



# Cabinet Business Committee

CBC Min (03) 3/17

Copy Number:

## Minute of Decision

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### **Additional Item: Government Response to the Royal Commission on Genetic Modification: Legislative Changes for New Organisms: Paper 6: Ministerial Call-In and Confidential Supporting Information**

On 3 February 2003 the Cabinet Business Committee, having been authorised by Cabinet with Power to Act [CAB Min (03) 3/2 - 8]:

#### **Ministerial call-in**

- 1 **noted** that in November 2001 Cabinet agreed to amend section 68 of the Hazardous Substances and New Organisms (HSNO) Act 1996 to include significant cultural, ethical and spiritual effects as grounds for Ministerial call-in of an application under the Act [CAB Min (01) 34/16];
- 2 **agreed** that it is not necessary to define the terms significant “cultural”, “spiritual” and “ethical” for the purpose of Ministerial call-in;
- 3 **noted** that Toi te Taiao: the Bioethics Council was established to advise, provide guidelines and promote dialogue on the cultural, ethical and spiritual issues associated with biotechnology;
- 4 **agreed** that the timeframe for call-in be extended to the end of the public submission period to allow the Minister more time to seek advice and consider matters of significance;

#### **Confidential supporting information**

- 5 **agreed** that section 57(4) of the HSNO Act and section 12(4) of the Agricultural Compounds and Veterinary Medicines Act 1997 be amended to:
  - 5.1 require the Environmental Risk Management Authority (ERMA) to make all reasonable efforts to contact the person who provided information regarded as confidential supporting information;
  - 5.2 clarify that, in the event of a non-response, information should not be released, except in accordance with section 9 of the Official Information Act 1982;

- 6 **agreed** that section 55 of the HSNO Act be amended to ensure special protection for confidential supporting information in applications to ERMA for approvals that are also the subject of innovative agricultural compounds or medicines application, whether these are applications for hazardous substances or new organisms;

## Consultation

- 7 **noted** that the Minister for the Environment indicates that the Labour caucus will receive a special briefing and that other parties represented in Parliament will be consulted.

Hilary Troup  
Secretary

Reference: CAB (03) 22; CAB Min (03) 3/2 - 8

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### Present:

Rt Hon Helen Clark (Chair)  
Hon Dr Michael Cullen  
Hon Jim Anderton  
Hon Steve Maharey  
Hon Phil Goff  
Hon Jim Sutton  
Hon Trevor Mallard  
Hon Pete Hodgson  
Hon Margaret Wilson  
Hon Parekura Horomia  
Hon Lianne Dalziel  
Hon Mark Burton  
Hon Paul Swain  
Hon Marian Hobbs  
Hon John Tamihere

### Officials present from:

Office of the Prime Minister  
Department of the Prime Minister and Cabinet

### Copies to:

Cabinet Business Committee  
Chief Executive, DPMC  
Mary Anne Thompson, DPMC  
Secretary to the Treasury  
Chief Executive, Ministry of Economic Development  
Secretary of Foreign Affairs and Trade  
Secretary for Justice  
Director-General of Health  
Director-General, Ministry of Agriculture and Forestry (Agriculture)  
Chief Executive, Ministry of Research, Science and Technology  
Chief Executive, Te Puni Kokiri  
Minister for the Environment  
Secretary for the Environment  
Minister of Conservation  
Director-General of Conservation  
Chief Parliamentary Counsel  
Legislation Coordinator