



PROACTIVE RELEASE COVERSHEET

Minister	Hon Nicola Grigg	Portfolio	Environment
Name of package	Cabinet paper, minutes of decision, and associated briefing relating to the Hazardous Substances and New Organisms (HSNO) Amendment Bill	Date to be published	5 June 2026

List of documents that have been proactively released

Date	Title	Author
31 March 2026	HSNO and ACVM Amendment Bills - Approval for Ministerial Consultation	Ministry for the Environment, Ministry for Primary Industries
23 April 2026	Agricultural and Horticultural Products Regulatory Review – HSNO and ACVM Amendment Bills - Approval for Introduction	Ministry for the Environment, Ministry for Primary Industries
30 April 2026	Cabinet Legislation Committee Minute of Decision	Cabinet Office
4 May 2026	Cabinet Minute of Decision	Cabinet Office

Information redacted **YES**

Any information redacted in this document is redacted in accordance with the Ministry for the Environment's policy on proactive release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Summary of reasons for redaction

Some information withheld under s(9)(2)(h) to maintain legal professional privilege, and information that is out of scope.



JOINT BRIEFING

HSNO and ACVM Amendment Bills: Approval for Ministerial Consultation

Date:	31 March 2026	Priority:	Urgent
Security classification:	In Confidence	Tracking number:	26-BRF-00071

	Action sought	Response by
Hon Penny Simmonds Minister for the Environment	Agree to circulate the draft Cabinet paper and draft HSNO and ACVM Amendment Bills for ministerial consultation, and proposed Select Committee referral	2 April 2026
Hon Andrew Hoggard Minister for Food Safety		
Hon David Seymour Minister for Regulation	Copy for your information	N/A

Action for Minister's Office staff

1. Forward this briefing to Minister for Regulation for information.
2. Circulate draft Cabinet paper, HSNO and ACVM Amendment Bills for ministerial consultation.
3. Forward the feedback received from ministerial consultation to Ministry officials.

Appendices and attachments

1. Appendix 1: Draft Cabinet paper
2. Appendix 2: Draft Hazardous Substances and New Organisms Amendment Bill
3. Appendix 3: Draft Agricultural Compounds and Veterinary Medicines Amendment Bill

Contact for telephone discussion (if required)

Name	Position	Telephone	1st contact
Glenn Wigley	General Manager	027 491 7806	
Sarah Kenward	Manager	027 288 9374	✓
Tim Bennetts	Author		

The following departments/agencies have been consulted

Nil

- Minister's office to complete:
- | | | |
|--|---|------------------------------------|
| <input type="checkbox"/> Noted | <input type="checkbox"/> Approved | <input type="checkbox"/> Declined |
| <input type="checkbox"/> Overtaken by Events | <input type="checkbox"/> Needs change | <input type="checkbox"/> Seen |
| | <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |

Minister's Comments

JOINT BRIEFING

HSNO and ACVM Amendment Bills: Approval for Ministerial Consultation

Date:	31 March 2026	Priority:	Urgent
Security classification:	In Confidence	Tracking number:	26-BRF-00071

Purpose

1. This joint briefing seeks your agreement to start ministerial consultation on the attached draft Cabinet paper, draft Hazardous Substances and New Organisms (HSNO) Amendment Bill and Agricultural Compounds and Veterinary Medicines (ACVM) Amendment Bill. The draft Cabinet paper seeks approval from the Cabinet Legislation Committee (LEG) to introduce both Bills to the House.
2. This briefing also seeks your agreement on the proposed Select Committee for the Bills.

Key points

3. Cabinet agreed in May 2025 to progress amendments to the Hazardous Substances and New Organisms Act 1996 (HSNO Act) and the Agricultural Compounds and Veterinary Medicines Act 1997 (ACVM Act) to implement recommendations from the Ministry for Regulation's Agricultural and Horticultural Products Regulatory Review.
4. Subsequent to advice received from the Office of the Clerk you both have since agreed that these amendments should be progressed through two separate bills (coordinated – to be introduced together) rather than a single omnibus bill. A single Cabinet paper is proposed to support coordinated Cabinet consideration of the two Bills.
5. Cabinet approval is required to introduce both Bills to the House. The draft Cabinet paper has been developed jointly by the Ministry for the Environment and the Ministry for Primary Industries. The draft Cabinet paper reflects minor policy refinements, across both acts, already agreed by Ministers through delegated decisions.
6. Subject to final confirmation from the Parliamentary Counsel Office (PCO) that the Bills are ready for introduction, officials plan to lodge the Cabinet paper for consideration by LEG on 30 April, followed by Cabinet consideration on 4 May. Plans are being made for the Bills to be ready for introduction to the House of Representatives on 11 May 2026 following Cabinet's consideration.
7. Decisions are also required on the select committee referral to support the parliamentary stages.

