



Hazardous Substances and New Organisms (Organisms Not Genetically Modified) Amendment Regulations 2016

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 29th day of August 2016

Present:

The Right Hon John Key presiding in Council

These regulations are made under section 140(1)(b) of the Hazardous Substances and New Organisms Act 1996—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for the Environment made after meeting the requirements in section 141 of that Act.

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Regulations

1 Title

These regulations are the Hazardous Substances and New Organisms (Organisms Not Genetically Modified) Amendment Regulations 2016.

2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

3 Principal regulations

These regulations amend the Hazardous Substances and New Organisms (Organisms Not Genetically Modified) Regulations 1998 (the **principal regulations**).

4 Regulation 3 amended (Organisms not genetically modified)

(1) In regulation 3(1)(b), delete “or chemical or radiation treatments that cause changes in chromosome number or cause chromosome rearrangements”.

(2) After regulation 3(1)(b), insert:

(ba) organisms that result from mutagenesis that uses chemical or radiation treatments that were in use on or before 29 July 1998:

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations come into force 28 days after the date of their notification in the *Gazette*. They amend the Hazardous Substances and New Organisms (Organisms Not Genetically Modified) Regulations 1998 (the **principal regulations**). The effect of the amendment is that organisms are not genetically modified organisms for the purposes of the Hazardous Substances and New Organisms Act 1996 if they result from mutagenesis that uses chemical or radiation treatments and those treatments were in use on or before 29 July 1998 (which is the date on which the principal regulations came into force). This aims to clarify which treatments result in genetically modified organisms. There is a consequential change to remove the reference to those treatments from regulation 3(1)(b).

Regulatory impact statement

The Ministry for the Environment produced regulatory impact statements on 30 October 2015 and in February 2016 to help inform the decisions taken by the Government relating to the contents of this instrument.

Copies of these regulatory impact statements can be found at—

- https://www.mfe.govt.nz/sites/default/files/media/Hazards/ris-for-options-re-viewing-hsno-regulations_0.pdf

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Explanatory note

- <http://www.treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 1 September 2016.

These regulations are administered by the Ministry for the Environment.