



**Australian Government**

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**Department of Health**

National Industrial Chemicals  
Notification and Assessment Scheme

# **National Industrial Chemicals Notification and Assessment Scheme**

**Regulator Performance Framework  
Self-Assessment Report 2017-18**

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# Glossary

Acronyms	Description
AICS	Australian Inventory of Chemical Substances
APEC	Asia Pacific Economic Cooperation
CBI	Confidential business information
IATA	Integrated Approach to Testing & Assessment
ICNA Act	Industrial Chemicals (Notification and Assessment) Act 1989
IMAP	Inventory Multi-tiered Assessment and Prioritisation
KPI	Key performance indicator
Level C registrants	Introduction value from \$500,000-\$4,999,999
Level D registrants	Introduction value of \$5,000,000+
NICNAS	The National Industrial Chemicals Notification and Assessment Scheme
OCS	The Office of Chemical Safety (in the Department of Health)
OECD	Organisation for Economic Cooperation and Development
PEC	Priority Existing Chemical
QSAR	Quantitative structure-activity relationship
RPF	Regulator Performance Framework
SCC	Strategic Consultative Committee
UNEP	United Nations Environment Program

## Introduction

### National Industrial Chemicals Notification and Assessment Scheme

The National Industrial Chemicals Notification and Assessment Scheme (NICNAS) is a statutory scheme established under the *Industrial Chemicals (Notification and Assessment) Act 1989* (ICNA Act) and administered by the Office of Chemical Safety (OCS) within the Department of Health. NICNAS aids in the protection of the Australian people and the environment by assessing the risks

arising from the importation or manufacture of industrial chemicals. NICNAS provides information to promote the safe use of these chemicals to a wide range of Commonwealth, state and territory government agencies involved in regulating the control, use, release and disposal of industrial chemicals. OCS maintains the Australian Inventory of Chemical Substances (the Inventory, or the AICS) and the Register of Industrial Chemical Introducers.

As part of the 2015-16 Budget, the Australian Government announced a range of reforms to the regulation of industrial chemicals so that the assessment effort would be more proportionate to the risks posed by these chemicals, while also maintaining Australia’s robust health and safety standards. The reforms to the scheme are expected to commence from 1 July 2019, pending passage of new legislation. The technical and operational details of the new scheme continued to be developed in 2017-18 while maintaining the core activities of NICNAS.

### The Regulator Performance Framework

The Australian Government has developed a framework comprised of six outcomes-based key performance indicators (KPIs), to demonstrate the performance of regulators, encourage accountability and transparency in the way regulators operate and minimise regulatory burden when administering regulation. OCS developed metrics to demonstrate performance against these KPIs, in consultation with the NICNAS Strategic Consultative Committee (SCC), comprised of representatives from peak industry bodies and community groups.

The self-assessment report for the 2017-18 reporting period will be the third self-assessment report NICNAS has produced under the RPF. Previous NICNAS self-assessment reports were validated by the SCC and published on the NICNAS website (available at <https://www.nicnas.gov.au/about-us/how-we-work/regulatory-performance-framework-rpf>).

Evidence metrics were first developed and published in 2015, and then revised in 2017. The Minister for Health has approved the evidence metrics that underpin this self-assessment.

### Methodology

The evidence presented in this report is obtained from performance statistics collected by OCS throughout the 2017-18 financial year, including information reported in the 2017-18 Department of Health Annual Report.

Using the evidence collected, OCS self-rates using the rating scale of met, substantially met and not met.

#### Rating scale

Met	Substantially met	Not met
Strong performance against <i>all</i> of the measures under the KPI	Strong performance against <i>most</i> of the measures under the KPI	Poor performance against <i>all</i> of the measures under the KPI

### Overall Assessment

Using the above performance ratings, targets have been met for all measures under the six KPIs.