Recommended action

The Ministry for the Environment and the Ministry for Primary Industries recommend that you:

Ministry for the Environment

Minister for Food Safety

- | | | |
|--|--------------------------------|--------------------------------|
| 1. Note that the draft Cabinet paper reflects a small number of minor policy refinements already agreed by you through delegated decisions | <i>Noted</i> | <i>Noted</i> |
| 2. Approve the attached draft Cabinet paper, and the draft Hazardous Substances and New Organisms Amendment Bill and Agricultural Compounds and Veterinary Medicines Amendment Bill, seeking Cabinet Legislation Committee approval to introduce both Bills | <i>Approved / Not approved</i> | <i>Approved / Not approved</i> |
| 3. Agree to circulate the draft Cabinet paper and draft Bills for ministerial consultation | <i>Agree / Disagree</i> | <i>Agree / Disagree</i> |
| 4. Agree that, following introduction, both Bills be referred to the Primary Production Committee | <i>Agree / Disagree</i> | <i>Agree / Disagree</i> |



Glenn Wigley
General Manager – Waste & HSNO Policy
 Climate Change Mitigation and Resource Efficiency, Ministry for the Environment

30/03/2026

Hon Penny Simmonds
Minister for the Environment

___ / ___ / 2026



Fiona Duncan
Director- Regulatory Systems Policy
 Ministry for Primary Industries

31/03/2026



Hon Andrew Hoggard
Minister for Food Safety

___ / ___ / 2026

Background

1. In May 2025, Cabinet agreed to progress legislative changes to the HSNO Act and ACVM Act to implement recommendations from the Ministry for Regulation's Agricultural and Horticultural Products Regulatory Review [CAB-25-MIN-0171]. The Review identified opportunities to streamline regulatory processes, reduce unnecessary complexity, and improve alignment across regulatory regimes applying to agricultural and horticultural products.
2. Cabinet initially agreed that these changes would be progressed through an omnibus bill. In response to rulings by the Office of the Clerk, you both have since agreed to progress the HSNO and ACVM amendments through two separate bills (coordinated – to be introduced together) [26-BRF-00462] after officials' engagement with the Office of the Clerk on meeting the requirements for introduction as an omnibus bill. While the amendments are being progressed through two separate bills, a single Cabinet paper is proposed to enable coordinated consideration by Cabinet.
3. You both made further delegated policy decisions in June 2025 [BRF-6205] and March 2026 [BRF-7020].
4. Since those decisions were taken, officials have been working closely with the PCO to develop both Bills, which will be ready for lodging on 23 April for LEG on 30 April.

Analysis and advice

5. Final policy decisions were approved by Cabinet in May 2025 and informed the drafting instructions issued to PCO. During drafting, a small number of minor policy refinements relating to the HSNO amendments were identified and have since been agreed by Ministers through delegated decisions [BRF-6205 and BRF-7020]. The PCO has drafted the Bills based on Cabinet decisions and delegated policy decisions. Near-final drafts of both Bills are attached to support ministerial consultation. These refinements are also reflected in the draft Cabinet paper.
6. Targeted stakeholder consultation informed earlier policy development and Cabinet decisions. ^{9(2)(h)} 

The ACVM Amendment Bill was also developed in response to targeted consultation and other improvements in addition to the Review recommendations.
7. The HSNO Amendment Bill and ACVM Amendment Bill work as a package; both are required at the same time to have maximum impact. The HSNO Amendment Bill makes numerous amendments to improve assessments, allowing them into the ACVM process quicker. It makes targeted amendments to improve the workability, efficiency, and clarity of the HSNO regime, while maintaining existing protections for human health and the environment. The improvements provided for in the HSNO Bill are critical to ensuring quicker access to new ACVM products.

8. Cabinet approval is required to introduce the draft HSNO Amendment Bill and ACVM Amendment Bill to the House. The draft Cabinet paper has been developed jointly by the Ministry for the Environment and the Ministry for Primary Industries.
9. Agency consultation on the draft Cabinet paper and draft Bills has commenced concurrently from 30 March. Officials will report back to you on any significant issues arising before the paper is finalised for submission to LEG.

Referral to Select Committee

10. Both Bills are planned to be introduced at the same time and to progress through the House on a similar timetable.
11. Officials advise that both Bills be referred to the Primary Production Committee for the following reasons:
 - While the Bills amend different Acts, they each relate to the regulation of agricultural and horticultural products and inputs.
 - Referring both Bills to the same select committee will make it easier to coordinate their consideration and reduce duplication for submitters and officials.
 - Officials also note the Environment Committee's current workload and consider that referral to the Primary Production Committee will better support timely consideration of the Bills.

Next steps

12. Following your agreement, ministerial consultation on the draft Cabinet paper, draft HSNO Amendment Bill and ACVM Amendment Bill is anticipated from 2 April to 10 April.
13. Officials will incorporate ministerial feedback and provide a tracked-changes version of the draft Cabinet paper to both your offices before lodgement for LEG and Cabinet consideration if there is substantive feedback.

