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Australian Government
Department of Health and Ageing
NICNAS



NICNAS
Registration

Regulating chemicals for your protection.

Registration hotline

1800 638 528

NICNAS Regulating chemicals for your protection.

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What is registration?

How does it affect you?

Why is it important?



What is NICNAS?

The National Industrial Chemicals Notification and Assessment Scheme (NICNAS) is the Australian Government's regulatory body for industrial chemicals. It was established in 1990 under the *Industrial Chemicals (Notification and Assessment) Act 1989* (the Act) to aid in the protection of people at work, the public and the environment from the harmful effects of industrial chemicals.

NICNAS aims to ensure the safe use of industrial chemicals by making risk assessment and safety information on chemicals and their potential worker, public health and environmental risks widely available.

NICNAS assesses industrial chemicals that are new to Australia for their health and environmental effects before they are used and/or released to the environment. NICNAS also assesses those chemicals that are already in use in Australia on a priority basis.

NICNAS Registration

All importers and/or manufacturers of industrial chemicals for commercial purposes are required to register with NICNAS.

The registration year runs from 1 September to 31 August in the following year.

NICNAS Registration is not linked to the toxicity or hazardous nature of your chemicals. It is not the registration of chemicals or products, rather it is the registration of you and your business, to enable you to lawfully import or manufacture relevant industrial chemicals.

Registration involves payment of an annual registration fee along with a registration charge, which varies according to the value of the chemicals you import and/or manufacture. See the *NICNAS Fees and Charges flyer* or go to www.nicnas.gov.au/Industry/Registration.asp for current costs.



The benefits of NICNAS Registration

The aim of NICNAS Registration is to deliver NICNAS's goal of 'safe and sustainable use of industrial chemicals' through effective partnership between the regulator (NICNAS) and the industry. By registering all importers and manufacturers* in the chemical industry, NICNAS is able to assist and serve industry more efficiently.

Through NICNAS Registration, industry knowledge of NICNAS industrial chemicals regulation in Australia is improved, and this – in turn – enhances community confidence in the chemical industry. Registration helps ensure that information and education on the safe use of industrial chemicals becomes more widely available.

A Register of Industrial Chemical Introducers is maintained by NICNAS. Through registration NICNAS is able to build up a comprehensive client base, which allows us to keep you – our industry clients – fully informed of your obligations under the Act. By engaging with you, we can better target our education and compliance activities to meet the needs of your industry sector.

Once you are registered, you can be certain that you will be kept in the information loop concerning chemical safety. We will – on request – put you on our email alert for the internet publication of the Chemical Gazette, our formal publication for advising you of important matters, regulatory issues and requirements about industrial chemicals. We will also provide you with frequent updates through our newsletter, NICNAS matters.

Registration fees are used to fund compliance activities as well as education and training especially targeting small and medium sized enterprises.

* *Manufacturers* produce a different chemical whereas *formulators* blend or mix to make a product.

What is an 'industrial chemical'?

Under the Act, 'industrial chemicals' encompasses many things: solvents, adhesives, plastics, inks, laboratory chemicals, chemicals used in mineral and petroleum processing, refrigeration, printing and photocopying, paints and coatings, household cleaning products, cosmetics and toiletries, just to name a few.

The Act specifically excludes 'articles' (such as plastic chairs, glow sticks and photographic film) and radioactive chemicals. Chemicals that are used solely as medicines, pesticides, veterinary chemicals, food or food additives are also outside the scope of NICNAS.

The decision tree on pages 5 and 6 may help you decide whether you are required to register with NICNAS as an introducer of industrial chemicals.

For further information please refer to the NICNAS Fact Sheet *Which Industrial Chemicals are within the scope of NICNAS Registration?* at:

www.nicnas.gov.au/Industry/Registration/Fact_Sheets.asp



Registration fee and charges

There are three levels of registration. **Your registration tier level, and hence registration cost, is based on the total value of industrial chemicals imported and/or manufactured each year.**

Details of the current Annual Registration Fee – and of Tier 2 and Tier 3 Annual Registration Charges – are detailed on the NICNAS Fees and Charges flyer, published each year and at: www.nicnas.gov.au/Industry/Registration.asp.

How do I calculate the total value of the chemicals I introduce?

To determine which tier you should register at, the total value of the industrial chemicals you import and/or manufacture must first be estimated. NICNAS Registration is not intended to add unduly to your accounting or record keeping requirements. You can base your registration level on reasonably justifiable estimates.

It may be helpful to use relevant commercial documents such as commercial invoices, order/confirmation bill of lading/airway bill, insurance certificates or receipts for purchase of goods.