# 2017-18 Performance Reporting

KPI 1 - Regulators do not unnecessarily impede the efficient operation of regulated entities	
Measures/Metrics	Evidence (Performance in 2017-18)
1.1 Demonstrated understanding of the operating environment of regulated entities	<p>Through engagement with stakeholders, OCS continued to facilitate open discussion on emerging issues, assessment outcomes and implementation of reforms agreed by Government. Consultation with stakeholders continues to improve our understanding of industry operating environments. Early, close and iterative engagement with stakeholders was beneficial in understanding the impact of new regulations on regulated entities. Feedback obtained from stakeholders enabled OCS to tailor guidance and educational material to suit the needs of industry. OCS continued to engage with regulated entities in 2017-18 through:</p> <ul style="list-style-type: none"> <li>• Discussion with industry and community members of the NICNAS SCC, several one on one and targeted stakeholder briefings and attendance at industry Regulatory Affairs meetings. Briefings and public comment periods provided opportunities for stakeholders to discuss the regulatory impact of the proposed changes with OCS. Amendments to the Categorisation Guidelines were a result of stakeholder feedback.</li> <li>• Seeking stakeholder feedback in relation to the NICNAS website, its contents and online services. Feedback obtained the year before, influenced improvements to web links and search experiences, which significantly decreased negative feedback in those areas this year.</li> <li>• Seminars were conducted with experts and industry members from Australia, Singapore, New Zealand, Europe and the USA chemical sectors to gain an understanding of international industry operating environments, current research and challenges.</li> </ul>
1.2 Actions taken to minimise the potential for unintended negative impacts of regulatory activities on regulated entities	<p>OCS continues to take action to minimise the potential for unintended negative impact of regulatory requirements on regulated entities in regards to costs and time to market.</p> <p>A number of activities are undertaken to minimise unintended costs for the sector, caused by a lack of awareness or understanding of regulatory requirements. Education and outreach activities assist new introducers to better understand their regulatory requirements.</p> <p>NICNAS publishes information on its website to assist the understanding of the sector. An annual Cost Recovery Implementation Statement is published, detailing the cost of regulatory activities and how these costs are recovered.</p> <p>OCS's new IT customer relationship management system continued to provide an efficient mechanism for engagement with registered organisations, online payment of fees and facilitated the efficient tracking of business details. The new system reduces errors that can require resubmissions, time delays and additional costs to industry.</p> <p>Industry stakeholders have previously indicated time to market of new chemicals can significantly impact on business. OCS completed 99% of pre-market assessments within legislated timeframes, adhering to clear timeframes and considering commercial interests.</p> <p>OCS utilises chemical assessments conducted overseas by comparable regulatory agencies, to reduce regulatory costs, minimise duplication of effort and reduced time</p>

<b>KPI 1 - Regulators do not unnecessarily impede the efficient operation of regulated entities</b>	
<b>Measures/Metrics</b>	<b>Evidence (Performance in 2017-18)</b>
	<p>to market. During 2017-18, three comparable agency assessments and nine foreign scheme assessments were used in new chemical assessments.</p> <p>All chemical assessment reports are provided to notifiers or targeted stakeholders for factual correction prior to publication, giving them the opportunity to provide feedback and receive early notice of any potential unintended negative impact due to regulatory action.</p> <p>Confidential business information is protected through listing of chemicals on the confidential inventory or providing exemption of commercial information in assessments. These protections are to mitigate unintended disclosure of confidential information and minimise negative impacts on industry.</p> <p>Through regular and early advice on upcoming training sessions for new introducers and planned consultations, OCS facilitates efficient engagement with industry. Such advice is disseminated through an interactive e-newsletter the Chemical Gazette and notices on the NICNAS website.</p>
1.3 Continuous improvement strategies implemented to reduce costs of compliance for regulated entities through effective contribution to international harmonisation	<p>As part of OCS's ongoing efforts to harmonise international standards and risk assessment methods (where applicable in the Australian context) and to establish international best practice approaches, OCS regularly engages with our international counterparts. OCS staff participates in various multilateral technical forums (predominantly the Organisation for Economic Co-operation and Development (OECD) Chemicals Committee and its key subsidiary committees) and bilaterally (with Health Canada and Environment and Climate Change Canada, European Chemicals Agency (ECHA), US Environmental Protection Agency (US EPA) and NZ Environmental Protection Authority (NZ EPA)). Technical experts also communicate directly with their peers overseas.</p> <p>OCS's international collaboration enhances regulatory efficiency and effectiveness and therefore reduces compliance costs for the regulated industry through:</p> <ul style="list-style-type: none"> <li>• optimising resources by avoiding unnecessary duplication of assessment activities</li> <li>• gaining access to international scientific expertise, assessment tools, standards and risk assessment materials</li> <li>• harmonisation of data requirements for assessments, where appropriate, enables industry to use a single data package for notification of a chemical in several jurisdictions</li> <li>• facilitates acceptance of assessments from overseas jurisdictions where comparable assessment standards can be demonstrated resulting in lower assessment fees</li> </ul>
<b>Self-assessed rating:</b>	<b>Met</b>

