

How to use this document

The LRCC Task Force advised that effective implementation is crucial if real and timely benefits are to flow to industry from improvements in the regulatory system and if the community is to benefit from increased access to chemical safety information. Unintended consequences of positive action by government and/or industry can at times have the opposite effect and lead to increases rather than decreases in the compliance burden. This Implementation Strategy has been designed to identify and avoid any potential adverse effects resulting from the reform processes. The Implementation Strategy provides transparency in NICNAS's processes and commits to achieving certain outcomes within given timeframes.

The LRCC Task Force recognised the importance of an implementation plan when making the recommendation:

- *That in its public report on LRCC, NICNAS identifies those areas that require further development processes of consultation and consideration and identifies options:*
 - a) *reforms that can be implemented administratively;*
 - b) *reforms that will require a change to regulations;*
 - c) *reforms that will require a change to the Act; and*
 - d) *reforms or suggestions that require a further process of consultation and consideration.*

The LRCC Implementation Strategy is designed to maintain industry and community confidence and support in the reform process. Each recommendation identifies as best it can, the timeframe for implementation, proposed regulatory and administrative changes and consultation processes. In addition, an assessment has also been provided on the likely impact on industry and the community of the proposed reforms and ease of implementation.

Key to the classification of the recommendations

All the recommendations have been assessed for likely impacts on industry, the community, the Scheme's efficiency and ease of implementation. A key to the classifications used in the Implementation Strategy is outlined as follows:

A. Number of NICNAS notifiers involved

1. Widespread – may have benefits for a high proportion of NICNAS notifiers (> 30%)
2. Significant – more limited applicability but still a significant proportion of notifiers (10 – 30%)
3. Limited – applicable only to a limited number of notifiers (< 10%)

B. Impact on Scheme efficiency

1. High (major time and/or cost saving)
2. Moderate (some time and/or cost saving)
3. Low (little time or cost saving, or minor increase in time or cost; may be requirements to maintain scheme integrity)

C. Community and Environmental impacts

1. Increased information
2. Substitution benefits, e.g. encouragement of less hazardous materials
3. Little impact compared with existing Scheme
4. Controls need to be established to ensure existing standards are maintained

D. Ease of implementation

1. Defined administrative and/or regulation change only
2. Defined administrative, regulation and legislative change
3. Defined administrative, regulation and legislative change with development of new policy instruments (eg criteria, guidelines)
4. Widespread legislative change and development of new policy instruments (eg criteria, guidelines)

Recommendation

1.1

NICNAS introduces a process for audited self-assessment for LRCC categories.

1.3

NICNAS enhances its compliance program to effectively audit the new self-assessed permits and certificates and have appropriate penalties to deter non-compliance.

Impact

Maintain public confidence in the scheme. Commercial benefits outweigh compliance costs to industry. Industry accountable for maintaining up to date and accurate records on self assessed chemicals. Record keeping requirements will include prescribed data on the chemical (developed after consultation with stakeholders). Penalties apply for those who do not comply. Timeframe for rollout of LRCC program will depend on consultation requirements and establishment of criteria and guidelines.

A1 B2 C2 C4 D3

Implementation issues

Legislation: Power of the Director to require information on self assessed chemicals (similar to S80w). Penalty applies if the notice is contravened without a reasonable excuse. Annual reporting on introduction volumes and effects on human health and the environment following market use. Obtain information on self-assessed chemicals from States and Territories whilst maintaining confidentiality (need to further investigate S84 (2)). Power to vary, revoke or impose further conditions on certificates and permits. Power to suspend and cancel certificates or permits.
Regulations: Issuing fines; pecuniary penalties.
Administrative: Training programs and guidance material; compliance policy paper on the web; random audits; annual reporting template developed; revise D@N program for audit functions and cases.
Consultation: NICNAS, industry and community to establish framework for audited self-assessment criteria as identified in 1.1. Liaise with States and Territories.

Proposed timeframe

May 2004 to June 2004

Recommendation

1.2

Introduce an audited self-assessment permit for low hazard chemicals (introduced at low volumes 100-1000kg) against NICNAS criteria and/or guidelines developed by NICNAS/industry and the community. In addition, to align NICNAS's regulatory focus on areas of greatest risk, introduce audited self-assessment for low risk chemicals against NICNAS guidelines developed in consultation with industry and the community.

