned "some universities have become a little too dependent on foreign university students as a source of revenue" and may be favouring short-term financial interests over long-term national security concerns.

"It's a good thing that Chinese students are getting exposed to our way of thinking, and an appreciation for the freedoms and liberty we have here," he said. "We've seen that debates and lectures have been shut down or silenced because they don't agree with the mainland Chinese world view.

"That's something we need to guard against."

More than 700,000 international students study in Australia - the backbone of the country's \$17 billion education export sector - of which more than one in four students are Chinese.

Victorian senator James Paterson said recent restlessness in Hong Kong had shone a spotlight on the foreign influence risks at Australian universities.

"I've been concerned for some time about attempted foreign interference in Australian universities, both as a by-product of the hunger for international students and more deliberate efforts at influence," he said.

"Our universities must understand their obligation to ensure the values we

espouse as a nation are upheld on campus too, including free speech, the right to protest and academic freedom.

"It's also vital that our foreign influence laws are complied with in both letter and spirit."

Mr Wilson agreed, saying Australia must "keep a watchful eye that universities not become a vehicle for foreign governments to exercise soft influence in Australia".

The four Liberals join Andrew Hastie, chairman of the Parliamentary Joint Committee on Intelligence and Security, who recently argued "choices will be made for us" unless Australia revisited its approach to China.

Thousands of protesters attended rallies in Sydney, Melbourne, Brisbane and Adelaide on Friday night days after Hong Kong students in Australia said [further violent clashes with pro-China students were likely.](#)

Australian National University and the University of Technology Sydney placed security guards at pro-democracy "Lennon Walls" - named after a Cold War-era wall in the Czech Republic where dissidents wrote messages inspired by the Beatles singer John Lennon - after several were dismantled by pro-Party Chinese students.

The University of Sydney said Chinese international students were integral to campus life and Australia's foreign interests.

"We are proud of the contribution our international students make to the academic and cultural life of the university, including our students from China," a spokeswoman said.

"We believe international students serve a key role in Australia's foreign policy agenda. Australia and the world require graduates who are not just technically competent but who can become the leaders our societies need – global citizens."

An Australian National University spokesman said the university wouldn't tolerate violence or harassment on campus.

"ANU is a community of diverse backgrounds and many different views and experiences. Each member of our community is entitled to share their views, and to disagree with the views of others. We expect, however, that this contest of ideas will remain respectful even in the midst of the most robust of debates."



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## Chinese students do democracy on campus

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# Chinese students do democracy on campus

Australian universities are grappling with how to manage fears of foreign interference, write **Nick Bonyhady** and **Max Koslowski**.

**F**or two years, Weihong Liang was one of the most influential students at the University of Sydney. Popular and smart, the Chinese national rode a wave of international student involvement in campus politics to twice be elected president of the postgraduate student association at a university that has launched countless state and federal political careers.

When he graduated earlier this year, Liang left with overwhelming support from students and gave campus watchers the impression he had only started to leave his mark.

Liang's transition from student politics to something bigger is already under way. He now attends a Chinese Communist Party training school in the Xinjiang region of China for the public service ahead of his new job as a township civil servant charged with alleviating poverty.

Liang's rise offers an insight into the challenges facing Australia's tertiary sector, which is grappling with how to attract top Chinese students and get them involved on campus while also addressing fears from top politicians, including intelligence committee chair

Andrew Hastie and Education Minister Dan Tehan, about foreign influence and free speech.

The issue has new urgency as the echoes of unprecedented pro-democracy protests in Hong Kong reach Australia and cause clashes on campuses here.

**B**efore Yifan "Koko" Kong was elected to the board of the student union in 2016, Chinese students made up more than a third of the student population at Sydney University but had scant representation on campus.

After her election, their voting power was revealed. Two out of three student bodies on campus have presidents from international student blocs, giving them better representation than other campuses nationally.

"Seeing Asian people or international students on board really motivates me to say: 'Maybe I can do that as well'," says Yinfeng "Benny" Shen, 21, a newly elected student union director and international student. But when Shen first arrived, he was nervous about developing his social circle. "When I first came here ... I feel like we're afraid

to talk to people," he says.

Associate Professor Catherine Gomes, who has studied how international students interact with their host countries, says international students like Shen band together because of language and social barriers. "Students who only mix with co-nationals have very limited knowledge of information outside the group that they're with," Gomes says.