Appendices

Appendix 1: Draft Cabinet paper

Appendix 2: Draft Hazardous Substances and New Organisms Amendment Bill

Appendix 3: Draft Agricultural Compounds and Veterinary Medicines Amendment Bill

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Office of the Minister for the Environment

Office of the Minister for Food Safety

Cabinet Legislation Committee

Agricultural and Horticultural Products Regulatory Review – HSNO and ACVM Amendment Bills: Approval for Introduction

Proposal

- 1 We are seeking Cabinet approval for the introduction of two Bills to implement, and build upon, the recommendations from the Agricultural and Horticultural Products Regulatory Review (the Review). We also seek several decisions on final policy settings to address matters identified during drafting and agency consultation. The Bills amend the:
 - a. Hazardous Substances and New Organisms Act 1996 (HSNO Act); and
 - b. Agricultural Compounds and Veterinary Medicines Act 1997 (ACVM Act).

Relation to government priorities

- 2 Implementing, and building upon, the Review’s recommendations supports the Government’s priorities of ensuring regulatory systems are fit for purpose, reducing regulatory burden, and maximising economic growth and productivity.

Executive Summary

- 3 The Ministry for Regulation (MfR) reviewed the regulatory systems governing access to agricultural and horticultural products. Cabinet endorsed all 16 Review recommendations on 24 February 2025 [CAB-24-MIN-0036].
- 4 On 26 May 2025, Cabinet agreed to amend the HSNO and ACVM Acts to implement the Review’s recommendations and make other targeted improvements to the regulatory systems [ECO-25-MIN-0075 and CAB-25-MIN-0171].
- 5 The Review-related amendments will improve access to agricultural and horticultural products for farmers, growers, and businesses, while managing risks to public health, food safety, biosecurity, and plant and animal health.
- 6 The remaining amendments will strengthen the overall operation of the agricultural compounds, hazardous substances, and new organisms regulatory systems by improving regulatory processes, certainty, transparency, and oversight.
- 7 Joint ministers agreed, following discussions with the Office of the Clerk, to include the previously approved policy content in the 2026 Legislation Programme as separate Hazardous Substances and New Organisms and Agricultural Compounds and Veterinary Medicines Amendment Bills, each with category 3 priority to support passage before the 2026 General Election.

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- 8 The Parliamentary Counsel Office has drafted the Agricultural Compounds and Veterinary Medicines Amendment Bill (ACVM Bill) and the Hazardous Substances and New Organisms Amendment Bill (HSNO Bill).
- 9 Subject to Cabinet approval we seek introduction of the Bills as soon as possible but no later than 11 May 2026 to provide adequate time for all parliamentary stages to be completed before the election.

Policy

- 10 The Cabinet Economic Policy Committee agreed on 21 May 2025 to policy decisions to implement the Review and make other key regulatory changes, with these decisions confirmed by Cabinet on 26 May 2025 [ECO-25-MIN-0075; CAB-25-MIN-0171].
- 11 The Bills will establish a more adaptive regulatory framework that maintains safety, supports trade competitiveness, and aligns with international best practice, while improving timely access to agricultural and horticultural products.
- 12 Amendments to the HSNO Act give effect to the Review by improving access to products and strengthening regulatory system performance, including through streamlined application processes and improved efficiency, transparency, and certainty.
- 13 Amendments to the ACVM Act will increase legislative flexibility and clarity, enable greater use of overseas regulatory assessments, reduce regulatory burden, and improve transparency, supporting faster access to products, higher on-farm productivity, and uptake of innovation.

Background

- 14 MfR undertook the Review between August and December 2024 in response to concerns about regulatory barriers to accessing new agricultural and horticultural products.
- 15 Led by MfR and supported by the Ministry for Primary Industries (MPI), the Ministry for the Environment (MfE), and the Environmental Protection Authority (EPA), the Review identified practical reforms to streamline processes, reduce delays, and better support innovation and economic growth in the primary industries.
- 16 Joint Ministers agreed to all 16 Review recommendations, which Cabinet endorsed on 24 February 2025 [CAB-25-MIN-0036]. Final policy decisions were agreed by the Cabinet Economic Policy Committee on 21 May 2025 and confirmed by Cabinet on 26 May 2025, alongside a report-back on implementation progress.
- 17 Cabinet agreed several decisions in-principle and authorised the Minister for the Environment to make final detailed decisions, as reflected in this paper. Cabinet also authorised joint Ministers to make final decisions on minor and technical matters and to approve changes consistent with the policy intent during drafting under ECO-25-SUB-0075.