Impact

This recommendation will dramatically increase the number of chemicals which can be considered under the permit system while retaining greater scrutiny of those which constitute the greatest risk.

Implementation issues

Legislation: New permit category for non-hazardous chemicals. New permit for low hazard low volume.
Regulations: Definition of low hazard.

Impact

Some overlap with the audited self-assessment certificate category may occur, and, depending on the similarity of the criteria for establishment of low hazard, and on the assessment fees and timeframes, may limit the applicability of this option.

A2 B1 C1 C2 C4 D4

Implementation issues

Administrative: New activity within the NICNAS compliance strategy.

Consultation: Establish NICNAS/industry technical working group to develop criteria for low hazard and guidelines. Seek input from community Consultative Forum as appropriate.

Further consultation about the alignment between the options 1.1 and 1.2.

Proposed timeframe

May 2004 to June 2004

1.4

NICNAS facilitates industry compliance, including with audited self assessment by developing electronic tools and templates to assist with assessment, notification and permit applications and tracking information for audited self assessment processes and standardised application and reporting formats.

Impact

Significantly reduced overall industry compliance costs.

Reduce burden on industry to familiarise with the notification and reporting requirements.

Transparency and consistency in the notification and reporting process.

A1 B1 C1 D1

Implementation issues

Administrative: Training programs for industry on the use of the templates; guidance material for notifiers; Assessment and reporting templates developed.

Consultation: Partnership with industry to develop and trial the templates.

Proposed timeframe

Dec 2003 – ongoing

2.1

NICNAS introduces modular assessment fees for low-hazardous and/or low risk chemicals and targeted assessment for chemicals where controls are in place such as:

- situations where an assessment has been undertaken by another Australian regulatory authority;
- substances of known hazard for which risks are specified and controlled;
- analogue chemicals;
- substances for which an international assessment has been conducted; and/or
- polymers of low regulatory concern for which a potential risk is determined during screening (i.e. from the audited self-assessment process).

Impact

Significantly reduced notification costs (rebate); reduced data preparation costs; significantly reduced timeframe.

Effective elimination of need for EIP applications in many cases.

Ability to submit notifications at an earlier preparation stage under some circumstances.

Modular assessment may apply in a variety of situations and would be decided on by NICNAS in accordance with guidelines.

Implementation issues

Legislation: Provision for a rebate based on a modular assessment decision.

Changes to schedule data requirements (Section 23) to allow the notification to be accepted with data substituted by modular inputs.

Regulations: Recognition of Canada as a Foreign Scheme.

Impact

The application of the guidelines would be transparent and may lead to agreement with the notifier that a reduced data package may be submitted.

The result of a decision to apply modular assessment would be the termination of the assessment process at an early stage and an associated rebate being given.

A 1 B 1 C4 D3-4

Implementation issues

Administrative: Development of internal timeframes for modular assessment decisions and reporting.

Development of reporting templates for a variety of modular assessment types.

Consultation: NICNAS, industry and technical experts from academia and the community work together in the development of criteria and guidelines. Consultation is expected to be the major implementation issue for this option.

Issues include: Definition of analogues

Development of generic use scenarios

Consultation re assessment standards

of Australian and overseas assessment agencies

Guidelines for “controlled risk” situations.

Proposed timeframe

June 2004 – ongoing (Regulations: Dec 2003)

Recommendation

3.1

Introduce a Transhipment Exemption for instances when chemicals are off-loaded at an Australian port of entry and remain in containment unopened for a short period (30) days before reshipment out of Australia. NICNAS would not need to be notified of introduction or conduct risk assessment.

Impact

Will clarify obligations for introducers of chemicals in transhipment.

Introducers will know they are to notify the chemical to NICNAS if the transhipment period is to be exceeded.

Little public impact because exposure would be low.

A-unknown B1 C3 D2

Implementation issues

Legislation: New category under Exemptions (21(3)) or other.

Administrative: New activity within the NICNAS compliance strategy.

Proposed timeframe

May 2004

Recommendation

3.2

Introduce an exemption for low-hazardous chemicals for volumes up to 100kg. Records would be kept for audit purposes with annual reporting to NICNAS.