Living at university accommodation with about 800 international students from around the world helped Shen break through his nervousness, and gave him a support base for his election. "It's really good when you first come here and make a group of friends they share the same concerns as you because you all study abroad," he says.

Now he wants to help others do the same. He ran a bilingual campaign and wants to facilitate cultural exchange by selling Chinese moon cakes on campus during festivals.

That makes people like Liang and Shen a potential bridge between international and local students.

Associate Professor Salvatore Babones, a sociologist who has engaged with Chinese student leaders





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at Sydney, says Chinese students running for office here are learning

important lessons about democracy.

"I think it's really fantastic that people from a non-democratic country are learning how to do politics in a way that serves their constituents," Babones says. "A Chinese student activist with a party at the University of Sydney told me that on-campus politics wasn't real democracy because it was all about getting your own friends to the polls and I said that in the United States, my country, it's all about getting your own friends to the polls. In Australia, where there is compulsory voting, it's all about getting a how-to-vote in voters' hands.

"They don't even know that they are learning 'real democracy' but by participating in it they are."

Liang, interviewed earlier this year before he left Australia, gave another reason for international students' success: he said the left-wing activist student groups that have traditionally dominated student politics delivered empty promises.

"They think they represent me but actually they don't represent me," Liang said. "So when it comes to the election they just

come to the street and say vote for us: free education and other ideological things, but students, year by year, they already know that these things are not useful."

By contrast, Liang says he focused on delivering popular student services, such as free food and social events. It is no surprise Liang was such a competent administrator. He was previously president of the students' association at Nankai University in Tianjin, where he did his undergraduate degree and joined the Communist Party.

In social media posts seen by *The Sun-Herald*, Liang says he is now studying a three-month Communist Party training course at the party school in Kizilsu Kyrgyz Autonomous Prefecture, Xinjiang Province.

When asked about the training course over WeChat, Liang said he could not comment.

But when *The Sun-Herald* spoke to Liang earlier in the year, he said being a party member did not mean he was a member of the government or agent of influence. "It doesn't mean every student has good relations with the ambassador here," he said. "Actually no one from China contacts me. They

think it's a really common thing [to be a student leader], why would they need to contact me?"

A University of Sydney spokeswoman said students' political connections were their own concern. "They come from a range of diverse backgrounds and we strongly support their right to express opinions and political views in a respectful way," the spokeswoman said.

**S**treet protests in Hong Kong have thrown tensions within the Chinese student community into sharp relief. When asked about the recent pro-democracy protests that drew millions onto the streets and twice shut down its airport, international students from mainland China approached by *The Sun-Herald* react in one of two ways. The most common is to echo arguments raised by mainland media and politicians.

"Protesting has gone up to a certain degree. It's become riots and they're stopping the ordinary life and economic development of China," says Nellie Chen, a 23-year-old University of Sydney Chinese international student.

Chen, who reads news on WeChat — a popular Chinese social media, banking and news app with strict censorship rules — and Western sources such as BBC, CNN and the *Daily Mail*, agrees with the Chinese government that the protesters are beginning to show signs of terrorism.

"I think it's becoming more like terrorism instead of just being protesting," says another Chinese international student at Sydney University, who only wishes to be referred to as Lyn. "A lot of the Hong Kong people say their freedom's being suppressed — I just don't get where

that's coming from."

Lyn, who learns about Hong Kong through WeChat, Apple News and Twitter, agrees with mainland Chinese media's reports that pro-democracy protesters are paid. "A lot of students are not getting the whole picture. Students can always get so aggressive when it comes to political situations."

Neither Lyn nor Chen say they knew China had amassed dozens of military vehicles near the Hong Kong border.

Alex Joske, a China influence researcher at the Australian Strategic Policy Institute, says having Chinese students involved on campus is a good thing, but comes with risks.

"It's only concerning if student politics is being used as a way for student politicians to shut down

*'When I first came here ... I feel like we're afraid to talk to people.'*

Yinfeng 'Benny' Shen, 21





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A wall at the UTS





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discussions and for the government to push their own agenda on university campuses," Joske says.

There is no suggestion Lyn or Chen are involved in shutting down discussions on campus, and there are some international Chinese students who disagree, albeit quietly.

"I don't represent the rest of the Chinese international student community - I would characterise myself as a dissident," says one University of Sydney student who did not wish to be named for fear of repercussions.

This is the second way international students responded when asked about recent Hong Kong protests: with fear their dissent will raise the ire of China's government and hurt family back home.

