



Representing *the best* of the plant science industry

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24 July 2015

Ms Jeanette Radcliffe
Committee Secretary
Senate Standing Committees on Community Affairs
PO Box 6100
Parliament House
CANBERRA ACT 2600

By email: community.affairs.sen@aph.gov.au

Dear Ms Radcliffe

**RE: SENATE COMMUNITY AFFAIRS LEGISLATION COMMITTEE INQUIRY AND REPORT ON THE
GENE TECHNOLOGY AMENDMENT BILL 2015**

CropLife Australia (CropLife) is the peak industry organisation representing the agricultural chemical and biotechnology (plant science) sector in Australia. CropLife represents the innovators, developers, manufacturers and formulators of chemical crop protection products and agricultural biotechnologies. CropLife represents all of the licence holders for the commercial release of genetically modified (GM) crops in Australia.

The underlying purpose of the Gene Technology Amendment Bill 2015 (the Bill) is to improve the operation of the *Gene Technology Act 2000* (the Act) without changing the policy intent or overall legislative framework of the gene technology regulatory scheme.

To this end, CropLife **fully supports** the minor and technical amendments to the Act proposed by the Bill to make gene technology regulation in Australia more efficient, more effective and clearer.

CropLife notes that the recommendations to be implemented in this Bill arose from the 2011 Review of the Act, and it is concerning that it has taken four years to implement what amounts to relatively minor administrative changes, although we note that they were matters that were a priority from an operational perspective. That stated, the 2011 Review of the Act also recommended several more strategic and important changes to the national gene technology regulatory scheme and CropLife is hopeful the Department of Health is on track to deliver these significant improvements to the operation of the Act prior to the next Review, which is anticipated in 2016.

CropLife notes that the Committee has been asked to consider the sections in the Bill dealing with:

- i. Part 5 – Restrictions on licence variations; and
- ii. Part 6 – Technical Amendments in relation to Notifiable Low Risk Dealings (NLRDs)

Part 5 – Restrictions on licence variations

CropLife supports the proposed amendments to the extent they represent the operational *status quo*¹ and believes they in no way extend licences beyond the scope of the original Risk Assessment and Risk Management Plan (RARMP). The amendments merely allow the regulator to take into account RARMPs prepared for licence applications (for which licences have been issued) other than the licence to be varied.

CropLife understands that the Bill still requires a risk assessment to have been undertaken before a variation to a licence can be approved.

¹ The *Gene Technology Act 2000* currently has no legislative provision that prevents the Regulator from using non-CCI data submitted by Applicant A to support an application by Applicant B. (CCI = Confidential Commercial Information).



Part 6 – Technical Amendments in relation to Notifiable Low Risk Dealings (NLRDs)

CropLife supports the proposed amendments and understands that by definition NLRDs must not involve the intentional release of a GMO into the environment (s74(2) of the Act). The amendments proposed in the Bill require the regulator to consider any risks to the health and safety of people and the environment and, if there is any risk identified, whether the generic NLRD requirements prescribed under subsection 75(2) of the Act would be sufficient to manage that risk.

Please do not hesitate to contact CropLife's Policy Manager for Crop Biotechnology, Mr Osman Mewett (02 6230 6399; [REDACTED]) should you require any additional information to enable you to give due consideration to this matter.

Yours sincerely,

Matthew Cossey
Chief Executive Officer