MEETING OF THE STATES PARTIES TO THE
CONVENTION ON THE PROHIBITION OF
THE DEVELOPMENT, PRODUCTION AND
STOCKPILING OF BACTERIOLOGICAL
(BIOLOGICAL) AND TOXIN WEAPONS AND
ON THEIR DESTRUCTION

First Meeting
Geneva, 10 – 14 November 2003

Meeting of Experts
Geneva, 18 – 29 August 2003
Items 5 and 6 of the agenda

MEETING BWC OBLIGATIONS:
AUSTRALIAN EXPERIENCES WITH A NATIONAL MODEL FOR REGULATING
LABORATORY WORK WITH GENETICALLY MODIFIED ORGANISMS

Prepared by Australia

Background

1. Australia’s system of regulating genetically modified organisms (GMOs) has evolved since 1975 from a professional organisation preparing guidelines for researchers to the current legislative system with associated enforcement and penal provisions.

The Activity/Solution

2. The Australian Academy of Science established a Committee on Recombinant DNA (ASCORD), which drew up guidelines for the use of the new scientific techniques being developed around the world. The committee comprised respected Australian scientists with relevant expertise.

3. In 1981, the Australian Government established the Recombinant DNA Monitoring Committee under the Science portfolio. This committee continued the work of the earlier committee and compliance with its recommendations and guidelines was voluntary.

4. From 1987, the development and use of gene technology in Australia was overseen by the Genetic Manipulation Advisory Committee (GMAC). GMAC was an independent, Government-appointed committee of scientific experts who assessed risks to human health and the environment that may have been presented by the application of the technology and provided advice on how the risks could be managed. Seeking and complying with GMAC’s advice was voluntary, unless the Government funded the research, in which case seeking GMAC’s advice was compulsory.

5. In 2001, the Australian Government, in cooperation with all the State and Territory Governments established a Gene Technology Regulator (‘the Regulator’) to implement national legislation to regulate dealings with GMOs. The Regulator administers the Gene Technology Act 2000 and associated Regulations which have the objective of protecting the health and safety of
people and the environment by identifying risks posed by or as a result of gene technology and by managing those risks through regulating certain dealings with GMOs. The legislation makes it illegal to deal with GMOs without approval, requires compliance with any such approval and has monitoring powers to determine compliance. The legislation also established offences for breaches of the law which can be punished by fines or imprisonment.

The Outcomes

6. The Regulation of GMOs in Australia has moved over time from:

- a professional association providing advice on a voluntary basis; to
- a government-established committee providing advice, with some sanctions available but for which participation and compliance was voluntary; to
- legislation which requires compliance and has both monitoring and enforcement powers.

7. The development and implementation of Australian Gene Technology legislation has provided valuable experience for Australia for any consideration associated with introducing enhanced Biological Weapons Convention (BWC) related measures nationally.