## KPI 2 - Communication with regulated entities is clear, targeted and effective

Measures/Metrics	Evidence (Performance in 2017-18)
<p>2.1 Guidance material is kept up to date and complies with government accessibility guidelines</p>	<p>Content on the NICNAS website is expected to comply with Level A of the Web Content Accessibility Guidelines (WCAG) version 2.0. To meet these requirements, several OCS staff attended training on ‘Assessing against the Digital Service Standard’ run by the Digital Transformation Agency.</p> <p>To improve our delivery of information through the current website, OCS sought to understand users’ experience. Research was conducted through workshops with OCS staff and 1:1 interviews with external stakeholders, which resulted in an online survey responded to by website visitors. The information obtained will be used to understand how the NICNAS website is used, what tasks people undertake and the challenges they face. Feedback will be used to make improvements to online services during 2018-19.</p> <p>Feedback from over 650 responses was collected from website feedback prompts. All responses were actioned where possible and as a result, increased satisfaction was observed in the <i>chemical information, forms</i> and <i>notify your chemical</i> pages. Negative feedback on the AICS search results was addressed by adding help text to Inventory listing pages and web links to guidance material.</p>
<p>2.2 Targeted stakeholders consultation and engagement with regulated entities, to provide feedback as appropriate</p>	<p>OCS consults through targeted engagement with stakeholders who could be impacted by a particular issue and through public consultation through invitations published on the NICNAS website on matters that impact a wide range of stakeholders. Consultation and engagement with stakeholders helps OCS provide accurate information, improve guidance material and inform the public of emerging issues and regulatory changes.</p> <p>In 2017-18, targeted consultation was undertaken for the following:</p> <ul style="list-style-type: none"> <li>• Chemical assessments – notifiers were consulted on 173 new chemical assessment reports and draft IMAP reports for tranches 22 to 24.</li> <li>• Reforms: <ul style="list-style-type: none"> <li>○ Engagement and briefings with 11 regulated entities on the implementation of the NICNAS reforms.</li> <li>○ Engagement and briefings on the draft delegated legislation and associated guidelines to 24 entities including industry associations, regulated entities, regulatory affairs firms and community organisations.</li> </ul> </li> </ul> <p>In 2017-18, public consultation was undertaken for the following:</p> <ul style="list-style-type: none"> <li>• Chemical assessments – secondary notifications were declared for 3 chemicals. Applicants were able to make factual corrections and the public could request variations prior to final publication of assessment reports. Public comments were sought on IMAP reports for tranches 22 to 24.</li> <li>• Reforms – Seeking public consultation on the Industrial Chemicals General Rules, Categorisation Guidelines and Transitional Rules as well as the Draft Cost Recovery Implementation Statement (CRIS) for 2018-19, published on the NICNAS website. There were 29 written submissions received from community and industry organisations on Draft Rules and Categorisation Guidelines consultation, and three on the Draft CRIS.</li> </ul>



## KPI 2 - Communication with regulated entities is clear, targeted and effective

Measures/Metrics	Evidence (Performance in 2017-18)
<p>2.3 Regulatory decisions and advice are consistent and provided in a timely manner</p>	<p>OCS regulatory advice and decisions are published on the NICNAS website. Regulatory decisions were provided according to legislative requirements and in a timely manner:</p> <ul style="list-style-type: none"> <li>• 99% of new chemical assessments were completed and published within legislated timeframes</li> <li>• 100% of registration decisions (over 7200) were processed within the legislated timeframe of 30 days</li> <li>• Timely advice on the outcomes of risk assessments were provided to risk managers (Safe Work Australia (SWA), Australian Competition and Consumer Commission (ACCC) and the Poisons Scheduling delegate, state and territory governments, industry and the public</li> <li>• No applications for review of NICNAS regulatory decisions were made to the Administrative Appeals Tribunal (AAT)</li> <li>• 174 chemicals were listed on the Inventory, including 12 following the review of the Trade Name Annex. There were 79 amendments and one deletion on the Inventory</li> <li>• 14 confidential Inventory listing applications were approved and one was rejected</li> <li>• The Chemical Gazette was published monthly to provide public information on assessments of new chemicals, draft/declared/finalised secondary notification assessments and chemicals added, amended or deleted from the Inventory.</li> </ul>
<p><b>Self-assessed rating:</b></p>	<p><b>Met</b></p>

