



PROACTIVE RELEASE COVERSHEET

Minister	Hon Penny Simmonds	Portfolio	Environment
Minister	Hon Scott Simpson	Portfolio	Commerce and Consumer Affairs
Minister	Hon Andrew Hoggard	Portfolio	Food Safety
Name of package	Implementing decisions on new persistent organic pollutants following the 2023 Stockholm Convention COP	Date to be published	22/04/2024

List of documents that have been proactively released

Date	Title	Author
18/02/2025	Cabinet paper 485: Implementing new persistent organic pollutants following the 2023 Stockholm Convention Conference of the Parties	Ministry for the Environment
18/02/2025	Appendix 1 Stockholm Convention Decisions	Stockholm Convention Conference of the Parties
18/02/2025	Appendix 2 Draft articles in use notification	Environmental Protection Authority
18/02/2025	EXP-25-MIN-0001 Cabinet Expenditure and Regulatory Review Committee Minute of Decision	Cabinet Office
18/02/2025	CAB-25-MIN-0034 Cabinet Minute of Decision	Cabinet Office
12/03/2025	Cabinet Paper 537 - Implementing new persistent organic pollutants following the 2023 Stockholm Convention COP (final decisions)	Ministry for the Environment
12/03/2025	Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Amendment Regulations 2025	Parliamentary Council Office
12/03/2025	Hazardous Substances and New Organisms (Schedules 1AA and 2A) Order 2025	Parliamentary Council Office
12/03/2025	Imports and Exports (Restrictions) Prohibition Order(No 2) 2004 Amendment Order 2025	Parliamentary Council Office
12/03/2025	LEG-25-MIN-0019 Cabinet Legislation Committee Minute of Decision	Cabinet Office
12/03/2025	CAB-25-MIN-0060 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

Redactions have been made to CAB-485 and CAB-537. These redactions have been made under Section 9(2)(b)(ii) to protect commercially sensitive information, Section (6)(a) as it may prejudice the security of New Zealand and under Section (9)(2)(h) to maintain legal professional privilege as advised by MFAT and the EPA.

Some information has been withheld from CAB-23-MIN-0034 and CAB-23-MIN-0060 under Section 9(2)(f)(iv) of the Official Information Act to maintain the confidentiality of advice tendered by Ministers of the Crown and officials.

Office of the Minister for the Environment
ECO - Cabinet Economic Policy Committee

Implementing new persistent organic pollutants following the 2023 Stockholm Convention Conference of the Parties

Proposal

- 1 I seek Cabinet's agreement to amend, by Order in Council, Schedules to legislation and regulations to meet new international obligations under the Stockholm Convention on Persistent Organic Pollutants (Stockholm Convention) which come into force on 26 February 2025.

Relation to government priorities

- 2 This is a routine operational adjustment that requires Cabinet approval. For New Zealand to be compliant with the Stockholm Convention (the Convention), these changes would need to be made by 26 February 2025.

Executive Summary

- 3 New Zealand is a Party to the Convention. This means we have committed to eliminating and restricting persistent organic pollutants (POPs). POPs are toxic chemicals that are persistent in the environment, undergo long-range environmental transport, build up in human and animal tissue, and pass from species to species through the food chain.
- 4 In May 2023, New Zealand and other Parties to the Convention agreed to make three new chemicals subject to its restrictions:
 - 4.1 Methoxychlor (without specific exemptions), an organochlorine pesticide that was used as an insecticide in both agricultural and veterinary uses and which was never approved for use in New Zealand
 - 4.2 Dechlorane Plus (with specific exemptions for use), a chlorinated flame retardant used in plastic materials, and in adhesives and sealants, especially in motor vehicles, with some ongoing use in New Zealand
 - 4.3 UV-328 (with specific exemptions for production and use), a UV-inhibitor widely used in paints and coatings and as an additive in plastics particularly in the automotive industry, and with some ongoing use in New Zealand.
- 5 New Zealand fulfils its obligations under the Convention to eliminate or restrict the import, export, production, use, and disposal of chemicals listed in the Convention through the Hazardous Substances and New Organisms Act 1996 (HSNO Act) and the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 (Imports and Exports Order).
- 6 I propose to implement the new obligations by amending Schedules 1AA and 2A of the HSNO Act and Schedule 1 of the Imports and Exports Order. I also propose to make a consequential amendment to Schedule 1 of the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011 (ACVM Regulations) which lists substances prohibited from use as agricultural

compounds or as ingredients in agricultural compounds including certain chemicals that fall under the Convention.

- 7 The effect of these recommendations will be that New Zealand will be compliant with the new obligations under the Convention at the time they enter into force.

Background

- 8 The Convention commits governments to take measures to protect human health and the environment from the negative effects of POPs. POPs are highly toxic chemicals that do not readily degrade. They persist in the environment and human body, bioaccumulate in the food chain, and are subject to long-range environmental transport. The goal of the convention is to reduce and, where feasible, eliminate the production and environmental release of the chemicals listed under the Convention.
- 9 In May 2023, at the biennial Conference of the Parties, New Zealand and other Parties agreed to make three new chemicals subject to the Convention's restrictions. This means we must eliminate the production, use, import and export of these chemicals, except where we register specific exemptions.
- 10 The chemicals to be listed are:
- 10.1 Methoxychlor (without specific exemptions), an obsolete organochlorine pesticide that has never been approved for use in New Zealand.
 - 10.2 Dechlorane Plus (with specific exemptions for use), a chlorinated flame retardant used in plastic materials, and in adhesives and sealants, especially in motor vehicles, with some ongoing use in New Zealand, mainly in coatings of cables and wire.
 - 10.3 UV-328 (with specific exemptions for production and use) is a UV-inhibitor widely used in paints and coatings and as an additive in plastics particularly in the automotive industry, and with some ongoing use in New Zealand. It is used to protect surfaces against discoloration and degradation under sunlight.
- 11 I am seeking agreement to implement the new obligations by amending Schedules 1AA and 2A of the HSNO Act and Schedule 1 of the Imports and Exports Order. Cabinet approval is required to make these amendments, which would be made through an Order in Council.
- 12 While the Minister of Commerce and Consumer Affairs has responsibility for the Imports and Exports Order, as Minister for the Environment I have the authority to recommend policy changes on his behalf.
- 13 I also propose to make a consequential amendment to Schedule 1 of the ACVM Regulations which lists substances prohibited from use as agricultural compounds or as ingredients in agricultural compounds including certain chemicals that fall under the Convention. This amendment will also be done by Order in Council. The Minister for Food Safety has agreed that I can make this recommendation on his behalf.
- 14 The effect of these recommendations will be that New Zealand will be compliant with the Convention's new obligations at the time they enter into force.

