



Hazardous Substances and New Organisms (Genetically Modified Organisms—Information Requirements for Segregation and Tracing) Regulations 2008

Anand Satyanand, Governor-General

Order in Council

At Wellington this 6th day of October 2008

Present:

His Excellency the Governor-General in Council

Pursuant to section 140(1)(l) 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	Interpretation	2
4	Information on segregation and tracing required with application for conditional release	2

Regulations

1 Title

These regulations are the Hazardous Substances and New Organisms (Genetically Modified Organisms—Information Requirements for Segregation and Tracing) Regulations 2008.

2 Commencement

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

3 Interpretation

In these regulations, unless the context otherwise requires,—
Act means the Hazardous Substances and New Organisms Act 1996

code of practice means a code of practice approved under an Act or an industry code of practice

standard means a standard approved under an Act.

4 Information on segregation and tracing required with application for conditional release

- (1) An application for a conditional release approval for a genetically modified organism under section 38A of the Act must include information about—
 - (a) specific measures, if any, the applicant intends to take to—
 - (i) keep the genetically modified organism separate from other organisms, whether the other organisms are genetically modified or not; and
 - (ii) enable the genetically modified organism to be traced after it is released with controls; and
 - (b) the level of effectiveness the applicant expects the measures to achieve.
- (2) The information required by subclause (1) includes information about any code of practice or standard relating to the segregation or tracing of organisms, including genetically modified organisms, that applies to the applicant's intended use of the genetically modified organism.

- (3) If the applicant does not intend to take measures referred to in subclause (1), the application must set out the applicant's reasons for not taking the measures.

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*, require an application for a conditional release approval for a genetically modified organism under section 38A of the Hazardous Substances and New Organisms Act 1996 to include information about any specific measures the applicant intends to take to keep the genetically modified organism separate from other organisms and to trace the genetically modified organism. If the applicant does not intend to take such measures, the application must include his or her reasons for not doing so. The prescribed information may assist the Environmental Risk Management Authority in deciding whether to approve the conditional release of a genetically modified organism with controls relating to the segregation and tracing of genetically modified organisms, such as requiring separation distances between genetically modified and non-genetically modified organisms. If the Authority imposes such controls, they may help the producers of non-genetically modified organisms to satisfy their markets of the non-genetically modified status of their products.

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Organisms (Genetically Modified
Organisms—Information Requirements for
Segregation and Tracing) Regulations 2008**

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These regulations are administered by the Ministry for the Environment.