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Agricultural Compounds and Veterinary Medicines Act

- 18 The amendments to the ACVM Act make application processes clearer and more flexible, reducing unnecessary regulatory barriers to accessing new agricultural products. These changes also strengthen communication with applicants and regulated parties, enabling more efficient and timelier decision-making. The amendments will implement Review recommendations requiring legislative changes and modernise the regulatory framework to improve transparency and consistency.

Proposed amendments to the ACVM Act

- 19 The following key amendments give effect to the Review recommendations that relate to the ACVM Act:
- empowering the Director-General to decide product registration exemptions.
 - enabling the recognition of international regulators and use of their assessments.
 - strengthening the independent data assessor framework, by clarifying what information may be required.
 - providing for regulations to set and review statutory timeframes.

Additional proposed amendments to the ACVM Act

- 20 The following additional amendments to the ACVM Act are in line with the intent of the Review:
- clarify processes around variations to product registration controls.
 - require the Director-General to publicly notify any prohibition or restriction on a product or group of products when it is being reassessed.
 - specify the mechanism for certifying Good Manufacturing Practices (GMP) of veterinary medicine manufacturers.
 - clarify when the approval from the Director-General of Health is required for prescription human medicines, that could be registered as veterinary medicines.
 - make further improvements to the new consent scheme, information requirements, specification-setting powers, suspension powers, and public notification methods, and make minor and technical amendments to improve accessibility for users.

Hazardous Substances and New Organisms Act

- 21 The proposed changes to the HSNO Act address the recommendations of the Review and progress key additional amendments to the overall regulatory system.
- 22 A key reform is the enhancement of the existing international regulator rapid assessment pathway. The proposed amendments are intended to expand and clarify the use of the existing international regulator rapid assessment pathway under the HSNO

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Act, enabling the EPA to place greater and more consistent reliance on trusted overseas regulators' assessments, while retaining safeguards for New Zealand-specific risks.

- 23 Another major change is the introduction of a temporary hazardous substance approval pathway. The new pathway would allow the EPA to grant a time-limited conditional approval for a hazardous substance that has already been approved by two or more trusted international regulators, while a full New Zealand assessment is underway. This will enable products with clear benefits to be used sooner, rather than requiring applicants to wait until the full assessment is completed before any use is permitted. This approach balances innovation with safety, enabling earlier access to high-benefit products. A comparable change to the ACVM Act provides for greater use of overseas regulators' assessments.
- 24 The amendments also support the introduction (via regulations) of a tiered application structure for importing and manufacturing hazardous substances based on risk and complexity. The tiered application structure will enable applications to be assessed in proportion to their risk and complexity, streamlining lower-risk applications while maintaining robust assessment for higher-risk substances, and supporting clearer performance expectations and improved reporting on regulatory timeliness and outcomes.
- 25 The Bill introduces enabling provisions for a hazardous substances levy. This levy, which will require regulations to be developed for implementation, will be paid by importers and manufacturers to support the EPA's regulatory functions.
- 26 Additional changes include:
- amendments that extend the restrictions imposed on the EPA's ability to use or disclose trade secrets and information with a commercial value so those restrictions cover cases in which an applicant under the HSNO Act advises the EPA that they intend to make a related innovative TNP application under the ACVM Act within 6 months. Those restrictions cease to apply, however, if the innovative TNP application is not made within that 6-month period.
 - improved emergency approval mechanisms, particularly for biosecurity responses. The amendments strengthen emergency approval mechanisms by improving the speed and flexibility of decision-making in urgent situations, clarifying the scope of emergency approvals, and supporting proportionate conditions to manage risks while maintaining appropriate safeguards.
 - strengthened compliance and enforcement powers, including longer timeframes for filing charges and a higher threshold for infringement fees.
 - clarification of reassessment powers.
- 27 The reforms also include some amendments specific to the HSNO new organisms' regime to improve efficiency, consistency, and workability, while maintaining appropriate safeguards. These include:

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- a new application pathway allowing approvals to be sought and granted for the development of vagrant new organisms that are prohibited new organisms in defined circumstances.
 - allow the EPA to prescribe, by notice, risk species, and organisms as not new organisms. The EPA can also authorise the chief executive of the EPA or a committee appointed by the EPA under the Crown Entities Act 2004 to exercise this notice-making power.
 - changes to the meaning of new organism to clarify the status of migratory species and reflect the new notice-making power in respect of prescribing risk species and organisms that are not new organisms.
 - changes to clarify statutory determinations of whether organisms are new organisms can include any appropriate taxonomic classifications for those organisms
 - enable greater reassessment of new organism-related approvals, clarify the EPA's ability to vary controls on, or revoke, these approvals, and include new powers to restrict or suspend new organism-related activities in defined circumstance.
 - allow the EPA to extend full release approvals (i.e. 'release without control' approvals) and conditional release approvals for up to 5 years at a time on up to 3 occasions. Conditional release approvals will also be able to transition to full release when criteria set out in an EPA notice are met.
 - shift certain technical matters to EPA notices to allow more agile regulation, and include minor and technical amendments to improve clarity, alignment, and enforcement across the regime.
 - the recommendations also seek Cabinet agreement to a package of largely technical and clarifying amendments that address minor drafting issues and operational inconsistencies in the HSNO Act, improving regulatory clarity and efficiency without altering overall policy intent.
- 28 Previously agreed changes to new organisms matters contingent on the passing of the Gene Technology Bill will not be implemented.