Analysis

- 15 These amendments will enter into force for New Zealand on 26 February 2025 through a process known as 'tacit acceptance'. This means New Zealand will become bound automatically, unless we 'opt out'.
- 16 Prior to the 2023 Conference of the Parties, the New Zealand delegation received approval from the Minister of Foreign Affairs to support the proposed listings.
- 17 The benefits to New Zealand in implementing the new chemicals listing include:
 - 17.1 reducing the exposure of New Zealanders to these chemicals
 - 17.2 ensuring negligible amounts of the chemicals appear in our primary exports
 - 17.3 ensuring New Zealand continues to comply with international obligations and best practices for the safe management of hazardous substances.

Consultation

- 18 Under the HSNO Act, the Minister for the Environment is required to ask the EPA to consult on proposed amendments (section 141). In August 2023, the then Minister for the Environment requested the EPA to consult on the proposal to amend Schedule 2A (and 1AA) of the HSNO Act. Amendments to the Imports and Exports Order do not require statutory consultation.
- 19 The EPA undertook public consultation between 25 July and 4 September 2024 and reported the outcome of the consultation to me on 1 November 2024. Sixteen submissions were received on the proposal.
- 20 Most submitters supported the proposed amendments to the HSNO Act, and to restricting methoxychlor, Dechlorane Plus and UV-328 in New Zealand.
- 21 Submitters provided feedback on the specific exemptions and the importance of these to allow essential uses to continue. Feedback was also received on existing goods in use in New Zealand. Following this feedback, I am proposing we take up all the specific exemptions provided for Dechlorane Plus and UV-328, and that we notify the articles in use for these chemicals.
- 22 As methoxychlor has not been used in New Zealand the Ministry for Primary Industries undertook targeted consultation with the Agricultural Compounds & Veterinary Medicines Advisory Council. The Council agreed with the inclusion of methoxychlor at its meeting on 22 November 2023. MPI has advised that it has met the Minister's obligation for consultation on the change to the ACVM Regulations.

Methoxychlor

- 23 I propose that methoxychlor is listed in Schedule 2A of the HSNO Act and in Schedule 1 of the Imports and Exports Order. This means that its import, export, use and manufacturing will be prohibited in New Zealand.
- 24 I also recommend that methoxychlor is added to Schedule 1 of the ACVM Regulations to ensure regulatory clarity and consistency for stakeholders.

- 25 There is no cost to New Zealand of adopting the listing of methoxychlor because this chemical has not been used in New Zealand.

Dechlorane Plus

- 26 The Convention's listing for Dechlorane Plus prohibits its production. Officials advise that the only producer of Dechlorane Plus is in China and that this production should have ceased as, under China's New Pollutant Management Action Plan, production, use, import and export of Dechlorane Plus will be banned from 1 January 2026.
- 27 The Convention allows for specific exemptions for the continued use of Dechlorane Plus, as attached in Appendix 1. These exemptions apply for a period of five years from the entry into force date (i.e., from 26 February 2025). Parties need to register for any exemptions provided for in the decision under Article 4 of the Convention.
- 28 The decision for Dechlorane Plus also allows specific exemptions for replacement parts for existing goods, and for the repair of those goods, for certain listed applications. These exemptions apply until the end of the service life of those goods or until 2044, whichever comes earlier.
- 29 The costs to New Zealand of adopting the listing of Dechlorane Plus are assessed as minor because:
- 29.1 the specific exemptions allow for a staged phase-out, and existing uses will not be immediately impacted
 - 29.2 the specific exemptions provide for continued use for a further five years, and for significantly longer periods for use in replacement parts for, and repair, of existing articles
 - 29.3 the supply of products containing Dechlorane Plus will decline as the only producer globally is expected to cease production by the end of 2025, and as other countries eliminate their use and implement their obligations under the Stockholm Convention
 - 29.4 alternatives are becoming available at reasonable cost and the global phase-out periods are expected to provide sufficient time for users to transition to these alternatives.

UV-328

- 30 The Conference of the Parties agreed to specific exemptions for the continued production of UV-328 and for its continued use in certain applications.
- 31 These exemptions will apply for a period of five years from the entry into force date of the listing in Annex A of the Convention (26 February 2025). Parties need to register for any exemptions provided for in the decision under Article 4 of the Convention.
- 32 The costs to New Zealand of adopting the listing of UV-328 are assessed as minor because:
- 32.1 the specific exemptions allow for a staged phase-out, and existing uses will not be immediately impacted

- 32.2 the exemptions provide for continued use for a further five years, and for significantly longer periods for use in replacement parts for, and repair, of existing articles
- 32.3 the supply of products containing UV-328 will decline as other countries eliminate their use and implement their Stockholm Convention obligations.
- 32.4 alternatives are becoming available at reasonable cost and the global phase-outs are expected to provide sufficient time to transition to these alternatives.

UV-328 in aviation

- 33 Officials have advised me that a formal proposal has been circulated by the Stockholm Convention Secretariat on 25 October 2024, for discussion at the next Conference of the Parties in April-May 2025, to amend the listing of UV-328 to allow certain exemptions for aircraft. **s9(2)(b)(ii)**

[REDACTED]

[REDACTED]

- 36 **s6(a)**

- 37 On the basis that the transition to parts containing alternatives to UV-328 is now underway, I recommend that we proceed with implementation of UV-328. Without accepting the UV-328 listing those industries that have engaged with the Stockholm Convention in good faith over the past few years will be severely restricted in what they can import due to another sector's late engagement with the process.

