



Cabinet Legislation Committee

Minute of Decision

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Reclassifying Five Organisms as Not New under the Hazardous Substances and New Organisms Act

Portfolio **Environment**

On 6 August 2019, the Cabinet Legislation Committee:

- 1 **noted** that on 20 February 2019, the Cabinet Economic Development Committee (DEV) agreed that the following five organisms be reclassified as “not new” under the HSNO Act, by amending the Hazardous Substances and New Organisms (Organisms Prescribed as Not New) Regulations 2009 (the Regulations):
 - 1.1 the beetle *Cybocephalus* sp.– MPI voucher code T12_03094;
 - 1.2 the ladybird *Harmonia axyridis*;
 - 1.3 the parasitoid wasp *Aridelus rufotestaceus*;
 - 1.4 the bacterium *Komagataeibacter xylinus*;
 - 1.5 the bacteriophage (virus) *Listeria virus P100*;[DEV-19-MIN-0028]
- 2 **noted** the Hazardous Substances and New Organisms (Organisms Prescribed as Not New Organisms) Amendment Regulations 2019 will give effect to the decision referred to in paragraph 1 above;
- 3 **agreed** the MPI voucher code used to identify the organism *Cybocephalus* sp. above be replaced in the Regulations by Landcare Research Collections Data accession numbers NZAC04212648 and NZAC04212649;
- 4 **authorised** the submission to the Executive Council of the Hazardous Substances and New Organisms (Organisms Prescribed as Not New Organisms) Amendment Regulations 2019 [PCO 22219/5.0];
- 5 **noted** that the Hazardous Substances and New Organisms (Organisms Prescribed as Not New Organisms) Amendment Regulations 2019 will come into force on 15 September 2019;

- 6 **noted** that the Minister for the Environment confirms that the following statutory prerequisites for the Regulations have been met:
- 6.1 the Minister for the Environment must have considered whether the organisms in question have formed a self-sustaining population in New Zealand and whether any person is attempting to manage, control or eradicate the organisms under any Act (section 140(2) of the HSNO Act);
 - 6.2 the Minister must have requested the Environmental Protection Authority (EPA) to consult with affected persons and provide the Minister with advice on submissions received, and on the best international practices for the safe management of new organisms. The Minister must have regard to the EPA's advice (section 141(1) of the HSNO Act);
 - 6.3 the Regulations must also be consistent with sections 4 to 8 inclusive of the HSNO Act (the purpose section, the principles and matters to be taken into account).

Vivien Meek
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Andrew Little
Hon David Parke
Hon Iain Lees-Galloway (Chair)
Hon Kris Faafoi
Hon Tracey Martin
Hon Julie Ann Genter
Hon Eugenie Sage
Michael Wood MP (Senior Government Whip)

Officials present from:

Office of the Prime Minister
Officials Committee for LEG

Hard-copy distribution:

Minister for the Environment