**KPI 3 - Actions undertaken by regulators are proportionate to the regulatory risk being managed**

Measures/Metrics	Evidence (Performance in 2017-18)
<p>3.1 Assessment effort is proportionate to the risk of the chemical</p>	<p>OCS chemical assessments focus on new industrial chemicals not listed on the Inventory, assessed chemicals requiring a re-assessment (secondary notification), chemicals of concern (priority existing chemicals) and chemicals on the Inventory assessed under the IMAP framework.</p> <p><b>New chemical assessments</b>            New chemicals that fit into one of the five exemption categories and pose no unreasonable risk do not need to be assessed pre-market; however, they require annual reporting and have record-keeping requirements to provide transparency and maintain public confidence. In 2017-18, there were 243 introducers that reported 10,525 industrial chemical introductions under the exemption categories.</p> <p>Non-exempt chemicals are predominantly categorised by introduction volume rather than inherent risk and undergo pre-market assessment. Approximately 27% of certificates and permits issued during 2017-18 were for new chemicals that fit into categories where assessment effort was proportionate to the risk of the chemical (Polymers of Low Concern, Low Volume Permits for low hazard chemicals and Controlled Use Permits). The NICNAS reforms aim to make assessment effort even more proportionate to the risk of the chemical by using a risk matrix, utilising hazard and exposure data, to categorise industrial chemicals into exempted, reported and assessed introductions.</p> <p><b>Secondary notifications and Priority Existing Chemical assessments</b>            Secondary notifications are undertaken where changed circumstances of chemical use/amount/method of manufacture may result in higher or changed risk from the original chemical assessment by NICNAS, whereas priority existing chemicals are declared by the Health Minister for assessment, due to potential adverse health or environmental effects. These assessment processes are specified in legislation and are highly prescriptive and inflexible, limiting OCS's ability to vary assessment steps and timeframes. During 2017-18, of 453 secondary notification inquiries that required further investigation due to changed circumstances and/or new data, three secondary notifications were declared.</p> <p><b>IMAP assessments</b>            The IMAP framework applies a tiered approach to risk (Tiers I, II and III), to rapidly identify and assess chemicals previously unassessed on the Inventory. The risk-based framework for 2017-18 gained efficiencies in the screening of chemicals by focusing on chemicals of low regulatory concern using existing hazard data, exposure data profiling, related data source collation, reviewing physico-chemical properties, read-across strategies and <i>in silico</i> studies. These strategies enabled the rapid categorisation of many chemicals that posed no unreasonable risk (Tier I), which require no further assessment unless new information becomes available. The assessment of chemicals requiring human health or environmental risk management measures for safe use (Tier II) or chemicals that require a more in-depth assessment at Tier III continued as part of Stage Two of the application of the IMAP Framework.</p>

<b>KPI 3 - Actions undertaken by regulators are proportionate to the regulatory risk being managed</b>	
<b>Measures/Metrics</b>	<b>Evidence (Performance in 2017-18)</b>
3.2 Compliance, monitoring and enforcement actions are proportional to risk and regularly reassessed	<p>OCS's monitoring and enforcement actions are proportionate to risk and regularly reassessed, using a staged process for risk-based compliance monitoring of registered introducers. OCS's approach to compliance focuses on education and cooperation with stakeholders to promote voluntary compliance and self-reporting. A register of industrial chemical introducers is maintained to help track the use of chemicals and engage with industry for educational and compliance monitoring purposes.</p> <p>During the reporting period, 50% (702) of the high volume introducers (Levels C and D) registered in 2016-17 were assessed for evidence of compliance. Of the 702 desktop audits, 53 introducers were identified to undergo further risk assessment to demonstrate their compliance with new chemical obligations. Five introducers were found to be non-compliant with record keeping obligations and 18 new industrial chemicals were found to require notification for assessment or be reported to OCS. One s87 warrant was executed at an inspection of a registrant's premises for the purposes of monitoring compliance with registration and new chemical obligations.</p> <p>During 2017-18, there were 190 compliance cases opened, to manage instances of known or potential non-compliance. The number of cases has doubled over the last three years due to the 18% increase in registrants, improved record keeping practices and redirection of resources following the implementation of the NICNAS business portal. The number of compliance cases closed during 2017-18 reached 265.</p> <p>The OCS compliance framework is available on the NICNAS website and the website is regularly updated with information on free business compliance seminars on regulatory obligations of introducers and educational material on how to register and notify a new industrial chemical. The compliance actions undertaken by OCS assist industry to comply with regulatory requirements and community expectations in relation to health and safety of industrial chemicals introduced into Australia.</p>
<b>Self-assessed rating:</b>	<b>Met</b>