- 38 Officials will brief me if significant new information comes to light prior to the Legislative Cabinet Committee approving the Amendment Order in March 2025.

Conclusions

- 39 The EPA has not issued approvals under Part 5 of the HSNO Act for Dechlorane Plus or UV-328 as chemicals in their own right. It is possible they may have been imported as a component in products covered by an EPA group standard. This means goods containing Dechlorane Plus and UV-328 may have been imported into New Zealand and still be in use.
- 40 I am proposing that New Zealand register for all the specific use exemptions provided for Dechlorane Plus and UV-328 in Annex A of the Convention. New Zealand does not produce UV-328 and therefore does not need the specific exemption for production.

- 41 There are also specific exemptions provided for replacement parts under the use of Dechlorane Plus and UV-328 for existing goods, for certain applications. These exemptions apply where the chemical was originally used in the manufacture of the goods. The exemptions apply until the end of the service life of those goods or until 2044, whichever comes earlier.
- 42 Industry views received during public consultation support these specific exemptions, due to the use of Dechlorane Plus and UV-328 in essential applications, including in motor vehicles, industrial machinery, industrial coatings, liquid crystal displays and medical and in-vitro diagnostic devices.
- 43 Officials have further advised me that an 'articles in use' notification also needs to be made for Dechlorane Plus and UV-328. This will allow continued use of goods already in use in New Zealand before the listings come into force until the end of their service life. The proposed 'articles in use' that New Zealand would need to notify are set out in Appendix 2.
- 44 I therefore propose that:
- 44.1 Methoxychlor, Dechlorane Plus and its permitted uses, and UV-328 and its permitted uses are listed in Schedule 2A of the HSNO Act and in Schedule 1 of the Imports and Exports Order.
 - 44.2 New Zealand register for all the specific exemptions provided for Dechlorane Plus and for UV-328 in Annex A of the Stockholm Convention.
 - 44.3 New Zealand notify the Secretariat that there are 'articles in use' in New Zealand for Dechlorane Plus and UV-328
 - 44.4 Methoxychlor is added to Schedule 1 of the ACVM Regulations.
- 45 The full text of the Convention's three listings is included in Appendix 1.

Other minor amendments

- 46 The HSNO Act Schedule 1AA contains the full text of the Convention, including its annexes. I therefore recommend that Schedule 1AA be updated to reflect the new listings under Annex A of the Convention, as covered above.

Cost-of-living Implications

- 47 There are not expected to be cost-of-living implications of this proposal.

Financial Implications

- 48 There are no financial implications of the proposal.

Legislative Implications

- 49 Standing Order 405, which governs presentation of treaties to the House of Representatives, applies only to positive treaty actions and not to treaty actions subject to tacit acceptance, like the Stockholm Convention. The Government has committed as a matter of policy to present amendments which are more than minor and/or technical, to the relevant Committee. We consider this amendment to be minor and

technical, due to methoxychlor not being used in New Zealand, and relevant specific exemptions for use being available for Dechlorane Plus and UV-328.

- 50 The changes to the HSNO Act, the Imports and Exports Order, and the ACVM Regulations can be made by Order in Council.

Impact Analysis

Regulatory Impact Statement

- 51 The Ministry for Regulation has determined that the proposal to amend schedules in the Hazardous Substances and New Organisms Act 1996 and the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 are exempt from the requirement to provide a Regulatory Impact Statement. This is on the basis that the proposals are the minimum necessary to comply with binding international obligations.
- 52 The Ministry for Regulation has also determined that the proposal to amend schedule 1 of the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011 is exempt from the requirement to provide a Regulatory Impact Statement. This exemption is on the basis that it has no or only minor impacts on businesses, individuals, and not-for-profit entities.

Climate Implications of Policy Assessment

- 53 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to this proposal, as the threshold for significance is not met.

Population Implications

- 54 The proposal is not expected to have negative population impacts.

Human Rights

- 55 The proposal has no human rights implications.

Use of external Resources

- 56 No external resources were used in the policy development process, nor the drafting of this paper.

Consultation

- 57 The EPA, the Ministry of Business, Innovation and Employment, the Ministry of Foreign Affairs and Trade, the Ministry of Health, the Ministry for Primary Industries, and the New Zealand Customs Service have been consulted on the proposals outlined in this paper and agree with the recommended approach. The Treasury and the Department of the Prime Minister and Cabinet have been informed. Editorial suggestions were received from EPA and MFAT and have been incorporated into this paper.

- 58 **s9(2)(h)**
[Redacted text block]

s9(2)(h)

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Communications

- 60 No publicity is planned as the proposal has a low public interest. The EPA will communicate the new requirements by putting them on their website and using its regular communication channels with industry.

Proactive Release

- 61 Consideration of proactive release of this paper will be delayed to coincide with consideration of proactive release for a subsequent and related Cabinet paper for the Cabinet Legislation Committee that is intended to be lodged following this paper. Any release is subject to redactions as appropriate under the Official Information Act 1982.

Recommendations

The Minister for the Environment, in concurrence with the Minister of Commerce and Consumer Affairs and the Minister for Food Safety, recommends that the Committee:

- 1 **note** that Parties to the Stockholm Convention on Persistent Organic Pollutants, including New Zealand, agreed to list methoxychlor without specific exemptions, Dieldrin with specific exemptions, and UV-328 with specific exemptions in Annex A (Elimination) of the Convention which will enter into force on 26 February 2025 for all Parties to the Convention, including New Zealand, who have not opted out;
- 2 **note** that as the amendments will enter into force through the process of tacit acceptance, the amendments are not subject to the Parliamentary Treaty Examination process and will not be presented to Parliament;
- 3 **agree** to amend Schedule 2A of the Hazardous Substances and New Organisms Act 1996 and Schedule 1 of the Imports and Exports (Restrictions) Prohibitions Order (No 2) 2004 by adding methoxychlor without specific exemptions, Dieldrin with all specific use exemptions, and UV-328 with all specific use exemptions;
- 4 **agree** to amend Schedule 1AA of the Hazardous Substances and New Organisms Act 1996 by updating the text of the Stockholm Convention on Persistent Organic Pollutants;

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- 5 **agree** to amend Schedule 1 of the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011 by adding methoxychlor;
- 6 **agree** that New Zealand will register all the specific exemptions for use for Dechlorane Plus and UV-328 with the Secretariat of the Stockholm Convention on Persistent Organic Pollutants in accordance with the provisions of Parts XI and XII, respectively, of Annex A of the Stockholm Convention
- 7 **agree** that New Zealand will make an 'articles in use' notification for any products containing Dechlorane Plus and UV-328 already in use in New Zealand at the time of the listing coming into force, to the Secretariat of the Stockholm Convention on Persistent Organic Pollutants;
- 8 **invite** the Minister for the Environment to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above proposals.