Further detail on amendments to the HSNO Act

- 29 Cabinet authorised the Minister for the Environment to make final detailed decisions on the following matters.

The detail to establish a tiered pathway structure and timeframes for hazardous substances.

- 30 Currently, the regulatory rules for most applications to import or manufacture hazardous substances are the same, despite significant differences in complexity and risk. The proposed tiered application structure (discussed above) will categorise applications into three pathways based on the nature of the substance and the level of assessment required. This structure will provide applicants with greater clarity and allow the EPA to allocate resources more effectively.

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- 31 The amendments to the HSNO Act and the provisions to be prescribed in regulations will require applicants to request which pathway they wish their application to be processed under and meet the information requirements for that pathway. This will shift the responsibility of the application pathway determination from the EPA to an applicant (which will reduce the administrative burden on the EPA and therefore reduce the time before a substantial application assessment can be undertaken).
- 32 Regulations will be made to set timeframes for assessment and determination of each application type. By embedding these details in regulations rather than primary legislation, the system gains flexibility and responsiveness. A consultative process will be required to develop and change these regulations.
- 33 The HSNO Act will be amended to remove the ability to completely waive a statutory timeframe, while retaining the power to shorten or extend one. The EPA will still be able to vary a timeframe on its own initiative, although this authority will rest solely with the Chief Executive. This change strengthens transparency around delays, while preserving appropriate flexibility and maintaining a balanced level of delegation so that timeframes are not extended without appropriate reason.

The detail associated with amendments to public notification and hearings

- 34 The Bill clarifies and modernises public notification and hearing requirements for hazardous substances and new organism applications, reviews and reassessments as well as EPA proposals to issue, amend or revoke a group standard. The changes balance providing for public participation on matters of significant public interest with ensuring proportionate decision-making processes. The changes are intended to reduce unnecessary delay and cost, support more efficient decision-making (including for biosecurity responses), while applying transparency and natural justice in a proportionate, value-adding way.

The detail to provide the EPA with powers related to application processing and timeframes

- 35 The Bill expands the EPA's powers related to application processing. This includes clarifying when an application is considered "complete", requiring the EPA to return incomplete applications and allowing the EPA to request additional information at any stage (with statutory timeframes paused when awaiting said information and applications lapsing if information is not provided within a set timeframe). These powers will be subject to appropriate checks and balances to ensure fairness and accountability.

Introduce enabling provisions for regulations within HSNO Act for a hazardous substance levy regime

- 36 If enabled, this levy will be paid by importers and manufacturers and used to support a range of EPA functions, including assessments, reassessments, group standards, EPA notices, and compliance activities. While not expected to fully fund the EPA's operations, the levy will complement existing funding sources. Its detailed design will be developed through a separate consultative regulation-making process.

Detail relating to transitional and savings provisions

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- 37 Transitional and savings provisions are not currently in the Bill due to drafting time constraints. MfE proposes to recommend to the select committee responsible for considering the Bill, that these be included at the select committee stage.

The detail associated with other matters

- 38 The Bill includes amendments that generally correct errors and make non-substantive changes to clarify the interface between the HSNO Act and the Defence Act 1990. These changes include removing incorrect references to EPA controls and clarifying the roles of the Chief of Defence Force and the Secretary of Defence in respect of hazardous substances controlled by the Minister of Defence.
- 39 Some provisions relating to persistent organic pollutants (POPs) have been updated and brought in line with the Stockholm Convention. The inclusion of further amendments to POPs-related provisions will be recommended to the select committee responsible for considering the Bill.

Approval to rescind several earlier policy decisions

- 40 We are seeking approval to rescind several Cabinet policy decisions from May 2025 [ECO-25-MIN-0075 and CAB-25-MIN-0171]. Further analysis has identified unintended consequences, and some policy assumptions that no longer hold. The decisions to be rescinded are:

- recommendation 20 and Appendix 1, item 27 - changes to the definition of incidentally imported new organism, due to unconsidered implications for the Biosecurity Act 1993.
- recommendations 19 and 20 and Appendix 1, items 12, 21 and 24 - changes contingent on the then-proposed Gene Technology Bill, including amendments to the definition of organism, statutory determination criteria, and enforcement wording.
- recommendation 20 and Appendix 1, item 25 - a change to the meaning of new organism relating to organisms no longer present in New Zealand through natural means, due to identified unintended consequences.
- recommendation 21 and Appendix 1, item 35 - a decision to remove Statement of Intent and annual report provisions.