## KPI 4 - Compliance and monitoring approaches are streamlined and co-ordinated

Measures/Metrics	Evidence (Performance in 2017-18)
4.1 Coordinated programs and shared information with other regulatory agencies	<p>OCS continues to share information, provide advice and collaborate with other regulatory agencies to more accurately target regulatory activities where they are most needed and target potential areas of risk. Coordinated meetings with other regulatory agencies included:</p> <ul style="list-style-type: none"> <li>• the Cosmetic Interface Working group (OCS/ Therapeutics Goods Administration (TGA)/ Australian Competition and Consumer Commission (ACCC)) on matters of potential and known compliance issues relating to cosmetic products</li> <li>• the ACCC on product safety concerns and obligations</li> <li>• members of the Australian Government Leadership Network (AGLN, which is comprised of representatives from a range of Government agencies, including some that have regulatory functions), on progress on our assessment strategies for IMAP and the transitions to the proposed reforms</li> <li>• the Department of the Environment and Energy (DoEE), the Department of Home Affairs and the Department of Agriculture and Water Resources on the regulatory status of certain new chemicals and phase out of tetraethyl lead – chemicals subject to the Prior Informed Consent procedure under the Rotterdam convention</li> <li>• the Department of Home Affairs, DoEE and the Australian Bureau of Statistics regarding the creation of new tariff codes to monitor short-chain chlorinated paraffins (SCCPs)</li> <li>• The Asbestos Safety and Eradication Agency (ASEA) regarding permit/authorisation processes.</li> </ul>
4.2 Requests for information from industry are made only when necessary. Information shared internally where appropriate	<p>OCS requests information from industry and other agencies only when information is not readily available from public sources. Some examples include:</p> <ul style="list-style-type: none"> <li>• Information from the Australian Border Force and access to non-public data from the Australian Business Register, minimising the need for businesses to provide information to OCS</li> <li>• Using desktop auditing of publicly available information and internal data to survey 702 introducers registered from 2016-17, resulting in 53 organisations asked to provide information to demonstrate compliance with section 21 of the Act</li> <li>• Targeted engagement and information request from new chemical notifiers as required on a case-by-case basis</li> <li>• Requests for information on the declaration of three secondary notifications.</li> </ul>
<b>Self-assessed rating:</b>	<b>Met</b>

<b>KPI 5 - Regulators are open and transparent in their dealing with regulated entities</b>	
<b>Measures/Metrics</b>	<b>Evidence (Performance in 2017-18)</b>
5.1 Regulatory activities are reported appropriately	<p>Information on the regulatory performance of NICNAS is published on the NICNAS website and includes:</p> <ul style="list-style-type: none"> <li>• The 2017-18 Health Portfolio Budget Statement (PBS). Deliverables and key performance indicators are outlined in Outcome 5 (Regulation, Safety and Protection) (<a href="http://www.health.gov.au/internet/budget/publishing.nsf/Content/2017-2018_Health_PBS_sup4/\$File/2017-18_Health_PBS_Complete.pdf">http://www.health.gov.au/internet/budget/publishing.nsf/Content/2017-2018_Health_PBS_sup4/\$File/2017-18_Health_PBS_Complete.pdf</a>)</li> <li>• Cost Recovery Implementation Statement outlining the charging structure for 2017-18 (<a href="https://www.nicnas.gov.au/about-us/how-we-work/cost-recovery-implementation-statement-201718">https://www.nicnas.gov.au/about-us/how-we-work/cost-recovery-implementation-statement-201718</a>)</li> <li>• Department of Health Annual Report includes a report from the Director of NICNAS on the performance of the Scheme (<a href="https://beta.health.gov.au/resources/publications/department-of-health-annual-report-2017-18">https://beta.health.gov.au/resources/publications/department-of-health-annual-report-2017-18</a>)</li> <li>• Chemical Gazette includes regulatory decisions and is published monthly as required under the Industrial Chemicals (Notification and Assessment) Act 1989 (<a href="https://www.nicnas.gov.au/news-and-events/chemical-gazette">https://www.nicnas.gov.au/news-and-events/chemical-gazette</a>)</li> <li>• Regulator Performance Framework self-assessment report on performance measures agreed by the Minister and validated by the NICNAS Strategic Consultative Committee (<a href="https://www.nicnas.gov.au/about-us/how-we-work/regulatory-performance-framework-rpf">https://www.nicnas.gov.au/about-us/how-we-work/regulatory-performance-framework-rpf</a>)</li> <li>• NICNAS Stakeholder Update e-newsletter provides subscribers with regular email updates on compliance, reforms, consultations and regulatory activities.</li> </ul>
5.2 Industry workshops and training activities are conducted	<p>In 2017-18, OCS conducted the following industry workshops and training activities:</p> <ul style="list-style-type: none"> <li>• Thirteen information sessions on regulatory obligations (over 340 attendees)</li> <li>• Nine targeted multilateral briefings to four industry associations and their members on the draft delegated legislation to the Industrial Chemicals Bill 2017</li> <li>• Roundtable discussions with University of Sydney regarding the regulatory environment and risk assessment methods for existing chemicals and provided advice on training for risk assessment.</li> </ul>
5.3 Open and responsive to requests from regulated entities regarding the operation of the regulatory framework	<p>The NICNAS Service Charter published on the NICNAS website sets out standards that stakeholders can expect from OCS staff and how complaints will be handled (<a href="https://www.nicnas.gov.au/about-us/your-rights/service-charter">https://www.nicnas.gov.au/about-us/your-rights/service-charter</a>). Feedback can be obtained from a toll free number or via online submissions.</p> <p>No formal complaints were received in 2017-18.</p> <p>In 2017-18, OCS tracked, coordinated and responded to over 60 distinct stakeholder queries relating to the NICNAS Reforms and related issues including queries on the CRIS consultation from three stakeholders.</p>