Authorised for lodgement

Hon Penny Simmonds

Minister for the Environment

Appendix 1 Stockholm Convention Decisions

Methoxychlor

Below is the text of the decision (Decision SC-11/9) of the Conference of the Parties to the Stockholm Convention listing methoxychlor in Annex A of the convention.

SC-11/9: Listing of methoxychlor

The Conference of the Parties,

Having considered the risk profile and the risk management evaluation for methoxychlor as transmitted by the Persistent Organic Pollutants Review Committee,¹

Taking note of the recommendation by the Persistent Organic Pollutants Review Committee that methoxychlor be listed in Annex A to the Stockholm Convention on Persistent Organic Pollutants without specific exemptions,²

Decides to amend part I of Annex A to the Stockholm Convention on Persistent Organic Pollutants to list therein methoxychlor without specific exemptions by inserting the following row:

<i>Chemical</i>	<i>Activity</i>	<i>Specific exemption</i>
Methoxychlor*	Production	None
“Methoxychlor” refers to any possible isomer of dimethoxydiphenyltrichloroethane or any combination thereof. For example: CAS No. 72-43-5; CAS No. 30667-99-3; CAS No. 76733-77-2; CAS No. 255065-25-9; CAS No. 255065-26-0; CAS No. 59424-81-6; CAS No. 1348358-72-4.	Use	None

¹ UNEP/POPS/POPRC.16/9/Add.1; UNEP/POPS/POPRC.17/13/Add.1.

² UNEP/POPS/COP.11/12.

Dechlorane Plus

Below is the text of the decision (Decision SC-11/10) of the Conference of the Parties to the Stockholm Convention listing Dechlorane Plus in Annex A of the convention.

SC-11/10: Listing of Dechlorane Plus

The Conference of the Parties,

Having considered the risk profile and the risk management evaluation for Dechlorane Plus as transmitted by the Persistent Organic Pollutants Review Committee,³

Taking note of the recommendation by the Persistent Organic Pollutants Review Committee that Dechlorane Plus be listed in Annex A to the Convention with specific exemptions,⁴

1. *Decides* to amend part I of Annex A to the Stockholm Convention on Persistent Organic Pollutants to list Dechlorane Plus with specific exemptions by inserting the following row:

Chemical	Activity	Specific exemption
Dechlorane Plus	Production	None
CAS No. 13560-89-9	Use	In accordance with part XI of this Annex:
“Dechlorane Plus” includes its syn-isomer (CAS No. 135821-03-3) and its anti-isomer (CAS No. 135821-74-8).		Aerospace
		Space and defence applications
		Medical imaging and radiotherapy devices and installations
		Replacement parts for, and repair of, articles in applications in accordance with the provisions of paragraphs 2 and 3 of part XI of this Annex

2. *Also decides* to insert a new part XI in Annex A, as follows:

Part XI

Dechlorane Plus

1. The use of Dechlorane Plus shall be eliminated except for Parties that have notified the Secretariat of their intention to use it in accordance with Article 4.

2. Specific exemptions for the use of Dechlorane Plus for replacement parts for, and repair of, articles shall apply where Dechlorane Plus was originally used in the manufacture of those articles and may be available, limited to the following applications, until the end of the service life of the articles or 2044, whichever comes earlier:

- (a) Aerospace (such as aircraft engine fan case rub strip products and void-filling and edge-sealing products, aircraft engine manufacturing repairs, electrical items, structural panels and aircraft cabin interiors);
- (b) Space (such as satellites, probes and other exploration equipment, manned cabins and laboratories, heat-insulating materials for rocket motors and ground support equipment);
- (c) Defence (such as naval vessels, missiles, launch platforms, ordnance, communication equipment, radar and lidar systems and support equipment);
- (d) Motor vehicles (covering all land-based vehicles, such as cars, motorcycles, agricultural and construction vehicles and industrial trucks; applications include cables, wire harnesses, connectors and insulation tapes);
- (e) Stationary industrial machines (such as tower cranes, concrete plants and hydraulic crushers; applications include cables, wire harnesses, connectors and insulation tapes) for use in agriculture, forestry and construction;
- (f) Marine, garden, forestry and outdoor power equipment;
- (g) Instruments for analysis, measurements, control, monitoring, testing, production and inspection.

3. Specific exemptions for the use of Dechlorane Plus for replacement parts for, and repair of, articles shall apply where Dechlorane Plus was originally used in the manufacture of those articles and may be available,

³ UNEP/POPS/POPRC.17/13/Add.2; UNEP/POPS/POPRC.18/11/Add.1.

⁴ UNEP/POPS/COP.11/13.

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limited to the following applications, until the end of the service life of those articles, subject to review by the Conference of the Parties no later than 2041:

- (a) Medical devices (such as ultrasound diagnostic devices, magnetic resonance imaging systems, X-ray imaging systems, flexible endoscopes and radiotherapy devices and installations);
- (b) In-vitro diagnostic devices (such as immunoassay analysers, haematology analysers, polymerase chain reaction (PCR) testing systems, genetic analysers, clinical chemistry analysers, blood coagulation analysers and urinalysis analysers).

UV-328

Below is the text of the decision (Decision SC-11/11) of the Conference of the Parties to the Stockholm Convention listing UV-328 in Annex A of the convention.

