



Australian Government

Australian Government response to the
Senate Environment and Communications Legislation Committee
report:

Industrial Chemicals Environmental Management (Register) Bill 2020
[Provisions] and related bills

JULY 2021

Introduction

The Australian Government welcomes the report of the Senate Environment and Communications Legislation Committee inquiry into the Industrial Chemicals Environmental Management (Register) Bill 2020 and related bills, and the Committee's recommendation that the Senate pass the bills.

The *Industrial Chemicals Environmental Management (Register) Act 2021* (ICEMR Act) and related Acts were passed by both Houses of the Australian Parliament on 18 March 2021 and received Royal Assent on 26 March 2021.

Context of the legislation

The ICEMR Act is the legislative framework for the Industrial Chemicals Environmental Management Standard (IChEMS), a scheme to implement a nationally consistent approach to the management of risks to the environment resulting from the use of industrial chemicals. The associated General Charges, Customs, and Excise Acts enable cost-recovery to support implementation of the IChEMS scheme.

The development and design of the legislative framework was informed by extensive stakeholder consultation. The Australian Government has been collaborating on this reform with state and territory governments and industry groups for over a decade.

The Department of Agriculture, Water and the Environment continues to work with stakeholders, particularly in developing the instruments and operational policy, prioritising chemicals for scheduling, and ensuring national consistency in implementation of the reforms across jurisdictions.

Consultation with affected stakeholders will be ongoing as the Act provides for mandatory consultation on decisions and decision-making criteria (known as the Principles).

Response

Recommendation 1

The committee recommends that the government and the Department continue to actively engage state and territory governments, particularly around planning for the adoption of the Register in their respective jurisdictions.

Response

Agreed.

The Government appreciates the ongoing and constructive dialogue with states and territories, together with industry and other key stakeholders, to develop this legislation and work towards its implementation.

Realising the full benefits of the IChEMS scheme will depend on effective implementation in each jurisdiction. In particular, adoption of the Register in each state and territory will provide national consistency and a predictable and streamlined management framework.

The Government and department will continue to work closely with state and territory governments on implementation of the IChEMS scheme in jurisdictions, as part of our shared responsibility for regulation of industrial chemicals in Australia.

Recommendation 2

The committee recommends that the Department of Agriculture, Water and the Environment continue its engagement with industry stakeholders in the implementation of the Industrial Chemicals Environmental Management (Register) Bills, particularly with reference to the cost-recovery arrangements and the role of AICIS.

Response

Agreed.

The Government appreciates the contributions of those industry stakeholders who took part in the Senate inquiry through provision of submissions, as well as those who contributed their views on the draft legislation.

The Government is committed to continuing meaningful engagement with industry stakeholders to ensure this new cooperative framework will drive consistency and higher standards for environmental protection across Australia.

The Government has agreed to delay the start of cost recovery until September 2022, to allow sufficient time to consult with industry, streamline cost recovery processes with the Australian Industrial Chemicals Introduction Scheme (AICIS) and give industry time to prepare for the new arrangements.