The international student was suspended from WeChat on Thursday after discussing the Hong Kong protests with friends. WeChat told the student he was being blocked for spreading rumours about the protests.

"I'm personally worried about my parents as we speak. I can't even reach out to them - WeChat is the only way Chinese people communicate across different countries."

The student had planned to work as a lawyer in Hong Kong after finishing his degree but now doesn't know whether it will be safe.

It was revealed last week that the family of at least one pro-democracy mainland Chinese student was threatened after they attended a protest at the University of Queensland.

Associate Professor Babones believes that fears of foreign interference are overblown.

"I've heard no stories whatsoever of direct foreign interference in student politics or in student freedom of expression on campus at the University of Sydney," Babones says. "It is possible that there is self-censorship... but the same could be said for Australia students who might not want to take politically incorrect viewpoints."

**S**ome critics argue universities, whose international student intake has almost doubled in the past five years to more than 500,000 nationally, are being trapped into a dangerous reliance on revenue from just one or two countries. Andrew Norton, director of

the higher education program at the Grattan Institute, says universities do not have diverse enough revenue streams, and could be vulnerable to a downturn in Chinese enrolments caused by geopolitical crisis in Hong Kong or the South China Sea.

More than 70 per cent of the University of Sydney's student revenue, worth \$885 million last year, comes from Chinese international students.

"For international students they are charging \$40,000 a year for a business course that probably only costs \$15,000 a year to deliver, so it's enormously profitable," he says.

University of Sydney vice-chancellor Michael Spence has previously vehemently rejected charges the university's reliance on Chinese international students has given the country any influence on campus. "I've never seen Chinese influence in university decision-making and I am not aware of any decision we have made because of so-called fear of the Chinese," Spence said last year.

Asked whether the university had been warned about any risks by security agencies, a spokeswoman noted the institution's size and footprint. "As you'd expect for such a large and complex organisation, we work with government and seek briefings on all our operations on a regular basis and will continue to do

so," the spokeswoman says.

Others argue there is little economic risk to having a concentrated international student intake. "Education transcends beyond political boundaries," says Professor Peter Frappell, former pro vice-chancellor of global engagement at the University of Tasmania. "China sees the value that their citizens get by being trained in Australia."

"And universities are carefully watching the market... most universities try to diversify, and most universities will try not to have too much reliance on any market because it's a sensible thing to do."

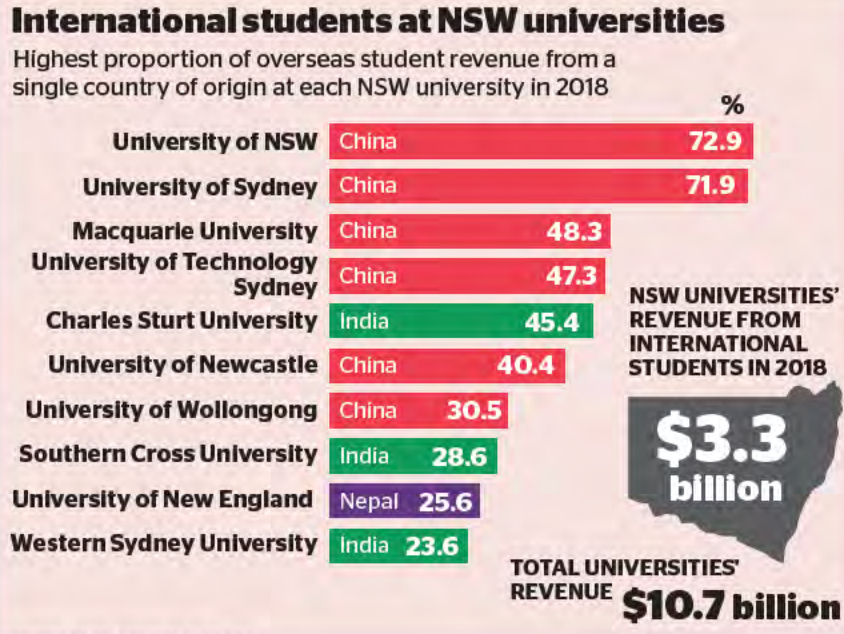
Norton says that is yet to happen. "The reality is that there aren't [countries other than China or India] that have a massive middle class that want to send their kids overseas," he says. "If they want to raise that money, it's hard to go past China."