SC-11/11: Listing of UV-328

The Conference of the Parties,

Having considered the risk profile and the risk management evaluation for UV-328 as transmitted by the Persistent Organic Pollutants Review Committee,⁵

Taking note of the recommendation by the Persistent Organic Pollutants Review Committee that UV-328 be listed in Annex A to the Convention with specific exemptions,⁶

1. *Decides* to amend part I of Annex A to the Stockholm Convention on Persistent Organic Pollutants to list UV-328 with specific exemptions by inserting the following row:

Chemical	Activity	Specific exemption
UV-328 CAS No. 25973-55-1	Production	As allowed for the Parties listed in the Register in accordance with the provisions of part XII of this Annex
	Use	In accordance with part XII of this Annex: Parts of motor vehicles (covering all land-based vehicles, such as cars, motorcycles, agricultural and construction vehicles and industrial trucks), such as bumper systems, radiator grills, spoilers, car garnish, roof modules, soft/hard tops, trunk lids and rear window wipers Industrial coating applications for motor vehicles, engineering machines, rail transportation vehicles, and heavy-duty coatings for large steel structures Mechanical separators in blood collection tubes Triacetyl cellulose (TAC) film in polarizers Photographic paper Replacement parts for articles in applications in accordance with the provisions of paragraphs 2 and 3 of part XII of this Annex

2. *Also decides* to insert a new part XII in Annex A, as follows:

Part XII**UV-328**

1. The production and use of UV-328 shall be eliminated except for Parties that have notified the Secretariat of their intention to produce and/or use it in accordance with Article 4.

2. Specific exemptions for the production and use of UV-328 for replacement parts for articles shall apply where UV-328 was originally used in the manufacture of those articles and may be available, limited to the following applications, until the end of the service life of the articles or 2044, whichever comes earlier:

(a) Motor vehicles (covering all land-based vehicles, such as cars, motorcycles, agricultural and construction vehicles and industrial trucks);

(b) Stationary industrial machines (such as tower cranes, concrete plants and hydraulic crushers) for use in agriculture, forestry and construction;

(c) Liquid crystal displays in instruments for analysis, measurements, control, monitoring, testing, production and inspection (such as recorders, infrared radiation thermometers, digital storage oscilloscopes and radiographic testing instruments) other than for medical applications.

3. Specific exemptions for the use of UV-328 for replacement parts for articles for the following applications for medical purposes shall apply where UV-328 was originally used in the manufacture of those articles and may be available until the end of the service life of those articles, subject to review by the Conference of the Parties no later than 2041:

⁵ UNEP/POPS/POPRC.17/13/Add.3; UNEP/POPS/POPRC.18/11/Add.2.

⁶ UNEP/POPS/COP.11/14.

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(a) Liquid crystal displays in medical and in-vitro diagnostic devices (such as ultrasound diagnostic devices, flexible endoscopes, immunoassay analysers, clinical chemistry analysers and blood coagulation analysers);

(b) Liquid crystal displays in instruments for analysis, measurements, control, monitoring, testing, production and inspection (such as recorders, infrared radiation thermometers, digital storage oscilloscopes and radiographic testing instruments).

Appendix 2 Draft articles in use notification

The articles in use notification for Dechlorane Plus could include words to the following effect:

Articles where Dechlorane Plus has been used as an additive in adhesives, sealants, polymers, cables and wires, wire harnesses and connectors (in applications such as motor vehicles, industrial machines, marine, garden and forestry machinery, medical equipment, aerospace and defence applications, electrical and electronic equipment, and air conditioning), present in New Zealand on or before 26 February 2025.

The articles in use notification for UV-328 could include words to the following effect:

Articles where UV-328 has been used as an additive in coatings, sealants, plastics and rubbers, printing inks, cooling and hydraulic liquids, lubricants, and construction materials (in applications such as motor vehicles, industrial machinery, medical and analytical equipment, air conditioning units), present in New Zealand on or before 26 February 2025.



Cabinet Expenditure and Regulatory Review Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Implementing New Persistent Organic Pollutants Following the 2023 Stockholm Convention Conference of the Parties

Portfolio Environment

On 11 February 2025, the Cabinet Expenditure and Regulatory Review Committee:

- 1 **noted** that Parties to the Stockholm Convention on Persistent Organic Pollutants, including New Zealand, agreed to list methoxychlor without specific exemptions, Dechlorane Plus with specific exemptions, and UV-328 with specific exemptions in Annex A (Elimination) of the Convention, which will enter into force on 26 February 2025 for all Parties to the Convention, including New Zealand, who have not opted out;
- 2 **noted** that, as the amendments will enter into force through the process of tacit acceptance, the amendments are not subject to the Parliamentary Treaty Examination process and will not be presented to Parliament;
- 3 **agreed** to amend Schedule 2A of the Hazardous Substances and New Organisms Act 1996 and Schedule 1 of the Imports and Exports (Restrictions) Prohibitions Order (No 2) 2004 by adding methoxychlor without specific exemptions, Dechlorane Plus with all specific use exemptions, and UV-328 with all specific use exemptions;
- 4 **agreed** to amend Schedule 1AA of the Hazardous Substances and New Organisms Act 1996 by updating the text of the Stockholm Convention on Persistent Organic Pollutants;
- 5 **agreed** to amend Schedule 1 of the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011 by adding methoxychlor;
- 6 **agreed** that New Zealand will register all the specific exemptions for use for Dechlorane Plus and UV-328 with the Secretariat of the Stockholm Convention on Persistent Organic Pollutants in accordance with the provisions of Parts XI and XII, respectively, of Annex A of the Stockholm Convention;
- 7 **agreed** that New Zealand will make an 'articles in use' notification for any products containing Dechlorane Plus and UV-328 already in use in New Zealand at the time of the listing coming into force, to the Secretariat of the Stockholm Convention on Persistent Organic Pollutants;

- 8 **invited** the Minister for the Environment to issue drafting instructions to the Parliamentary Counsel Office to give effect to the above decisions.

