

House of Representatives
Supplementary Order Paper

Tuesday, 1 April 2008

Biosecurity and Hazardous Substances and New
Organisms Legislation Amendment Bill

Proposed amendment

Hon Tariana Turia, in Committee, to move the following amendment:

Part 2

Clause 10

To omit subclause (2) (line 34 on page 5 to line 3 on page 6) and substitute the following subclause:

- (2) Section 2(1) is amended by inserting the following definitions in their appropriate alphabetical order:
- “**department** has the same meaning as in section 2 of the State Sector Act 1988
 - “**incidentally imported new organism** means a new organism that is imported in or on goods, but is not —
 - “(a) an essential or constituent part of those goods:
 - “(b) imported in or on goods with the intention of concealing the presence of the new organism:
 - “(c) a genetically modified organism:
 - “(d) an organism which had, prior to the date on which this Act received the Royal assent, been determined, pursuant to a notice in the *Gazette* issued under section 26 of this Act, to be a new organism”.

Explanatory note

This Supplementary Order Paper amends the Biosecurity and Hazardous Substances and New Organisms Legislation Amendment Bill to ensure that the import decisions for any organism which the Environmental Risk Management Au-

thority (ERMA) has gazetted as a new organism under the Hazardous Substances and New Organisms Act 1996 (HSNO Act), will be appropriately determined by ERMA under the HSNO Act.

This is consistent with the Court of Appeal decision in *National Beekeepers' Association of New Zealand v Chief Executive of MAF* which determined that the gazetted new organism *P.alvei* is to first gain approval for import into New Zealand under the Hazardous Substances and New Organisms Act 1996 before bee products from Australia can be imported.