Impact

Increased industry flexibility to introduce small amounts of new non-cosmetic chemicals without notification and assessment costs.

Will promote record keeping and risk assessment capability for introducers.

A1 B2 C4 D3

Implementation issues

Legislation: Amend Section 21(4).

Administrative: New activity within the NICNAS compliance strategy. Prepare new reporting format. Prepare guidance for notifiers.

Proposed timeframe

Non-hazardous – May 2004

Low hazardous – June 2004

3.3

Introduce an Exemption “without advice” for imported cosmetic chemicals introduced in mixtures at 1% or less, provided they are not determined to be hazardous. No volume threshold is proposed and the notifier is required to retain records that will be subject to compliance audits by NICNAS and provide an annual report to NICNAS of chemicals introduced under this exemption. The current additional safeguards excluding cosmetic chemicals that are colorants, preservatives and/or an ultra violet filter will apply to this new category.

Impact

Significantly reduces overall industry compliance costs (direct cost of notification and time). Provides an incentive to introduce new non-hazardous chemicals onto the Australian market. Shifts NICNAS effort from assessment to post market compliance activity for low hazard, low risk chemicals. Retains notification requirements for chemical categories that may be of concern such as preservatives, colourants and UV filters. Retains accountability of notifiers to determine hazards and risks posed by chemicals. Notifier record keeping requirements remain unchanged from current exemptions. Annual reporting mechanism introduced.

A1 B1 C4 D2

Implementation issues

Legislation: Revise S21 of the Act (Introduction of new industrial chemical) to introduce a low concentration exemption for non-hazardous chemicals introduced in cosmetic products.
Regulations: Revise Regulation 6AB to include requirements based on hazard and concentration of chemicals in cosmetic products (mixtures).
Administrative: Prepare new reporting form for annual reporting to NICNAS. Prepare guidance material to assist notifiers Advise potential notifiers of new exemption category.

Proposed timeframe

May 2004

3.4

Increase the current exemption for RD&A from 50 to 100kg/12 months with new record-keeping requirements for 5 years.

Impact

Increased industry flexibility to introduce new chemicals for R, D & A without notification and assessment costs. Little public impact as R, D & A chemicals would normally be used under specialised and supervised conditions in research institutes and laboratories. Will promote record keeping by introducers, as they will know that NICNAS may request to see introduction records.

A-unknown B2 C3 D2

Implementation issues

Legislation: Amend Section 21(3).
Administrative: New activity within the NICNAS compliance strategy.

Proposed timeframe

May 2004

3.5

Increase the general exemption for low volume non-cosmetic chemicals in line with EU volumes, from 10kg to 100kg/12 months/introducer, maintain existing conditions and introduce new requirements for record keeping for 5 years and an annual report to NICNAS.

Impact

The recommendation will significantly decrease the number of chemicals which go through NICNAS assessment in that a majority of the non-cosmetic chemicals currently under the Low Volume Chemical Permit system will no longer require notification. The record keeping requirement will partly offset the reduction in work in preparing notifications. The current exemption requirement refers to chemicals which do not pose an unreasonable risk, and this may apply to many more chemicals in the volume range 10-100 kg pa than to those below 10 kg pa, particularly in view of the environmental load.

A1 B1 C4 D4

Implementation issues

Legislation: Amendment of Section 21(4); establishment of record keeping requirement.
Regulations: None identified.
Administrative: None identified.
Consultation: Extensive consultation with other government bodies, including the States, and the community, as well as industry, to clarify the meaning of unreasonable risk for the public, workers and the environment.

Proposed timeframe

Dec 2004

4.1

Introduce an audited self-assessment certificate against existing NICNAS guidelines for polymers of low concern.

Impact

Significantly reduced notification costs for PLC notifications. Reduced data preparation costs for almost all PLC notifications. Significantly reduced timeframe for almost all PLC notifications. Effective elimination of need for EIP applications for PLC notifications.

A1 B1 C4 D2

Implementation issues

Legislation: Incorporate record keeping requirement for self-assessment data (S24A); also audit powers.
Regulations: Amend fees for PLC category Amend data requirements specified in form (Form 1A).
Administrative: Set internal timeframe for PLC assessment (in absence of concern). Prepare new reporting format.
Consultation: Establish NICNAS/industry technical working group to develop criteria for establishing concern.