Sam Moffett
Committee Secretary

Present:

Hon David Seymour (Chair)
Hon Simeon Brown
Hon Erica Stanford
Hon Louise Upston
Hon Judith Collins KC
Hon Mark Mitchell
Hon Simon Watts
Hon Brooke van Velden
Hon Shane Jones
Hon Casey Costello
Hon Penny Simmonds
Hon Andrew Bayly
Hon Andrew Hoggard

Officials present from:

Office of the Prime Minister
Officials Committee for EXP



Cabinet

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Report of the Cabinet Expenditure and Regulatory Review Committee: Period Ended 14 February 2025

On 17 February 2025, Cabinet made the following decisions on the work of the Cabinet Expenditure and Regulatory Review Committee for the period ended 14 February 2025:

s(9)(f)(iv)	<div></div>	CONFIRMED
s(9)(f)(iv)	<div></div>	<div></div>
s(9)(f)(iv)	<div></div>	CONFIRMED
EXP-25-MIN-0001	Implementing New Persistent Organic Pollutants Following the 2023 Stockholm Convention Conference of the Parties Portfolio: Environment	CONFIRMED

Rachel Hayward
Secretary of the Cabinet

In Confidence

Office of the Minister for the Environment

Chair, Cabinet Legislation Committee

Implementing new persistent organic pollutants following the 2023 Stockholm Convention COP (final decisions)

Proposal

- 1 On 17 February 2025, Cabinet approved amendments to Schedules 1AA and 2A of the Hazardous Substances and New Organisms Act 1996 (HSNO Act), to Schedule 1 of the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 (Imports and Exports Order), and a consequential amendment to Schedule 1 of the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011 (ACVM Regulations) [CAB-25-MIN-0034].
- 2 This paper seeks Cabinet approval to submit to the Executive Council the:
 - 2.1 Hazardous Substances and New Organisms (Schedules 1AA and 2A) Order 2025
 - 2.2 Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 Amendment Order 2025
 - 2.3 Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Amendment Regulations 2025.
- 3 These Orders and Regulations will, respectively:
 - 3.1 amend Schedule 1AA of the HSNO Act to update the text of the Stockholm Convention on Persistent Organic Pollutants, and add Dechlorane Plus, methoxychlor, and UV-328 to Schedule 2A of the HSNO Act
 - 3.2 add Dechlorane Plus, methoxychlor, and UV-328 to Schedule 1 of the Imports and Exports Order
 - 3.3 add methoxychlor to Schedule 1 of the ACVM Regulations.
- 4 These amendments are required to meet new obligations under the Stockholm Convention on Persistent Organic Pollutants (the Convention) which come into force internationally on 26 February 2025.
- 5 The Minister for Food Safety has agreed I can make the recommendation to amend the ACVM Regulations on their behalf.
- 6 While the Minister of Commerce and Consumer Affairs has responsibility for the Imports and Exports Order, as Minister for the Environment I have the authority to recommend policy changes on their behalf.

Policy

- 7 New Zealand is a Party to the Convention. We fulfil our obligations under the Convention to eliminate or restrict the import, export, production, use, and disposal of chemicals listed in the Convention through the HSNO Act and the Imports and Exports Order.
- 8 These Orders and Regulations will give domestic effect to decisions made by the Conference of the Parties to the Convention in 2023 to make three new chemicals subject to its restrictions:
 - 8.1 Methoxychlor (without specific exemptions), an organochlorine pesticide that was used as an insecticide in both agricultural and veterinary uses and which was never approved for use in New Zealand
 - 8.2 Dechlorane Plus (with specific exemptions for use), a chlorinated flame retardant used in plastic materials, and in adhesives and sealants, especially in motor vehicles, with some ongoing use in New Zealand
 - 8.3 UV-328 (with specific exemptions for use), a UV-inhibitor widely used in paints and coatings and as an additive in plastics particularly in the automotive industry, and with some ongoing use in New Zealand.
- 9 The Hazardous Substances and New Organisms (Schedules 1AA and 2A) Order 2025 is secondary legislation that amends an Act. The Order amends Schedule 1AA of the HSNO Act to update the wording of the Convention contained in that schedule, and amends Schedule 2A of the HSNO Act to add three chemicals to the list of persistent organic pollutants. These amendments are necessary to give domestic effect to the decision made by the Conference of the Parties to the Convention in 2023 to restrict the three chemicals. The Act permits the Governor-General to amend these schedules in the Act to avoid requiring an amendment Act to implement routine operational changes in light of Convention amendments and decisions.

Timing and 28-day rule

- 10 The global entry into force date for the proposed amendments to the Stockholm Convention is 26 February 2025. New Zealand will become bound to the new obligations automatically (by process of tacit acceptance) unless we opt out of the amendment. Cabinet noted that these amendments will enter into force through the process of tacit acceptance and that New Zealand will not opt out [CAB-25-MIN-0034].
- 11 I seek a waiver of the 28-day rule so that, if agreed to by Cabinet, the changes would be notified in the *New Zealand Gazette* on 13 March 2025 and will come into force on 14 March 2025.

- 12 **s9(2)(h)** [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Compliance

- 13 The Orders and Regulations comply with each of the following:
- 13.1 the principles of the Treaty of Waitangi;
 - 13.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993;
 - 13.3 the principles and guidelines set out in the Privacy Act 2020;
 - 13.4 relevant international standards and obligations;
 - 13.5 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.
- 14 Officials did not need to seek advice from the Treaty Provisions Officials Group on any Treaty of Waitangi provisions.

Statutory prerequisites: Hazardous Substances and New Organisms (Schedules 1AA and 2A) Order 2025

- 15 Section 140A(2) of the HSNO Act requires the Order to be consistent with New Zealand's obligations under the Convention. I confirm that officials have advised me that the order is consistent with that Convention.
- 16 I am also required by section 141(1) of the HSNO Act to request the Environmental Protection Authority (EPA) to undertake consultation about the proposed Order. This took place from 25 July to 4 September 2024. On 1 November 2024, the EPA submitted to me its report on the results of the consultation, its comments on the submissions and the proposed amendments, and its advice on the best international practices and standards for the safe management of the hazardous substances. I have had regard to these submissions, comments, and advice in the development of the Order, as I am required to do by section 141(1).

Statutory prerequisites: Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 Amendment Order 2025

- 17 Section 3A(1) of the Imports and Exports (Restrictions) Act 1998 requires the Governor-General to be satisfied that the prohibition is necessary to give effect to an international obligation. I confirm that officials have advised me that the order is necessary to give effect to New Zealand's international obligations under the Convention, and I recommend Cabinet take note of this to advise the Governor-General accordingly.