Impact analysis

Regulatory Impact Statements

- 41 The Ministry for Regulation has determined that the amendments to the ACVM Act are exempt from the requirement to provide a Regulatory Impact Statement (RIS) on the grounds that the proposals have no or only minor economic, social, or environmental impacts.
- 42 A quality assurance panel with members from the Ministry for the Environment, and the Ministry for Primary Industries has reviewed the Regulatory Impact Statement (RIS): 'Omnibus changes to the Hazardous Substances and New Organisms Act 1996'.

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The Panel considers that the RIS 'partially meets' the criteria: "Many of the proposals are detailed, well thought out, beneficial, and articulated in relation to the policy problem/opportunity. The current proposals were developed under significant time constraints. The authors are transparent about how this impacted their policy process, where relevant and appropriate. However, given the significant breadth, depth, and complexity of the proposals, more analysis is needed on the effects of the entire package (including quantitative costs and benefits which were largely absent). Unintended consequences could not be fully explored at this stage. The Panel expects the major proposals will undergo further regulatory impact assessment which will require more detail."

Climate Implications of Policy Assessment

- 43 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to the policy proposals for either the ACVM Bill or the HSNO Bill.

Population Implications

Human Rights

- 44 There are no Human Rights Act 1993 implications.

Compliance

- 45 The Bills comply with the rights and freedoms contained in the New Zealand Bill of Rights Act 1990.
- 46 The Bills comply with:
- the disclosure statement requirements – disclosure statements have been prepared.
 - the principles and guidelines set out in the Privacy Act 2020.
 - the Legislation Guidelines.

Consultation

- 47 MfE undertook targeted engagement with industry stakeholders, the Ministry for Foreign Affairs and Trade on international obligations, and Te Rūnanga o Ngāi Tahu HSNO Komiti during the development of proposals before seeking Cabinet's agreement on final policy decisions. MPI also conducted targeted consultation and considered feedback. Due to timing constraints, agencies have not engaged with other stakeholders such as interest or environment groups, and no Treaty of Waitangi impact assessments were undertaken.
- 48 The amendments to the HSNO Act were worked on and developed closely with the EPA. Departmental consultation on both bills were undertaken with the Department of Conservation; Fire and Emergency New Zealand; Health New Zealand - Te Whatu Ora; the Ministry of Business, Innovation and Employment; the Ministry of Foreign Affairs and Trade; Ministry of Health; Ministry of Justice; Ministry for Primary Industries (Biosecurity New Zealand); Ministry for Regulation; New Zealand Customs Service;

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New Zealand Defence Force; Te Puni Kōkiri; Te Tari Whakataū; The Treasury; and WorkSafe New Zealand. The Department of the Prime Minister and Cabinet was informed of the amendments.

Binding on the Crown

- 49 The HSNO Act already binds the Crown, except as provided for in section 3 of that Act, which is an exclusion for the Minister of Defence. We consider that there are no good reasons why the Crown should not be bound by the legislative change to be progressed through the Bill to amend the HSNO Act subject to maintaining the existing Defence-related exclusion (with changes as discussed above). The implications for government departments of these potential amendments will be minimal as the HSNO Act already binds the Crown in this way. Additional costs to the Crown are unlikely to be significant.
- 50 The ACVM Act also already binds the Crown in section 3 of the Act. We consider there are no good reasons why the Crown should not be bound by the legislative changes proposed for the ACVM Act. The changes are minimal.

Creating new agencies or amending law relating to existing agencies

- 51 This legislation will not create a new agency, nor create a new agency that is legally separate from the Crown, nor amend the existing coverage of the Ombudsmen Act 1975, the Official Information Act 1982, or the Local Government Official Information and Meetings Act 1987.

Allocation of decision-making powers

- 52 The draft legislation does not involve the allocation of decision-making powers between the executive, the courts, and tribunals.

Associated regulations

- 53 Two sets of regulations will be required: one to implement the new tiered application pathways, including information requirements and processing timeframes, and another to introduce any proposed levy regime. Each will be developed through a separate consultative regulation-making process.
- 54 Regulations will be required to support amendments to the ACVM Act, including setting and reviewing statutory timeframes, prescribing decision-making processes for variations and specifying criteria for recognising overseas regulators. Further regulations will be needed for veterinary and relevant human use, and for exemptions from registration.

Other instruments

- 55 The HSNO Bill creates and amends a number of delegated legislation powers to support the effective administration of the HSNO Act. This includes:
- a new power to make Part 5A notices to prescribe risk species or organisms as not new organisms (in addition to regulations in the case of risk species and instead of regulations in the case of organisms that are not new).

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- new and expanded EPA notice-making powers instead of regulation-making powers, particularly in relation to new organisms.
- an amended power to make an Order in Council to insert, repeal or replace any item in Schedule 2A (relating to the Stockholm Convention) or replace Schedule 2A in its entirety.