Proposed timeframe

Admin processes in place – Dec 2003
 Legislative change – May 2004

4.2

Introduce a low hazard permit for polymers of low volume (1000kg/yr per introducer) for 3 years. Low hazard criteria appropriate for polymers would need to be developed in consultation with industry and the community.

Impact

Significantly reduced notification costs for relevant notifications.
Significantly reduced timeframe for relevant notifications.

A1 B1 C4 D3

Implementation issues

Legislation: Changes are as for the main LRCC self assessment permit option (Recommendation 1.2).

Regulations: Changes as for main LRCC self assessment permit option (including fees), but also changes in schedule of data requirements to have low hazard assessed against.

Administrative: Set internal timeframe for review of self assessment (in absence of concern).

Consultation: Extensive consultation on criteria for establishing low hazard for non-PLC polymers; also criteria for establishing concern.

Proposed timeframe

June 2004

4.3

Introduce audited self-assessment for low regulatory concern polymers (ie polymers which do not meet the existing PLC criteria). New NICNAS criteria will need to be developed with industry and community involvement.

Impact

Significantly reduced notification costs for relevant notifications.
Significantly reduced timeframe for relevant notifications.
Effective elimination of need for EIP applications for these notifications.

A1 B1 C4 D4

Implementation issues

Legislation: Changes are as for the main LRCC self assessment certificate option (Recommendation 1.1).

Regulations: Changes as for main LRCC self assessment certificate option (including fees), but also changes in schedule of data requirements to have low hazard assessed against.

Administrative: Set internal timeframe for review of self assessment (in absence of concern)
Prepare new reporting format.

Consultation: Extensive consultation on criteria for establishing low hazard for non-PLC polymers; also criteria for establishing concern.

Proposed timeframe

June 2004

5.1

Introduce audited self-assessment for all cosmetic ingredients with annual volumes of 10 kg per 12 months or less with the notifier to undertake risk assessment and (a) determine that the chemical does not pose an undue risk to human health and the environment; and (b) that it meets existing safeguards. Notifier to retain this information that will be subject to NICNAS compliance audits and “spot-checks” and an annual report to NICNAS.

Safeguards for cosmetics will continue to include that the chemical must not be used in the cosmetic as:

- a preservative; or
- a colouring agent; or
- an ultraviolet filter;
- the chemical must not be prohibited or restricted for use as a cosmetic,

or for use in cosmetics in the EU or USA under cosmetic legislation;

- the chemical must comply with all relevant Commonwealth/state/territory regulations; and
- if the chemical is present in the cosmetic at a concentration of 1% or more, it must be safe for use by high-risk groups consistent with its anticipated use pattern.

Impact

Significantly reduces overall industry compliance costs.

Provides an incentive to introduce low risk chemicals onto the Australian market.

Shifts NICNAS effort from assessment to post market compliance activity for low risk chemicals introduced in small volumes.

Retains notification requirements for chemical categories that may be of concern.

Annual reporting mechanism introduced.

A1 B1 C3 D2

Implementation issues

Legislation: None required.

Regulations: Revise Regulation 6AB to remove requirement for notification to NICNAS on a case-by-case and introduce annual reporting to Director, NICNAS.

Administrative: Prepare new reporting form for annual reporting to NICNAS.

Prepare guidance material to assist notifiers.

Advise potential notifiers of changed requirements for low volume exemption category.

Proposed timeframe

Dec 2003

5.2

Require advice of introduction for low hazardous chemicals for cosmetic use of more than 10 kg and up to 100 kg per 12 months; similar to the current less than 10 kg exemption notice with self-assessment statements, declaration of compliance with current safeguards and submission of product label and MSDS. An audited self-assessment will be undertaken and an advice issued by NICNAS as an outcome.

Impact

Significantly reduced overall industry compliance costs (direct cost of notification and time).

Reduced assessment timeframe for low volume chemicals; Reduced NICNAS assessment effort for low volume chemicals.

Retains accountability of notifiers to determine risks posed by chemicals.

Notifier record keeping requirements unchanged.