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Sun Herald, Sydney



SOURCE: NSW AUDITOR-GENERAL



## Key messages

- Australia's national interest, security, ethical and human rights considerations are always at the forefront of our international collaborations.
- We will continue to work with Government and its agencies on safeguards around these collaborations.
- At the same time, it is vital for Australia's economic prosperity that we keep collaborating internationally.
- China is our largest trading partner. We have a long history of trade and economic ties with this important regional partner.
- We value the longstanding friendships forged from the exchange of students who study in our two countries and we shouldn't underestimate the power of those relationships to global stability and cultural understanding.

## International research partnerships

The sharing of knowledge and expertise globally brings significant value to Australia through the creation of jobs and research breakthroughs that can be adopted to improve our day to day lives in a variety of ways, including by increasing the international competitiveness of our industries. UTS engages in international partnership for the benefit of Australia and is encouraged to do so by our State and Federal Governments.

International research collaboration is a core pillar university activity, and is fundamental to academic freedom, where academics broadly determine the nature and direction of their research identifying the most relevant partners guided by their university's mission. They then frequently publish the outcomes of their collaboration openly through peer-reviewed journals.

Like many leading universities, UTS has extensive international research collaborations with universities, companies and research institutions globally. Since the beginning of 2017, UTS has had more than 250 research partnerships with industry and government partners in dozens of countries worldwide.

Government support for Australian international research collaboration is provided through a number of programs, many of these managed and funded by the Australian Research Council.

The relevant chapter of the 2010 House of Representatives Committee on Industry, Science and Innovation [Inquiry into International Research Collaboration](#) lists a few of the many benefits to Australia of international research collaboration. Others include 'enabling Australia to address global challenges such as climate change, food security, water scarcity and pandemics'; access to specialised research facilities and laboratories not available in



Australia; funding from multiple national funding sources not reliant on the Australian taxpayer; and because:

*Put simply, for a small market – 0.3 per cent of the world’s population – with a small research base – 3 per cent of the world’s research – accessing the research base beyond our borders is critical for our innovation capacity.*

UTS is proud of its academics, many of them world-leading in their fields, who on a daily basis conduct their work diligently and ethically, and who follow all rigorous processes, procedures and safeguards. These researchers bring great credit to their universities and their countries, and do not deserve to be individually targeted, or have their good reputations tarnished by innuendo and inference of wrongdoing or worse, disloyalty to Australia.

### **Australian research collaboration with China**

Like researchers the world over, scientists at Australian universities regularly collaborate in their research with their counterparts at international universities, including in China. International research collaboration and sharing of expertise and knowledge is critical to universities and the societies they serve, and fundamental to the discovery of new knowledge.

China’s universities are well-regarded – nine feature in the world’s top 200 according to the Academic Ranking of World Universities, comparable to Australia’s 10. China has many of the world’s most eminent researchers in the fields of technology, artificial intelligence, robotics and big data, who collaborate with leading universities across the globe, including in the US, UK and Australia.

All technology research published anywhere in the world – whether in artificial intelligence, communication systems, automation and robots, wifi, etc - could theoretically be applied to a military use at some further point and with further refinement and development.

UTS believes research collaboration with Chinese universities on technology and engineering is essential if Australia is to stay a leading knowledge economy. It is also critical to academic freedom that UTS academics are able to collaborate across the world without constraint, in order to share knowledge globally and contribute to international projects.

Australia, as well as all other countries with strong research and development capability, have many protections in place, including national defence protocols to ensure key intellectual property and commercially or nationally sensitive information is not unwittingly shared with partners to the detriment of the host country.

### **UTS collaboration with China**

UTS is proud to have joint research agreements with many Chinese universities, along with those from India, Europe, Latin America and North America. All of these universities are also active in research collaboration with top universities from the US, UK, Europe and elsewhere

in Australia.

UTS has been a leader amongst Australian universities when it comes to forging this relationship with China, stretching back to 1994 when it first established a teaching partnership with Shanghai University.

Since then, UTS has built research collaborations with numerous Chinese partners, which continue to bring innovation to Australia.

Additionally, UTS hosts many thousands of Chinese students each year, who are attracted to the high quality education for which Australia is internationally renowned. In return, these students inject money into the Australian economy, creating new jobs.

However, UTS doesn't see this as a one-way relationship. Each year Australian UTS students travel to China to study, fostering greater understanding between the people of each country.