<b>KPI 5 - Regulators are open and transparent in their dealing with regulated entities</b>	
<b>Measures/Metrics</b>	<b>Evidence (Performance in 2017-18)</b>
	From October 2017, NICNAS started to track the number of email and phone queries from regulated entities regarding the operation of the scheme. Approximately 5700 enquiries were responded to.
5.4 Risk based frameworks are published and available in a format that is clear, understandable and accessible	<p>Risk-based compliance and assessment frameworks are published on the NICNAS website. Relevant documents include:</p> <ul style="list-style-type: none"> <li>• The NICNAS Information Publication Scheme (IPS) Agency Plan details the implementation and management of specific categories of information on our website (<a href="https://www.nicnas.gov.au/about-us/your-rights/information-publication-scheme/ips-agency-plan">https://www.nicnas.gov.au/about-us/your-rights/information-publication-scheme/ips-agency-plan</a>)</li> <li>• Our compliance style (<a href="https://www.nicnas.gov.au/about-us/compliance-strategy">https://www.nicnas.gov.au/about-us/compliance-strategy</a>)</li> <li>• IMAP framework, including guidance, scientific papers and assessment reports (<a href="https://www.nicnas.gov.au/chemical-information/imap-assessments/what-is-imap">https://www.nicnas.gov.au/chemical-information/imap-assessments/what-is-imap</a>)</li> <li>• The Regulator Performance Framework including measures and self-assessment reports (<a href="https://www.nicnas.gov.au/about-us/how-we-work/regulatory-performance-framework-rpf">https://www.nicnas.gov.au/about-us/how-we-work/regulatory-performance-framework-rpf</a>)</li> <li>• Reform consultation papers (<a href="https://www.nicnas.gov.au/reforms">https://www.nicnas.gov.au/reforms</a>)</li> <li>• Guidance on the website on meeting legal obligations when importing or manufacturing industrial chemicals including: <ul style="list-style-type: none"> <li>○ Registration with NICNAS if you import and/or manufacture relevant industrial chemicals for commercial purposes (<a href="https://www.nicnas.gov.au/register-your-business">https://www.nicnas.gov.au/register-your-business</a>)</li> <li>○ Restrictions and conditions of use from chemicals on the Inventory including secondary notifications (<a href="https://www.nicnas.gov.au/chemical-inventory-AICS/restrictions-and-conditions-on-aics">https://www.nicnas.gov.au/chemical-inventory-AICS/restrictions-and-conditions-on-aics</a>)</li> </ul> </li> <li>• Restrictions for the import or manufacture of an industrial chemical that is not listed on the Inventory, or is listed but subject to a condition of use (<a href="https://www.nicnas.gov.au/notify-your-chemical">https://www.nicnas.gov.au/notify-your-chemical</a>)</li> </ul>
<b>Self-assessed rating:</b>	<b>Met</b>