A1 B1 C4 D2

Implementation issues

Legislation: Revise S21 of the Act (Introduction of new industrial chemical) to introduce a new exemption threshold of between 10 kg and 100 kg per 12 months for chemicals used in cosmetics.

Regulations: Revise Regulation 6AB to require self-assessment statements, declaration of compliance with current safeguards and product label and MSDS.

Administrative: Prepare new reporting form for case-by-case advice to NICNAS

Prepare guidance material to assist notifiers

Advise potential notifiers of changed requirements for new exemption category for cosmetic chemicals.

Proposed timeframe

May 2004

5.3

To amend the definition of cosmetics currently used in the Act to that used in *The Trade Practices Act 1974* thus improving consistency in the Government's regulatory approach to cosmetics.

Impact

Avoids confusion and therefore increases stakeholder understanding and compliance with a single Australian definition. Aligns the Australian definition with international (European) definition. Includes an indicative list of cosmetic products as guidance to assist stakeholders. Potentially minimises Australian specific data generation and/or assessment.

A1 B1 C3 D2

Implementation issues

Legislation: Revise the definition of a cosmetic in Part 1, Section 5 of the Act.

Regulations: None required.

Administrative: Draft indicative list of cosmetic products under revised definition as guidance material for stakeholders.

Proposed timeframe

May 2004

5.4

Recognising that negotiations are ongoing between industry and the Therapeutic Goods Administration (TGA), the LRCC Task Force recommends that the Parliamentary Secretary asks NICNAS and TGA to examine the reform options for addressing the interface issues dealing with:

- antiperspirants,
- mass market anti-dandruff shampoos,
- moisturisers with SPF,
- antibacterial skinwashes; and
- anti-acne skin cleansers.

Impact

Potential to streamline regulatory requirements and reduce compliance burden.

A2 B2 C1 C4 D4

Implementation issues

Consultation: Extensive consultation will need to be undertaken with the government and industry stakeholders.

Proposed timeframe

Dec 2003

6.1

Examine the introduction of a controlled use/specified use assessment (permit and/or certificate) category based on history of use, limited exposure and/or use in controlled environments.

Impact

Will introduce flexibility to industry because certain low risk chemicals that currently do not meet existing criteria for low volume or commercial evaluation permits, may be eligible for introduction under permit.

Implementation issues

Legislation: New category for applications for early introduction of controlled use chemicals.

Regulations: Definition of Controlled Use Criteria.

Administrative: Compile guidelines and procedures to receive, process and report on applications.

Impact

Fewer NICNAS/industry resources will be needed to prepare a notification package for NICNAS, than would otherwise apply.

A1 B1 C1 C4 D3

Implementation issues

Consultation: Develop NICNAS/industry technical working group to establish industry based controlled use criteria. Seek input from community Consultative Forum.

Proposed timeframe

June 2004

6.2

Examine the introduction of an Export Only Permit

Impact

Will allow for the export of chemicals meeting controlled use criteria. Would require audited self-assessment against NICNAS risk criteria and would need to meet existing OHS, environmental and public health standards.

A1 B1 C4 D3

Implementation issues

Legislation: New category for applications for early introduction of controlled use chemicals.

Regulations: Definition of Controlled Use Criteria.

Administrative: Compile guidelines and procedures to receive, process and report on applications.

Consultation: Seek input from community Consultative Forum and relevant government agencies as appropriate.

Proposed timeframe

Dec 2004

7.1

Introduce to the standard certificate assessment category of a new low-hazardous chemical sub-category with appropriate criteria and modular assessment fee.

Impact

Intended to be used for a sub-set of chemicals where incomplete data is readily available (in accordance with the schedule) because the chemical is "old" under other schemes, but a safe use history can be established other than by providing normal schedule data.

A3 B1 C2 C4 D2

Implementation issues

Legislation: None required apart from those covered in Recommendation 2.1 (needed to allow a rebate).

Regulations: None identified.

Administrative: Development of internal timeframes for modular assessment decisions and reporting.

Development of reporting templates.

Consultation: May be able to be implemented on a case by case basis under current legislative provisions, but guidelines should be established.

Proposed timeframe

June 2004

7.2

Expand access to Early Introduction Permit system to include low hazard and/or low risk chemicals based on appropriately developed criteria.

