

LT in Focus

Draft Law on Chemical Safety

[Draft Federal Law](#) on Chemical Safety has been finalised. The draft was based on the earlier adopted Fundamental Statutory Principles of the Chemical and Biological Safety for the Period From 2025 and Further. If adopted, the Federal Law will enter into force on 1 January 2018, except for some provisions that will apply since 2019 and 2020.

[Background and factors in favour of draft law approval](#)

[Risk prevention and mitigation measures envisaged by the draft](#)

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Background and factors in favour of draft law approval

- The lack of unified regulatory and legal frameworks for the chemical sector.
- No effective mechanism in place to protect the people and environment from chemical and biological hazards.
- The large-scale use of new chemicals whose health and environmental effects are largely unknown.
- The use of outdated technology and worn-out equipment in the chemical industry, failing to ensure the adequate chemical safety and resulting in incidents and emergencies.
- The risk of terrorist attacks on chemical facilities or use of hazardous chemicals by terrorists.

Risk prevention and mitigation measures envisaged by draft law

- To set up, as part of the Russian chemical safety information system, the regional databases detailing the chemical facilities' safety status, and the regional maps showing toxic waste sites in the Russian regions.
- To introduce the economic incentives to foster compliance with the chemical safety requirements, such as risk insurance, tax incentives, and a stricter administrative liability for excess emissions.
- To provide benefits, subsidies and loans to the businesses that:
 - offer chemical safety services;
 - implement low-waste and/or energy-saving technologies.
- To replace the worn-out equipment and outdated technologies.
- To develop a classification of the potentially hazardous sites and polluted territories.
- To monitor the chemical risk factors to develop an action plan to neutralise the chemical hazards and better protect people and environment from them.



Yulia Orlova
Partner, Tax & Legal
Chemicals

"The core objective of the document is to ensure the chemical safety in the Russian Federation and the adjacent states. To implement the law, it will take creating the conditions when the harm from the adverse side-effects of chemical operations on people's health and environment is minimised."



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"Internationally, attempts have been made to implement the registration and control measures to ensure the safe treatment of chemicals. Thus, the EU developed the REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) regulation. It has not, however, been implemented in a way its sponsors hoped it would.

One of the reasons for that was the EU industry's reluctance to provide the required data and the inability of the controlling authorities to enforce the regulation.

The authors of the Russian draft law learned their lesson from the failure of REACH and introduced a more comprehensive approach. It provides for a global classification of hazardous chemicals, setting up a register of hazardous chemical facilities, launching the economic incentives, modernisation of controls, technology upgrade, and chemical hazards monitoring".

What new law has in stock for chemical companies

- The hazardous production facilities will have to reexamine their operations and switch to safer raw materials to remain competitive, protect their reputation and migrate to the innovative technology.
- The regulatory restrictions will compel the chemical producers to replace some hazardous substances with their safer analogues, reconsider their product offering, change their raw materials base and target new suppliers and customers.
- To be eligible for the tax incentives and other support from the government, the businesses will have to ensure compliance with the statutory criteria.
- The chemical companies must be prepared to bear the extra costs, replacing the outdated equipment and technologies that fail to meet the new chemical safety standards.
- To improve the chemical safety awareness in the workplace, the chemical producers may be obliged to ensure the required level of competencies of their employees.
- A failure to comply with the chemical safety regulations may entail disciplinary, civil, administrative, or criminal liability.

We hope that you found this newsletter interesting and informative. Please feel welcome to contact us for more information on the topics covered.

Best regards,

Deloitte CIS Partners

Contacts

Tax & Legal



Yulia Orlova
Partner
Chemicals
yorlova@deloitte.ru



Varvara Karpova
Senior Consultant
Chemicals
vakarpova@deloitte.ru

TaxSmart App



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