# Details of prospective/existing foreign arrangements

In accordance with the Department’s [Foreign arrangements – Commonwealth notifications and approvals procedure](https://ppr.mpe.qed.qld.gov.au/pp/foreign-arrangements-commonwealth-notifications-and-approvals-procedure)*,* this template must be completed and sent to the relevant divisional contact before negotiating or entering any written arrangement (including subsidiary arrangements) with a foreign government entity. Divisional contacts will assess whether the arrangement falls within scope of the Australian Government’s Foreign Arrangement Scheme and provide advice on next steps.

This template will also be used for notifications and approvals to vary an existing foreign arrangement.

Once the template is completed, it should be emailed (with a copy of the arrangement) to the relevant divisional contact: schools/regional offices/business areas email the Schools and Student Support divisional contact at [SSD.Foreignarrangements@qed.qld.gov.au](file://corp.qed.qld.gov.au/DFSCoredata/6578_Strategy%20and%20Performance/SP_Shared/JMS/Jobs/45216/SSD.Foreignarrangements%40qed.qld.gov.au); and business areas see CM 21/492358 (DoE employees only) for a list of divisional contacts.

|  |
| --- |
| Details of the arrangement |
| Name of the arrangement | *The full name of the arrangement* |
| Form of arrangement | *e.g. memorandum of understanding or letters of intent* |
| Is the arrangement in writing? Yes [ ]  No [ ] *An arrangement in written form that indicates a commitment. It may be in any form (e.g. letter, document, email, memorandum of understanding, contract) and does not need to be signed. Verbal arrangements are out of scope of the Act.* |
| Does this arrangement vary an existing arrangement? Yes [ ]  No [ ] *If yes, provide details and a copy of the existing arrangement*  |
| Parties to the arrangement |
| School / region / business area |
| Organisation name |  |
| Region (if a school is party to the arrangement) |  |
| ABN (if applicable) |  |
| Address |  |
| Phone |  |
| Foreign entity/entities *some agreements may involve more than one foreign entity – add a new section for each entity* |
| Organisation name | *Provide the full name of the organisation and note any shortened versions being used*  |
| Organisation description | *If a school, is it run by a national, state or local level government or is it a private school?**For other organisations, are they a national/state/province/local level government or government agency, or a private company/organisation? (see ‘definitions’ in the procedure for more detailed information).* |
| ABN (if applicable) |  |
| Address |  |
| Phone |  |
| Website (if applicable) |  |
| Purpose of the arrangement |
| *A brief statement summarising the subject matter and effect of the arrangement* |
| Subsidiary arrangements |
| *Are there any anticipated/existing associated written arrangements that will be created to implement or support this foreign arrangement? E.g. building contracts, contracted services* |
| Arrangement dates (if applicable) |
| Commencement date: | End date: |
| Legal status *Status should be evident in the prospective or existing arrangement – if unsure consult* [*Legal Services*](https://intranet.qed.qld.gov.au/Services/legal-services) |
| Not legally binding  |[ ]  Legally binding under Australian law |[ ]  Legally binding under foreign law |[ ]
| Progress to date  |
| *Describe the extent of negotiations and engagement with the other party to date or the status of the existing arrangement* |
| Contact officer |
| Name |  | Position |  |
| Phone |  | Email |  |
| Approving officer *(Principal/Executive Director or above)* |
| *I authorise that the details provided above in this template are true and correct:* |
| Name |  | Position |  |
| Signature |  | Date |  |

|  |
| --- |
| FOR INTERNAL USE ONLY Divisional contact assessment |
| Step 1. Determine whether the proposed arrangement is in or out of scope of the Foreign Arrangements Scheme*Inclusion criteria*1. Is the arrangement with a foreign government entity? Yes [ ]  No [ ]

*If not clear from the name or description, try consulting the entity’s website for more information* 1. Is the arrangement in writing? Yes [ ]  No [ ]

*An arrangement in written form that indicates a commitment. It may be in any form (e.g. letter, document, email, memorandum of understanding, contract) and does not need to be signed. Verbal arrangements are out of scope of the Act.**Exclusion criteria*1. Does the arrangement fall into any of the following exempt categories? Yes [ ]  No [ ]
* An arrangement dealing solely with minor administrative or logistical matters, e.g. flight arrangements, visa applications
* A minor variation to an existing arrangement, e.g. altering the number of students in an existing exchange arrangement
* An arrangement dealing solely with sharing information or resources for the management of a declared emergency within Australia

*Refer to step 1 (exclusion criteria) of the procedure and* [*Part 2 of the Australia’s Foreign Relations (State and Territory Arrangements) Rules 2020*](https://www.legislation.gov.au/Details/F2020L01569/Download) *for further information and relevant actions.*If ‘Yes’ to questions i) & ii), and ‘No’ to question iii), the notification and approval requirements the Foreign Arrangement Scheme will apply [ ] *Proceed to Step 2.*Otherwise, the notification and approval requirements of the Foreign Arrangement Scheme will not apply [ ]  *Advise the business area / regional office / school they may proceed with the arrangement without notifying DFAT.* |
| Comment: *information used to make determination e.g. information provided by business/regional office/school, information on foreign entity website* |
| Step 2. Determine the type of arrangementCore arrangement [ ] Non-core arrangement [ ] Subsidiary arrangement [ ] Variation of an existing arrangement [ ]  |
| Comment:  |
| Step 3. Analysis of risk to Queensland *Consider the likelihood and consequences of something going wrong with the foreign arrangement and whether it would pose a risk to the state of Queensland. Consider the potential for:* * *fiscal risk - the scale of value of any financial obligations (and appropriate financial delegations);*
* *legal risk - whether the arrangement will be legally binding or not, and risks associated with non-compliance with any obligations under the arrangement (seek advice from Legal Services as required);*
* *reputational risk – e.g. whether an arrangement will expose Queensland students to content or material that is contrary to broader community values or expectations*
* *other risk – e.g. is it foreseeable that the foreign arrangement could be deemed against Australia’s foreign interests by providing a foreign government entity with an inappropriate level of control over aspects such as curriculum content or pedagogical approaches*

Does the foreign arrangement pose a risk to Queensland that would require the Premier’s attention? Yes [ ]  No [ ]  |
| Comment: *provide an explanation of the risk assessment**If a risk is identified, escalate the matter to the relevant Deputy Director-General to consider whether the proposed arrangement should proceed.* |
| Criteria for Declaring S51(2) considerations (if required) Yes [ ]  No [ ] *e.g. the importance of the arrangement in assisting or enhancing the functioning of the State, whether a declaration would have significant financial consequences for the State.* |
| Comment:  |
| Are there details about the foreign arrangement that should be excluded from the Public Register?Yes [ ]  No [ ] *e.g. title of the arrangement, parties to the arrangement, date of the arrangement. Reasons can include that the arrangement is* *commercially sensitive, Cabinet-in-Confidence, the subject of legal professional privilege, protected by public interest immunity (i.e. where disclosure would be prejudicial to the public interest), likely to affect national security.* |
| Comment:  |
| Divisional Contact |
| Name |  | Position |  |
| Branch/Division |  |
| Approving officer *(ADG or above; or ED where the ED reports directly to the relevant Deputy Director-General – provide approval in note in CM)* |
| *I authorise that this assessment is true and correct:* |
| Name |  | Position |  |
| Division |  |