Impact

Will allow conditional early introduction under permit for chemicals NICNAS agrees meet the defined criteria for low hazard and/or low risk. Will allow early introduction of chemicals meeting low hazard and/or low risk criteria in advance of the NICNAS full risk assessment, recommendations and assessment certificate.

A1 B1 C2 C4 D3

Implementation issues

Legislation: New category for applications for early introduction of low hazard and/or risk chemicals.

Regulations: Definition of Early Introduction Criteria.

Administrative: Procedures to receive, process and report on applications.

Consultation: Develop NICNAS/industry technical working group to establish criteria. Seek input from community Consultative Forum as appropriate.

Proposed timeframe

Non-hazardous – Dec 2003

Low hazardous – Dec 2004

7.3

Introduce a low hazard permit for chemicals of low volume. These chemicals would be introduced in low volumes, 1000kg/yr/introducer for 3 years.

Impact

Will allow conditional early introduction under permit for chemicals NICNAS agrees meet the defined criteria for low hazard and/or low risk.

A1 B1 C2 C4 D2

Implementation issues

Legislation: New permit category for low hazard and/or risk chemicals.

Regulations: Definition of low hazard and low risk criteria.

Administrative: Procedures to receive, process and report on applications.

Consultation: Criteria will be designed to test that applicants have the capacity to implement permit conditions designed to ensure low risk to workers, the public and environment. Criteria would define allowable volumes, cumulative volumes and reporting requirements.

Proposed timeframe

Low Hazard – June 2004

Low Risk – Dec 2004

8.1

That industry and NICNAS further cooperate to identify and pursue agreements with countries of similar regulatory standards where bi-lateral arrangements may present opportunities for cost-effective progress with bilateral agreements.

Impact

Improved efficiencies and reduction in duplication of data generation.

That NICNAS actively co-opts the participation of willing Australian companies to participate in a pilot program between Australia and Canada, to facilitate the process of sharing information between the regulatory authorities and implement agreed processes to preserve confidential business information.

Implementation issues

Legislation: None identified.

Regulations: None identified.

Administrative: NICNAS, Environment Canada and Health Canada to develop notification guidelines to assist industry in the preparation of data packages and facilitate the introduction of chemicals in both Australia and Canada.

Impact

A1 B2 C1 C4

Implementation issues

Consultation: The IGCC has established a working team to review countries of similar regulatory standards to consider future bilateral arrangement. Further work will be developed in partnership with industry.

Proposed timeframe

Ongoing

Recommendation

9.1

Permit renewals for the current CEC, LVC permits to be administrative rather than assessment processes (unless new data is available or the conditions of introduction have significantly changed).

Impact

Reduced compliance burden on industry.

No public impact because this option only applies if the original NICNAS risk assessment is relevant.

A2 B1 C3 D2

Implementation issues

Legislation: Amend Divisions 1A and 1B.

Administrative: New administrative procedures to receive and process repeat permit applications.

Proposed timeframe

May 2004

Recommendation

9.2

Introduce an option for industry to nominate an assessed chemical for immediate inclusion on the AICS (rather than a five year certificate period).

Impact

The impact of this change will be to dramatically reduce the need for use of the Extension category by several industry sectors which are major users. There may be a reduction in application for Low Volume Chemical Permits in these sectors as well. Little public, worker or environmental impact will occur because the chemicals will remain subject to original secondary notification requirements.

A2 B1 C1 D2

Implementation issues

Legislation: Change to Section 14 allowing the inclusion of an assessed chemical prior to the five year period with agreement of all notifiers.

Regulations: None identified.

Administrative: Change to the administrative arrangements for treatment of chemicals post assessment; inclusion of an option on application form.

Consultation: Consultation concerning the confidential inventory provisions for these chemicals.

Proposed timeframe

May 2004

Recommendation

9.3

Review the definition of naturally occurring substances particularly in relation to steam distillation extraction for essential oils.

Impact

Significant NICNAS scientific input as definition may need case-by-case interpretation.

Implementation issues

Legislation: Revise definition of naturally-occurring chemical in S5 of the Act (Interpretation) to reflect outcome from consultation.

