

Legal Basis for technical reviews of Schedules 1 and 1A of the Gene Technology Regulations 2000

Intergovernmental Gene Technology Agreement

Recitals

The Commonwealth and the States and Territories, recognising that there are existing legislative schemes that regulate some products of gene technology, have agreed that:

- B. the Scheme should:
 - d. be based on a scientific assessment of risks undertaken by an independent regulator, whose decisions must be consistent with policy principles issued by a Council of Ministers concerning social, cultural, ethical and other non-scientific matters (which principles must not derogate from the health and safety of people or the environment);
 - e. ensure that the regulatory burden is commensurate with the risks and consistent with achieving the objectives referred to in Recital A;
 - g. be able to be amended to respond to the development of gene technologies and their uses; and

23. The functions of the Council [the Legislative and Governance Forum on Gene Technology, formerly the Ministerial Council on Gene Technology] are to:

- b) approve proposed regulations [...] for the purpose of the Scheme;
- g) consider and, if thought fit, agree on proposed changes to the Scheme;

Gene Technology Act 2000

Section 27 Functions of the Regulator

The Regulator has the following functions:

- (g) to provide advice to the Ministerial Council about:
 - (ii) the effectiveness of the legislative framework for the regulation of GMOs, including in relation to possible amendments of relevant legislation