



Hazardous Substances and New Organisms (New Organisms Forms and Information Requirements) Amendment Regulations 2010

Anand Satyanand, Governor-General

Order in Council

At Wellington this 20th day of September 2010

Present:

His Excellency the Governor-General in Council

Pursuant to section 140(1)(m) of the Hazardous Substances and New Organisms Act 1996, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

Contents

		Page
1	Title	2
2	Commencement	2
3	Principal regulations amended	2
4	Applications generally	2
5	Revocations	2
6	Assessment of risks, costs, and benefits	2
7	Revocation	3
8	Schedule amended	3

**Hazardous Substances and New
Organisms (New Organisms Forms and
Information Requirements) Amendment
Regulations 2010**

r 1

2010/326

9	Hazardous Substances (Forms and Information) Regulations 2001 consequentially amended	3
8	Compliance orders	3

Regulations

1 Title

These regulations are the Hazardous Substances and New Organisms (New Organisms Forms and Information Requirements) Amendment Regulations 2010.

2 Commencement

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

3 Principal regulations amended

These regulations amend the Hazardous Substances and New Organisms (New Organisms Forms and Information Requirements) Regulations 1998.

4 Applications generally

Regulation 3(1) is amended by omitting “form set out in the Schedule” and substituting “approved form (as defined in section 2(1) of the Act)”.

5 Revocations

Regulations 4 to 8 are revoked.

6 Assessment of risks, costs, and benefits

(1) Regulation 9(1) is amended by omitting “The identification and assessment of risk required in” and substituting “For the purpose of enabling risk to be identified and assessed,”.

(2) Regulation 9(2) is amended by omitting “The identification and assessment of costs and benefits required in” and substituting “For the purpose of enabling costs and benefits to be identified and assessed,”.

7 Revocation

Regulation 11 is revoked.

8 Schedule amended

- (1) The Schedule is amended by revoking forms 1 to 6.
- (2) Form 7 of the Schedule is amended by revoking paragraph 3 and substituting the following paragraph:
“3 The period within which the action must be taken *or* cease is [*specify period*].”
- (3) Paragraph 4 of form 7 of the Schedule is amended by omitting “, not later than [*specify last day for lodging of notice of appeal*]”.

**9 Hazardous Substances (Forms and Information)
Regulations 2001 consequentially amended**

- (1) This regulation amends the Hazardous Substances (Forms and Information) Regulations 2001.
- (2) Regulation 8 is revoked and the following regulation substituted:

“8 Compliance orders

- “(1) A compliance order under section 106 of the Act relating to hazardous substances must be in form 7 of the Schedule of the Hazardous Substances and New Organisms (New Organisms Forms and Information Requirements) Regulations 1998.
- “(2) This regulation is for the avoidance of doubt.”

Rebecca Kitteridge,
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, which come into force on the 28th day after the date of their notification in the *Gazette*, amend the Hazardous Sub-

**Hazardous Substances and New
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Explanatory note

2010/326

stances and New Organisms (New Organisms Forms and Information Requirements) Regulations 1998.

These regulations revoke forms prescribed by the principal regulations that will be replaced by forms approved by the Environmental Risk Management Authority, revoke the associated regulations, and update the form prescribed for a compliance order.

The revoked forms are—

- form 1 (application for approval to import for release or release from containment new organism):
- form 2 (application for approval to import new organism into containment):
- form 3 (application for approval to develop in containment genetically modified organism):
- form 4 (application for approval to field test (including large-scale fermentation) in containment new organism):
- form 5 (application for approval to import or release from containment new organism in emergency):
- form 6 (witness summons to Environmental Management Authority hearing).

Form 7 (compliance order) is updated to reflect amendments made to section 106 of the Hazardous Substances and New Organisms Act 1996 in 2003.

A consequential amendment is made to the Hazardous Substances (Forms and Information) Regulations 2001 to remove a reference to form 6, which is being replaced by an approved form.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 23 September 2010.

These regulations are administered by the Ministry for the Environment.