<b>KPI 6 - Regulators actively contribute to the continuous improvement of regulatory frameworks</b>	
<b>Measures/Metrics</b>	<b>Evidence (Performance in 2017-18)</b>
6.1 Cooperative and collaborative relationships with regulated entities established to improve the efficiency and effectiveness of the regulatory framework and to develop mechanisms to reduce the regulatory burden and compliance costs where appropriate to do so	<p>Feedback from regulated entities on OCS's consultative processes was obtained through:</p> <ul style="list-style-type: none"> <li>• The NICNAS Strategic Consultative Committee (three meetings in 2017-18)</li> <li>• Stakeholder briefings with regulated entities on the draft legislation and associated guidelines including: <ul style="list-style-type: none"> <li>○ 9 multilateral briefings to 4 industry associations representing regulated entities and their members</li> <li>○ 10 bilateral briefings to regulated entities.</li> </ul> </li> </ul> <p>Business improvements through the NICNAS Business Service Portal has digitised administrative processes making online services accessible, simple and more efficient for regulated entities, reducing their paper processes and time.</p> <p>Refer to KPI 1 above for further details on OCS relationships with regulated entities that improve the efficiency and effectiveness of the regulatory framework and reduce the regulatory burden and compliance costs.</p>
6.2 Participate in regulators' forums	<p>For the 2018 calendar year, OCS staff are members and the Vice-Chair of the Regulatory Science Network, and participated in:</p> <ul style="list-style-type: none"> <li>• Four video conferences of the Regulators' Forum subgroup 'Regulatory Science Network' meeting</li> <li>• The annual Regulatory Science Network symposium and presented on 'International harmonisation – Perspectives on Assessing Industrial Chemicals'</li> <li>• Provided input into the capacity building for alternative test/assessment methodologies including quantitative structure-activity relationship (QSAR) models.</li> </ul>
6.3 Effective liaison with relevant policy agencies	<p>The IT NICNAS Reforms Steering Committee established with membership drawn from senior officers from the Department of Health Information Technology Division (ITD) and OCS met 8 times in 2017-18.</p> <p>OCS engages regularly with the Regulatory Policy Branch within the Department of Health, which has policy responsibility for industrial chemicals.</p>
6.4 Effective engagement with risk management agencies	<p>Continued interaction with risk management agencies in 2017-18 included:</p> <ul style="list-style-type: none"> <li>• Safe Work Australia: <ul style="list-style-type: none"> <li>○ 774 risk management recommendations</li> </ul> </li> <li>• Poisons Standard: <ul style="list-style-type: none"> <li>○ 24 industrial chemicals recommended for poisons scheduling (public health controls)</li> </ul> </li> <li>• Australian Competition and Consumer Commission: <ul style="list-style-type: none"> <li>○ One instance of non-compliance with the ICNA Act referred to ACCC based on product safety concerns and one interagency meeting regarding product safety obligations</li> </ul> </li> </ul>

<b>KPI 6 - Regulators actively contribute to the continuous improvement of regulatory frameworks</b>	
<b>Measures/Metrics</b>	<b>Evidence (Performance in 2017-18)</b>
	<ul style="list-style-type: none"> <li>• One interagency meeting between OCS, TGA and ACCC regarding cosmetic compliance and regulatory interface issues</li> <li>• One interagency meeting between OCS and the Asbestos Safety and Eradication Agency (ASEA) regarding permit/authorisation processes.</li> </ul>
<b>Self-assessed rating:</b>	<b>Met</b>



## Opportunities for Improvement

The NICNAS RPF self-assessment report assists OCS to identify opportunities for performance improvement for the future. These areas include:

- Continuing to improve the provision of clear and targeted regulatory information through effective consultations, education programs, online guidance material, e-newsletters and responses to inquiries
- Improving user functionality on the NICNAS website
- Improving online services through further development of the IT Business Services System
- Continuing to improve mechanisms for questions, information requests, feedback and complaints
- Delivering a chemical assessment framework which provides a more flexible and risk-proportionate approach (depending on passage of the Bill through Parliament)
- Ongoing interaction with risk management entities and government bodies
- Continued participation in international harmonisation activities

Further information on the ICNA Act and NICNAS can be found on the NICNAS website:

<https://www.nicnas.gov.au>