To make this estimation, there are four options:

Does this affect me?

Option A – You import only:

Annual value of all industrial chemicals = *Customs value + Insurance + Freight + Customs Duty*
(in AUS dollars)

Option B – You manufacture only

(and buy ingredients from local suppliers):

The total value of industrial chemicals manufactured is the cost of labour and materials (including all ingredients) involved in the manufacture plus the factory overhead expenses.

Option C – You import AND manufacture, but your imports are not used in your manufactures:

You would apply Option A to your imports, Option B to your manufactures and add the two values together.

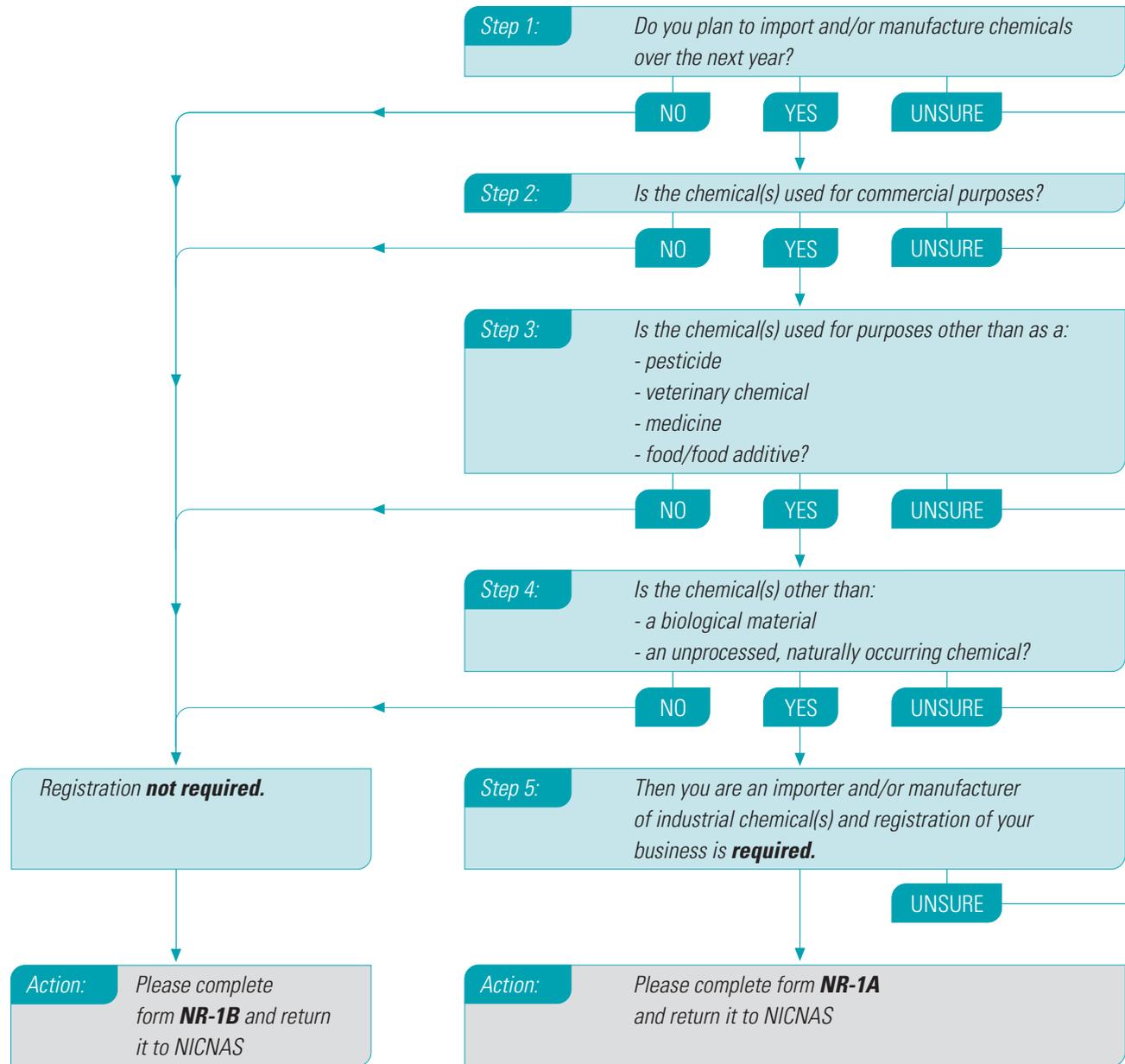
Option D – You import AND manufacture, but some or all of your imports are used in your manufactures:

In this case, the total value is estimated in the same way as in Option B. However, make sure that the value of the imported chemicals (that is used to manufacture another chemical/s) is only counted once when calculating your total value of introductions.