Impact

Reduction in assessment revenue to NICNAS if new essential oils are introduced as naturally-occurring chemicals.
Some reduction in compliance costs to essential oils industry.
Overall, minimal impact on the cosmetic industry as it is likely that these new chemicals will be introduced under low volume exemption categories.

A3 B2 C4 D4

Implementation issues

Regulations: None required.
Administrative: A Working Group will be established with membership drawn from NICNAS, industry, community groups and external reviewers (as required).
Consultation: Extensive consultation required including international organisations (eg OECD), scientific groups, industry associations and scientific experts.

Proposed timeframe

Dec 2004

10.1

NICNAS introduces mandatory registration of all chemical introducers currently below the current \$500,000 threshold. An administrative fees only should apply.

Impact

Administration cost applies for small businesses. Long term benefits foreseen for chemical industries (administration cost is small compared with the commercial benefits).
Clear benefits to the community.
Effective awareness raising and education activities.

A1 B1 C1 D3

Implementation issues

Legislation: Revise S80B to include registration of introducers below the threshold (new registration level introduced).
Revise S80F and 80K to include administration fee for those introducers.
Regulations: Prescribed administration fees
Administrative Revise the Register of Industrial Chemical Introducers; fact sheets for company registration; Gazette notices; auditing customs import data.

Proposed timeframe

May 2004

10.2

The costs, benefits and practicality of a mandatory registration number for chemical introducers be further investigated.

Impact

May hinder industries failing to register or renew their registration.
Benefits to NICNAS and other agencies through the use of the registration number for tracking.

A1 B2 C1 D1

Implementation issues

Administrative: Investigate use of registration numbers by customs and states/territories
Investigate use of registration number by introducers supplying downstream users and formulators.
Consultation: Set up a working group with industry and community to look at the benefits.

Proposed timeframe

June 2004

Recommendation

10.3

NICNAS, industry and the community investigate opportunities and the feasibility of introducing effective co-regulatory approaches where appropriate in relation to industrial chemicals regulation

Impact

Benefits to community if the co-regulatory approaches are above the regulatory requirements. Industry commitment to regulation demonstrated through co-regulation.

A1 B1 C1 C4 D1

Implementation issues

Consultation: Set up a working group with industry and community to investigate effects of co-regulation.

Proposed timeframe

June 2004

Recommendation

11.1

NICNAS consolidates its on-line information to improve public and industry access to industrial chemicals information.

Impact

An improved search facility will enable all stakeholders to access information on assessed chemicals that is currently available via separate mechanisms. Reduce compliance burden on industry and improve public access to chemical safety information.

A1, B1, C1 D1

Implementation issues

Regulations:
Administrative:
Consultation: Widespread consultation will need to occur to determine user needs. The community Consultative Forum will be expected to make this issue a priority.

Proposed timeframe

AICS online – June 2004

Recommendation

12.1

NICNAS improve community participation in NICNAS's decision making processes through the establishment of a community based Consultative Forum.

Impact

Improved understanding by community of NICNAS's operations, NICNAS and IGCC better informed of community and worker safety issues.

A1 C1 D1

Implementation issues

Consultation: Undertake extensive consultation to identify best consultative forum for NICNAS.

Proposed timeframe

Nov 2003 – ongoing

Recommendation

12.2

NICNAS and the IGCC, in consultation with the newly established community Consultative Forum, explore options to expand NICNAS's public inquiry service to address aspects of community right to know.

Impact

Improved access to information will enable all stakeholders to make better use of industrial chemicals regulatory framework.
Reduce compliance burden on industry and improve public access to chemical safety information.

A1 B1 C1 D1

Implementation issues

Administrative: May result in changes to NICNAS processes.

Consultation: Extensive consultation with industry, government and community.

Proposed timeframe

June 2004

12.3

That the open and inclusive consultation model adopted for LRCC reform processes be used by NICNAS in future reform processes.

Impact

Improved understanding by community of NICNAS's operations, NICNAS and IGCC better informed of community and worker safety issues.

A1 C1 D1

Implementation issues

Administrative: Ensure policy is adopted in NICNAS and IGCC review processes.

Consultation: Extensive consultation with industry, government and community as part of ongoing NICNAS process.

Proposed timeframe

Ongoing