Statutory prerequisites: Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Amendment Regulations 2025

- 18 The Minister for Food Safety is required by section 75(3) of the ACVM Act to take into account conditions imposed in any prescribed countries on the same substances, mixtures of substances, biological compounds, or class or group of substances. The Minister for Food Safety is also required by section 75(3A) to have regard to the desirability of maintaining consistency between those regulations and any relevant international standards, requirements, or recommended practices when recommending regulations be made. Both these prerequisites are satisfied by reason

[IN CONFIDENCE]

of these substances being banned to implement international obligations created by decisions of the Conference of the Parties to the Convention in 2023 to ban or restrict the substances. The Regulations are therefore consistent with international requirements, and equivalent to conditions imposed in other countries, and the Minister has taken these facts into account in recommending the Regulations be made.

- 19 Section 78(1) of the ACVM Act requires the Director-General of Primary Industries to do everything reasonably practicable on his part to undertake consultation with persons affected by the proposed prohibition on using methoxychlor as an agricultural compound. This consultation must occur before the Minister for Food Safety can recommend the regulations be made.
- 20 The Ministry for Primary Industry (MPI) advised that it satisfied this consultation requirement when it consulted with the Agricultural Compounds & Veterinary Medicines Advisory Council at its 90th meeting on 22 November 2023. The Minister for Food Safety was advised of the results of this consultation, which has informed the development of the regulations (as required by section 78(1) and (1)(b) of the ACVM Act).

Regulations Review Committee

- 21 There are no grounds for the Regulations Review Committee to draw the Orders or Regulations to the attention of the House of Representatives as a Standing Order requirement.

Certification by Parliamentary Counsel

- 22 The proposed Orders and Regulations have been certified by the Parliamentary Counsel Office (PCO) as being in order for submission to Cabinet.

Impact Analysis

- 23 The Ministry for Regulation determined that the proposal to amend schedules in the Hazardous Substances and New Organisms Act 1996 and the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 are exempt from the requirement to provide a Regulatory Impact Statement. This is on the basis that the proposals are the minimum necessary to comply with binding international obligations. [CAB-485 refers]
- 24 The Ministry for Regulation also determined that the proposal to amend schedule 1 of the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011 is exempt from the requirement to provide a Regulatory Impact Statement. This exemption is on the basis that it has no or only minor impacts on businesses, individuals, and not-for-profit entities. [CAB-485 refers]

Publicity

- 25 No publicity is planned as the proposal has a low public interest. The EPA will communicate the new requirements by putting them on its website and using its regular communication channels with industry.

Proactive release

- 26 This paper will be proactively released within 30 business days after Cabinet's decision. Proactive release will be subject to redaction as appropriate under the Official Information Act.

Consultation

- 27 The EPA, the Ministry of Business, Innovation and Employment, the Ministry of Foreign Affairs and Trade, the MPI, and the New Zealand Customs Service have been consulted on the proposals outlined in this paper and agree with the recommended approach. The Treasury and the Department of the Prime Minister and Cabinet have been informed.

Recommendations

I recommend that the Cabinet Legislation Committee:

1. note that on 17 February 2025 Cabinet agreed to prohibit Dechlorane Plus (with exemptions), methoxychlor, and UV-328 (with exemptions) [CAB-25-MIN-0034 and EXP-25-MIN-0001], by amending:
 - a. Schedules 1AA and 2A of the Hazardous Substances and New Organisms Act 1996;
 - b. Schedule 1 of the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004;
 - c. Schedule 1 of the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011;
2. note that these amendments are required to meet new international obligations under the Stockholm Convention on Persistent Organic Pollutants which come into force internationally on 26 February 2025, including for New Zealand;
3. note that the following statutory prerequisites (described in paragraphs 15–20 above) have been met:
 - a. the Minister for the Environment's requirement to comply with sections 140A(2) and 141 of the Hazardous Substances and New Organisms 1996 in relation to amendments to Schedule 2A of the Act;
 - b. the Minister for Food Safety's requirement to comply with the prerequisites in section 75(3) and (3A), and the consultation requirements in section 78(1) and (1)(b), of the Agricultural Compounds and Veterinary Medicines Act 1997;
4. note that the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 Amendment Order 2025 is necessary to give effect to international obligations under the Stockholm Convention on Persistent Organic Pollutants, such that the Governor-General can be satisfied of this fact to meet the statutory prerequisite to making this Order in section 3A(1) of the Imports and Exports (Restrictions) Act 1988;
5. authorise the submission to the Executive Council of the:

[IN CONFIDENCE]

- a. Hazardous Substances and New Organisms (Schedules 1AA and 2A) Order 2025;
 - b. Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 Amendment Order 2025;
 - c. Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Amendment Regulations 2025;
6. note that a waiver of the 28-day rule is sought:
- a. so that the Orders and Regulations can come into force on 14 March 2025;
 - b. on the grounds that New Zealand will become bound to the new obligations on 26 February 2025 and this is the earliest date following final Cabinet decision for New Zealand to implement the required domestic changes;
7. agree to waive the 28-day rule so that the regulations can come into force on 14 March 2025.

Authorised for lodgement

Hon Penny Simmonds

Minister for the Environment

**Agricultural Compounds and Veterinary Medicines
(Exemptions and Prohibited Substances) Amendment
Regulations 2025**

Order in Council

At Wellington this day of 2025

Present:
in Council

These regulations are made under section 75 of the Agricultural Compounds and Veterinary Medicines Act 1997—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Food Safety made in accordance with that section and section 78 of that Act.

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Regulations

- 1 Title**
These regulations are the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Amendment Regulations 2025.

**Agricultural Compounds and Veterinary Medicines
(Exemptions and Prohibited Substances) Amendment
Regulations 2025**

r 2

2 Commencement

These regulations come into force on 14 March 2025.

3 Principal regulations

These regulations amend the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011.

