

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

Supplementary Budget Estimates 2016 - 2017, 19 October 2016

Ref No: SQ16-000587

OUTCOME: 5 - Regulation, Safety and Protection

Topic: Bio-hacking

Type of Question: Written Question on Notice

Senator: Rice, Janet

Question:

- a) Is the OGTR monitoring the DIY biohacking movement in which people without appropriate education or training, certified containment facilities, and expert supervision are manipulating the genes of living organisms?
 - i. If yes, please provide details of what steps are being taken to track, monitor, and in necessary control the proliferation of DIY biohacking labs?
- b) Does biohacking contravene the Gene Technology Act 2001?
- c) Is it legal to import and use the biohacking kits now available for sale on the internet?

Answer:

- a). The OGTR is continuing to work closely with members of the public involved in the ‘DIY Biohacking movement’, through regular communication and occasional visits with members of the ‘Biohacking community’.
 - i. The OGTR is not in a position to disclose any of the law enforcement methods and procedures used that could reasonably be expected to, disclose lawful methods or procedures for preventing, detecting, investigating, or dealing with matters arising out of breaches or evasions of the law, the disclosure of which would, or would be reasonably likely to, prejudice the effectiveness of those methods or procedures.
- b). ‘Biohacking’ does not in itself breach the *Gene Technology Act 2000* (the Act). If the OGTR became aware of any alleged breach of the Act, it would be investigated to the full extent.

All work with GMOs in Australia is illegal unless covered by an authorisation under the Act.

- c). It is not illegal in Australia to import or use biohacking kits. If the OGTR becomes aware of any dealings being conducted using the biohacking kits that allegedly breach the Act, the allegations will be investigated to the full extent.