56 These changes to the HSNO Act are to improve flexibility and responsiveness while retaining appropriate safeguards and oversight within the delegated legislation framework.

57 The amendments for the ACVM Act include proposals to move the process for listing exemptions from regulations to an instrument (secondary legislation), provisions empowering the setting of GMP standards by notice and specifying the recognition of international regulators by notice, which would be disallowable instruments. This aligns with the requirements for secondary legislation and the existing provisions for notices in the ACVM Act.

Definition of Minister/department

58 The Bills do not contain a definition of Minister, department (or equivalent government agency), or chief executive of a department (or equivalent position).

Commencement of legislation

59 The provisions in the Bills will generally come into force on the date or dates set by Order in Council with a small number of specified provisions coming into force on the day after Royal assent. This is because most of the provisions require deferral of commencement (as per the reasons identified in the clause-by-clause analyses of the Bills). There is also a 'backstop date' for commencement that is 2 years after Royal assent for anything that has not come into force before then.

Parliamentary stages

60 The Bills are intended for introduction as soon as possible, and to go before the Primary Production select committee.

Proactive Release

61 We intend to proactively release this Cabinet paper once decisions have been made subject to redactions as appropriate under the Official Information Act 1982.

Recommendations

We recommend that the Cabinet Legislation Committee:

- 1 Note we are seeking approval for the introduction of two Bills to implement, and build upon, the recommendations from the Agricultural and Horticultural Products Regulatory Review (the Review).
- 2 Note that joint ministers agreed, following discussions with the Office of the Clerk, to progress the policy content approved under CAB-25-MIN-0171 in the 2026 Legislation

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Programme as two separate Amendment Bills, each with a category 3 priority to support passage before the 2026 General Election.

- 3 Agree to rescind the following Cabinet decisions from May 2025 [ECO-25-MIN-0075 and CAB-25-MIN-0171], as further analysis has identified unintended consequences or that the policy is no longer required:
 - 3.1 recommendation 20 and Appendix 1, item 27 - changes to the definition of incidentally imported new organism, due to unconsidered impacts on the Biosecurity Act 1993.
 - 3.2 recommendation 20 and Appendix 1, item 25 - a change to the meaning of new organism relating to organisms no longer present in New Zealand through natural means, due to identified unintended consequences.
 - 3.3 recommendations 19 and 20 and Appendix 1, items 12, 21 and 24 - changes contingent on the then-proposed Gene Technology Bill, including amendments to the definition of organism, statutory determination criteria, and enforcement-related wording.
 - 3.4 recommendation 21 and Appendix 1, item 35 - the decision to remove Statement of Intent and annual report provisions.
- 4 Agree to include the following further policy change to:
 - 4.1 amend section 25(1B) to extend the activities the department administering the Biosecurity Act may undertake in relation to new organisms, to align with the amended definition of develop.
 - 4.2 amend section 3 to clarify the interface between the HSNO Act 1996 and the Defence Act 1990, including the Defence Force's responsibilities when using hazardous substances, with sections 3(3)–3(8) redrafted to reflect previous Cabinet decisions.
- 5 Agree to the following largely technical and clarifying amendments to the Hazardous Substances and New Organisms Act, which do not alter the overall policy intent of the regime:
 - 5.1 providing an application pathway to develop vagrant prohibited new organisms in containment, when they are found in New Zealand.
 - 5.2 providing that the Methodology to be used for hazardous substances is not required for related transitional hazardous substances approvals.
 - 5.3 extending section 11(1)(fa) to enable the Authority to approve forms for all applications under the Act.
 - 5.4 requiring the Authority to record new organism release notifications and waivers on the Register.

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- 5.5 extending section 25(1B) to apply to all new organisms, and not limited to incidentally imported new organisms, consistent with the amended definition of “develop”.
 - 5.6 clarifying the meaning of “declined hazardous substance” for the purposes of section 33(1)(b), subject to specification in an EPA notice.
 - 5.7 limiting EPA’s ability to postpone determinations, decisions or hearings while it awaits information under section 52C, to circumstances where it lacks sufficient knowledge or expertise.
- 6 Approve for introduction the:
- 6.1 Hazardous Substances and New Organisms Amendment Bill; and
 - 6.2 Agricultural Compounds and Veterinary Medicines Amendment Bill.
- 7 Agree that the Bills be referred to the Primary Production committee for consideration.
- 8 Agree that the HSNO Amendment Act come into force on a date or dates set by Order in Council, except for those amendments identified to come into force on the day after Royal assent, and any part of this Act that has not come into force 2 years after Royal assent.
- 9 Agree that the ACVM Amendment Act come into force on a date set by Order in Council, except for those amendments identified to come into force on the day after Royal assent, and any part of this Act that has not come into force 2 years after Royal assent.