There are many obvious cultural, political and economic differences between the two countries, which make it sensible to manage the relationship carefully and have appropriate safeguards in place – including, from UTS' position, a clear commitment to the principles of academic freedom. However, it is only by engaging with each other openly that these differences are lessened.

### **Managing risk**

UTS places the utmost priority on our responsibility to engage in ethical, equitable and impactful research for the good of humanity and we have rigorous procedures and policies in place to safeguard this.

UTS has a comprehensive risk assessment that it undertakes for all activities undertaken in formal partnerships and under commercial arrangements. The risk assessment includes assessments of compliance with relevant State and Commonwealth legislation and with IP and publication best practices. The Australian Government has a strict regime of controls in place through Defence Trade Controls and Autonomous Sanctions designed to control the transfer of defence and strategic goods, technologies and services to designated countries. All activity undertaken at UTS is subject to these controls.

It is common for early-stage technology collaborations to occur between staff with links to many business and government sectors, including defence. Unless a formal agreement is reached otherwise, consistent with State and Commonwealth laws and under appropriate commercial terms, the research is usually unclassified, termed 'dual-use' and generally results published, peer-reviewed literature in the public domain.

While the area of expertise of some UTS researchers relate to technologies that, like most high technology, may have dual-use, their work is widely published in the open peer-reviewed literature and is compliant with relevant State and Commonwealth legislation. UTS has no concerns that its research collaborations are in any way associated with advances in

Chinese military (or other) technology beyond what can be derived from publicly available peer reviewed publications.

### **China Electronics Technology Corporation (CETC)**

CETC is a broad technology organisation with some 140,000 employees and numerous subsidiaries, which undertakes research with partners, including universities, in more than 100 countries in areas such as solar power technology, radio astronomy, and consumer products. UTS has had a research collaboration with CETC since 2017.

UTS was deeply concerned by a Human Rights Watch report, alleging the involvement of a CETC subsidiary in providing a mobile app to police in Xinjiang province, China, for surveillance purposes.

Upon learning of the report in April this year, UTS commenced an internal review of its CETC partnership. The summary of the review report can be found [here](#).

The review found that all UTS research was foundational in nature (that is, would require further development work before being able to be applied); that UTS had acted appropriately in setting up the partnership; that it had complied with all Defence Trade Controls; and that no research outputs from the partnership could have been used directly in Xinjiang due to the timelines. The review report articulates the steps we are undertaking in relation to current projects. UTS has no plans for further work with CETC.

### **Haiyun Data (HYData)**

UTS is aware of a Chinese website article which suggested that UTS and HYData have established a joint AI lab. The article is inaccurate and is a complete misrepresentation of our collaboration with HYData.

The only collaboration UTS has with HYData is a single project started in 2018 investigating the digitisation of multiple-authored hand-written Chinese character annotations on printed documents. Handwritten Chinese characters are challenging for software systems to recognise because of the freedom of an individual's penmanship and the technology is less mature than that for European language scripts. The research could reasonably be used in many office environments globally.

UTS' Centre for Artificial Intelligence has no relationship whatsoever with HYData, and has received no funding from them.

### **Donations from Chinese benefactors**

UTS, like other universities, is appreciative when receiving philanthropic funds from donors who share its vision for positive social change through education. These donors do not receive benefit from their giving, other than the understanding that their gifts make a real and beneficial difference in the world.

Like all universities, UTS undertakes due diligence before accepting any donations. All major gifts and benefits are publicly disclosed (see <https://www.giving.uts.edu.au/why-uts/donor-reports>).

### **Numbers of international students**

International education benefits the people of Australia in many important ways. As a consequence of Australia's engagement in international education \$35.8 billion is brought into our economy supporting more than 241,000 jobs. But more importantly, international engagement of this scale gives our local students a global outlook with opportunities for future networks, strengthens our research outcomes and turns those who have spent time learning and researching in Australia into passionate advocates for our country and what we stand for.

### **Over-reliance on China as a market**

Universities are large, highly governed, accountable and regulated organisations. University administrators are highly attuned risk managers and run large budgets, balance sheets and are very experienced at balancing risk and opportunity in complex operational environments.

### **Hong Kong protests - Poster Wall**

In response to a request from Hong Kong students, UTS provided for the establishment of a Poster Wall to allow messages of support and the sharing of points of view about the Hong Kong protest movement.

The wall's establishment is based around the principles of respectful, tolerant expression of free speech.