How to decide if you should register with NICNAS

To help you make this decision, please follow the decision tree below.



Need help:

Step 1

'Chemicals' is a very broad term: it includes chemicals in cosmetics, shampoo, pens/biros, solvents, adhesives, plastics, paints and printing ink. It does not include articles (such as plastic chairs, glow sticks and paper) nor radioactive materials. The chemical can be an element, compound or ingredient in a mixture.

Step 2

Examples of 'commercial purpose' include on-selling or use in your business. Non-commercial purpose includes personal use, teaching purposes, non-profit research and charity.

Step 3

NICNAS regulates 'industrial chemicals', therefore if you import/manufacture chemicals that are solely for use as a pesticide, veterinary chemical, medicine, food/food additive (which are not 'industrial' chemicals) then registration of your business is not required.

Step 4

Naturally occurring chemicals or biological materials (eg. blood) are exempt from NICNAS Registration. A naturally occurring chemical is very narrowly defined under the Act. Substances of natural origins are not necessarily considered 'naturally occurring'.

Step 5

Decide which Tier to register under (see page 9 for information on how to calculate the value of your chemicals and which tier you fall under).

Does this affect me?

Still unsure/need more help?

Call the NICNAS Registration hotline on:

1800 638 528

(Open 9.00am-5.00pm Monday-Friday)



Please note that cosmetics are regulated by NICNAS.

All cosmetics are industrial chemicals, except if they are solely used for therapeutic purposes and are regulated by the Therapeutic Goods Administration (TGA).

Examples of 'industrial chemicals' defined by their end use:

- Glue for wood binding – considered to be an industrial chemical
- Any chemical used for pest control – not considered to be an industrial chemical as it is a pesticide
- Any chemical to be used both as a paint solvent and as a pool chemical used to kill algae – the proportion imported for use in paint is considered to be an industrial chemical and thus registration of your business is required.

Under the Act, the term 'naturally occurring' applies only to chemicals derived from natural origins by mechanical processes (eg. dissolution in water, cold-pressing, filtration, etc). If a chemical process (eg. fractional precipitation) were involved, the substance derived no longer qualifies as naturally occurring.

What happens if I do not register?

If you do not have a NICNAS Registration, yet you import and/or manufacture industrial chemicals for commercial purposes, then you are in breach of the Act. The Act allows NICNAS to stop you from introducing any industrial chemicals until you have met the requirements of the Act. Penalties apply.

NICNAS believes in achieving compliance through information dissemination and working cooperatively with industry. You are welcome to call our free call hotline **1800 638 528** to discuss any aspects of NICNAS Registration.

We are committed to maintaining the integrity of the program, and to ensuring the interests of members of industry who comply with NICNAS Registration requirements are protected against those who do not. You may be subject to audits from time to time, and may be required to justify the basis for determining the total value of industrial chemicals imported and/or manufactured.

Remember

Introducing industrial chemicals is a serious business and people's health and the environment can be affected by industrial chemicals in a number of ways.

Manufacturers have legal obligations to employees and others who may be exposed to chemicals.



NICNAS products and services

Australian Inventory of Chemical Substances (AICS)

AICS is a key tool which lists the chemicals that are available for use in Australia. Some may only be available for specified/conditional use. It is important that you know of any conditions or restrictions that may apply to chemicals you import and/or manufacture or plan to export.

For further details or to search the AICS, see our website: www.nicnas.gov.au/Industry/AICS.asp

Chemical assessments

New Chemicals

All new industrial chemicals must be notified to NICNAS and assessed prior to their import or manufacture in Australia, unless they are exempt under the Act. For more information on notification see:

www.nicnas.gov.au/Industry/New_Chemicals.asp

Existing Chemicals

Existing chemical assessment activities play an important role in reducing risks from chemicals currently in use. For access to a variety of key existing chemicals information products see:

www.nicnas.gov.au/Industry/Existing_Chemicals.asp

Client education and awareness

To assist you in meeting your responsibilities under the Act and to provide information on chemicals to the public, we provide a range of support and client education services. For details of our fact sheets and other publications see:

www.nicnas.gov.au/Publications.asp

We welcome and encourage you to meet with staff to discuss any aspects of notification processes, assessment, compliance, reporting or other matters. We conduct workshops and seminars each year for specific industries to assist compliance with their responsibilities under the Scheme.