Authorised for lodgement

Hon Nicola Grigg
Minister for the Environment

Hon Andrew Hoggard
Minister for Food Safety

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Cabinet Legislation Committee

Minute of Decision

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Agricultural and Horticultural Products Regulatory Review – HSNO and ACVM Amendment Bills: Approval for Introduction

Portfolios **Environment / Food Safety**

On 30 April 2026, the Cabinet Legislation Committee:

- 1 **noted** that the Hazardous Substances and New Organisms Amendment Bill (HSNO Bill) and the Agricultural Compounds and Veterinary Medicines Amendment Bill (ACVM Bill) (together, the Bills) implement, and build upon, the recommendations from the Agricultural and Horticultural Products Regulatory Review;
- 2 **noted** that, following discussions with the Office of the Clerk, the Bills will be progressed separately, with each holding a category 3 priority on the 2026 Legislation Programme (a priority to be passed before the 2026 election);
- 3 **agreed** to rescind the following Cabinet decisions from May 2025 [ECO-25-MIN-0075], as further analysis has identified unintended consequences or that the policy is no longer required:
 - 3.1 paragraph 20 and Appendix 1, item 27 - changes to the definition of incidentally imported new organism, due to unconsidered impacts on the Biosecurity Act 1993;
 - 3.2 paragraph 20 and Appendix 1, item 25 - a change to the meaning of new organism relating to organisms no longer present in New Zealand through natural means, due to identified unintended consequences;
 - 3.3 paragraphs 19 and 20 and Appendix 1, items 12, 21 and 24 - changes contingent on the then-proposed Gene Technology Bill, including amendments to the definition of organism, statutory determination criteria, and enforcement-related wording;
 - 3.4 paragraphs 21 and Appendix 1, item 35 - the decision to remove Statement of Intent and annual report provisions;
- 4 **agreed** to include the following further policy changes to:
 - 4.1 amend section 25(1B) of the Hazardous Substances and New Organisms Act 1996 (HSNO Act) to extend the activities the department administering the Biosecurity Act 1993 may undertake in relation to new organisms, to align with the amended definition of develop;
 - 4.2 amend section 3 of the HSNO Act to clarify the interface between it and the Defence Act 1990, including the Defence Force's responsibilities when using hazardous substances, with sections 3(3) – 3(8) redrafted to reflect previous Cabinet decisions;

- 5 **agreed** to the following largely technical and clarifying amendments to the HSNO Act, which do not alter the overall policy intent of the regime:
- 5.1 providing an application pathway to develop vagrant prohibited new organisms in containment, when they are found in New Zealand;
 - 5.2 providing that the Methodology to be used for hazardous substances is not required for related transitional hazardous substances approvals;
 - 5.3 extending section 11(1)(fa) to enable the Authority to approve forms for all applications under the HSNO Act;
 - 5.4 requiring the Authority to record new organism release notifications and waivers on the Register;
 - 5.5 extending section 25(1B) to apply to all new organisms, and not limited to incidentally imported new organisms, consistent with the amended definition of “develop;”
 - 5.6 clarifying the meaning of “declined hazardous substance” for the purposes of section 33(1)(b), subject to specification in an Environmental Protection Authority (EPA) notice;
 - 5.7 limiting the EPA’s ability to postpone determinations, decisions or hearings while it awaits information under section 52C, to circumstances where it lacks sufficient knowledge or expertise;
- 6 **approved** the Hazardous Substances and New Organisms Amendment Bill [PCO 28846/12.0] and the Agricultural Compounds and Veterinary Medicines Amendment Bill [PCO 27105/23.0] for introduction;
- 7 **agreed** that the Bills be referred to the Primary Production committee for consideration;
- 8 **agreed** that the Bills come into force on a date or dates set by Order in Council, except for those amendments identified to come into force on the day after Royal assent, and any part of a Bill that has not come into force 2 years after Royal assent.

Sam Moffett
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Chris Bishop
Hon Erica Stanford
Hon Paul Goldsmith
Hon Louise Upston (Chair)
Hon Simon Watts
Hon Chris Penk
Hon Brooke van Velden
Hon Nicole McKee
Hon Shane Jones
Hon Casey Costello
Hon Scott Simpson
Hon James Meager
Hon Cameron Brewer
Hon Mike Butterick
Hon Andrew Hoggard
Stuart Smith MP
Todd Stephenson MP
Jamie Arbuckle MP

Officials present from:

Officials Committee for LEG



Cabinet


Minute of Decision

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Report of the Cabinet Legislation Committee: Period Ended 1 May 2026

On 4 May 2026, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 1 May 2026:

Out of Scope




LEG-26-MIN-0076


**Agricultural and Horticultural Products
Regulatory Review – HSNO and ACVM
Amendment Bills: Approval for Introduction**
Portfolios: Environment / Food Safety

CONFIRMED

Out of Scope



Out of Scope



Rachel Hayward
Secretary of the Cabinet