We acknowledge that a number of intolerant and highly inappropriate messages were posted and removed as soon as they were brought to the attention of authorities.

### **ACRI independence**

The Australia China Research Institute is a research centre, based completely within, and funded by, UTS with a management committee led by university administrators. Its research outputs and expert views are openly published in keeping with normal academic practice. Like all other research centres of the university, it must comply with all university policies and procedures – including UTS' commitment to academic freedom - and all legislation that governs Australian higher education institutions.

In April of 2014, the University was proud to announce the appointment of former Foreign Minister, and New South Wales Premier, Bob Carr to the role of Director of ACRI. Mr Carr's appointment was made by the then-Vice-Chancellor, and, given his obvious high-level experience in foreign policy and international relations, was and is considered an

outstanding appointment. The appointment was made in keeping with UTS policy, and Mr Carr was selected from a number of candidates.

University research centres world-wide rely on a mix of funding sources, including private philanthropic gifts and corporate contributions. At the same time, these centres have fully independent, academically rigorous and transparent research agendas. This is fundamental to university research and ACRI is no different. While ACRI was established with a foundational donation by Mr Huang Xiangmo, its operations are now fully funded by the university.

*DRAFT*

# UTS Coronavirus Working Group on Educational Technology: Initial update on technology options

07 February 2020

This report provides an interim analysis of UTS learning technologies and related systems that could be used to provide flexible online learning arrangements to students delayed in mainland China due to the Novel Coronavirus outbreak.

Our starting principle has been to utilise existing UTS systems and platforms as much as possible, as this will minimise disruption and be significantly easier to deploy.

We have conducted initial tests of a list of “Priority A” platforms associated with students and learning. This process drew together advice and outcomes from technology providers and other universities, information shared via our learning design networks as well as using UTS employees situated in China to directly test a range of technologies (the latter is outlined in Appendix A: Details of Technology Testing)

## Initial recommendations

The positive news is that **a number of our systems are available**. In summary, we believe UTS’ existing platforms provide at the very least, a **minimal viable solution for sharing teaching and learning materials** to students delayed in China for an interim period.

Based on evidence gathered to date, there is a high level of confidence in use of:

- **Decision 2.1.3 Business Interests**

||

# DRAFT

- Decision 2.1.3 Business Interests [REDACTED]

At the current point in time, the following technologies *should not* be recommended to staff teaching students in China:

- Decision 2.1.3 Business Interests [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

In general, the advice to teaching staff will be to always have a low-tech back-up plan which we will provide further advice on (e.g. PDFs).

The initial results are similar to those emerging from other universities including Griffith University and RMIT.

## Considerations for ongoing access

It is important to recognise that ongoing monitoring will be required. While we are currently able to publish and share content on systems that we currently own, which would normally be assessible from around the world, the concentrated access and activity via Chinese networks occurring now and over the coming weeks, raises a risk that the Chinese Government will see this as “unapproved teaching” in China and turn off our “uts.edu.au” domain and other related systems.

This will obviously be challenging to manage, and we are exploring how we might use regular feedback from students to help monitor the situation. We are working with International and the Faculties on the best way to identify and contact the appropriate students.

# DRAFT

## Next Steps

- Conduct further, more systematic testing with students and staff (ITD / LX.lab) (including for Priority B outlined in Appendix A)
- Relatedly we are working with International and Faculties to examine ways to do more location-based testing across the Provinces of China via our continuing students
- Produce recommended guidelines for teaching staff based on the available suite of technologies
- Expand resources for staff around online teaching in relation to the available technologies
- Source open educational resources platforms which may be accessible in China
- Produce guidance for staff around ensuring teaching content and materials avoid censorship issues in China. While there are no UTS guidelines on this the general advice to avoid topics that could be seen as critical or politically inaccurate e.g. regarding territories of China.

## Appendix A: Details of Technology Testing

The following testing was conducted by two employees in Beijing – it was done from their home *without* a “VPN” (ie: testing natively on the public internet).

## Priority A

System	Test Result from Staff/Student	Test using VPN tool	Comment from Vendor	Limitations / Risks	Confidence	Potential uses	Recommendation
Decision 2.1.3 Business Interests							



*DRAFT*

Decision 2.1.3 Business Interests



# DRAFT

Decision 2.1.3 Business Interests



Priority B

Decision 2.1.3 Business Interests



The next tranche of testing will Priority B systems, including:

- Decision 2.1.3 Business Interests
- 