

## **ATTACHMENT 1**

### **OVERARCHING PRINCIPLES OF THE NICNAS REGULATORY STRATEGY**

**(As agreed by the NICNAS Nanotechnology Advisory Group May 2009)**

Managing the risks posed by new technologies (including nanotechnology) to health and safety of people and the environment can be achieved by:

- a. Reviewing the ability of the existing regulatory framework to deliver an efficient and effective response to the new technology. Where appropriate;
  - i. Using the existing regulatory framework and implementing regulatory or procedural changes to maintain or enhance human health and environmental standards;
  - ii. Considering whether a specific regulatory system may be required where a new technology poses unique challenges that cannot be regulated effectively under the existing regulatory framework;
  - iii. Review undertaken using inclusive and transparent processes.
- b. Making use of the best scientific evidence available for risk based assessment of the impacts of the new technology on human health and the environment, including the ability to review decisions as new scientific evidence becomes available;
- c. Where best available scientific evidence is insufficient to support the safety of the product/chemical, measures to protect public health and safety and the environment can be adopted.

In reviewing the ability of existing frameworks in relation to (a) above, it is prudent to ensure that:

- Any risk from use of the nano-form of a chemical is no greater than that posed by the conventional form of the chemical or it is at or below the level of acceptable risk ie. humans and the environment are not exposed to unknown/unacceptable risks;
- Risk (including uncertainty) is addressed pre-market; and
- Industry innovation is supported through an appropriate level of regulatory oversight.

In relation to assessment of chemicals manufactured using new technologies:

- Risk assessment should be undertaken on a case-by-case basis; and
- Consistent with government policy on cost recovery arrangements for NICNAS, the cost of any assessment should be met by the beneficiary of the assessment.