4 Schedule 1 amended

In Schedule 1, insert in its appropriate alphabetical order:

Methoxychlor, including any isomer of dimethoxydiphenyltrichloroethane or combination of isomers

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 14 March 2025, amend the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011. The regulations add methoxychlor to the list of substances prohibited from use as agricultural compounds or as ingredients in agricultural compounds. This change is to implement the 2023 amendments to the Stockholm Convention on Persistent Organic Pollutants.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*:

These regulations are administered by the Ministry for Primary Industries.

**Hazardous Substances and New Organisms
(Schedules 1AA and 2A) Order 2025**

Order in Council

At Wellington this day of 2025

Present:
in Council

This order is made under sections 140A(1) and 140B(1)(a) of the Hazardous Substances and New Organisms Act 1996—

- (a) on the advice and with the consent of the Executive Council; and
- (b) in accordance with the requirement in section 140A(2) of that Act that the order is consistent with New Zealand’s obligations under the Stockholm Convention (in relation to the amendments to Schedule 2A of that Act); and
- (c) on the recommendation of the Minister for the Environment made after complying with section 141 of that Act (in relation to the amendments to Schedule 2A of that Act).

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Order

1 Title

This order is the Hazardous Substances and New Organisms (Schedules 1AA and 2A) Order 2025.

2 Commencement

This order comes into force on 14 March 2025.

3 Principal Act

This order amends the Hazardous Substances and New Organisms Act 1996.

4 Schedule 1AA amended

- (1) In Schedule 1AA, Annex A, Part I, table, insert in their appropriate alphabetical order:

Dechlorane Plus CAS No: 13560-89-9 “Dechlorane Plus” includes its <i>syn</i> -isomer (CAS No: 135821-03-3) and its <i>anti</i> -isomer (CAS No: 135821-74-8)	Production Use	None In accordance with part XI of this Annex: <ul style="list-style-type: none"> • Aerospace • Space and defence applications • Medical imaging and radiotherapy devices and installations • Replacement parts for, and repair of, articles in applications in accordance with the provisions of paragraphs 2 and 3 of part XI of this Annex
Methoxychlor* “Methoxychlor” refers to any possible isomer of dimethoxydiphenyltrichloroethane or any combination thereof. For example: CAS No: 72-43-5; CAS No: 30667-99-3; CAS No: 76733-77-2; CAS No: 255065-25-9; CAS No: 255065-26-0; CAS No: 59424-81-6; CAS No: 1348358-72-4.	Production Use	None None
UV-328 CAS No: 25973-55-1	Production	As allowed for the Parties listed in the Register in accordance with the provisions of part XII of this Annex

Use	In accordance with part XII of this Annex:
	<ul style="list-style-type: none"> • Parts of motor vehicles (covering all land-based vehicles, such as cars, motorcycles, agricultural and construction vehicles and industrial trucks), such as bumper systems, radiator grills, spoilers, car garnish, roof modules, soft/hard tops, trunk lids and rear window wipers • Industrial coating applications for motor vehicles, engineering machines, rail transportation vehicles, and heavy-duty coatings for large steel structures • Mechanical separators in blood collection tubes • Triacetyl cellulose (TAC) film in polarizers • Photographic paper • Replacement parts for articles in applications in accordance with the provisions of paragraphs 2 and 3 of part XII of this Annex

(2) In Schedule 1AA, Annex A, after Part X, insert:

Part XI Dechlorane Plus	
1.	The use of Dechlorane Plus shall be eliminated except for Parties that have notified the Secretariat of their intention to use it in accordance with Article 4.
2.	<p>Specific exemptions for the use of Dechlorane Plus for replacement parts for, and repair of, articles shall apply where Dechlorane Plus was originally used in the manufacture of those articles and may be available, limited to the following applications, until the end of the service life of the articles or 2044, whichever comes earlier:</p> <ul style="list-style-type: none"> (a) Aerospace (such as aircraft engine fan case rub strip products and void-filling and edge-sealing products, aircraft engine manufacturing repairs, electrical items, structural panels and aircraft cabin interiors); (b) Space (such as satellites, probes and other exploration equipment, manned cabins and laboratories, heat-insulating materials for rocket motors and ground support equipment); (c) Defence (such as naval vessels, missiles, launch platforms, ordnance, communication equipment, radar and lidar systems and support equipment);

- (d) Motor vehicles (covering all land-based vehicles, such as cars, motorcycles, agricultural and construction vehicles and industrial trucks; applications include cables, wire harnesses, connectors and insulation tapes);
 - (e) Stationary industrial machines (such as tower cranes, concrete plants and hydraulic crushers; applications include cables, wire harnesses, connectors and insulation tapes) for use in agriculture, forestry and construction;
 - (f) Marine, garden, forestry and outdoor power equipment;
 - (g) Instruments for analysis, measurements, control, monitoring, testing, production and inspection.
3. Specific exemptions for the use of Dechlorane Plus for replacement parts for, and repair of, articles shall apply where Dechlorane Plus was originally used in the manufacture of those articles and may be available, limited to the following applications, until the end of the service life of those articles, subject to review by the Conference of the Parties no later than 2041:
- (a) Medical devices (such as ultrasound diagnostic devices, magnetic resonance imaging systems, X-ray imaging systems, flexible endoscopes and radiotherapy devices and installations);
 - (b) In-vitro diagnostic devices (such as immunoassay analysers, haematology analysers, polymerase chain reaction (PCR) testing systems, genetic analysers, clinical chemistry analysers, blood coagulation analysers and urinalysis analysers).

Part XII

UV-328

1. The production and use of UV-328 shall be eliminated except for Parties that have notified the Secretariat of their intention to produce and/or use it in accordance with Article 4.
2. Specific exemptions for the production and use of UV-328 for replacement parts for articles shall apply where UV-328 was originally used in the manufacture of those articles and may be available, limited to the following applications, until the end of the service life of the articles or 2044, whichever comes earlier:
 - (a) Motor vehicles (covering all land-based vehicles, such as cars, motorcycles, agricultural and construction vehicles and industrial trucks);
 - (b) Stationary industrial machines (such as tower cranes, concrete plants and hydraulic crushers) for use in agriculture, forestry and construction;

- (c) Liquid crystal displays in instruments for analysis, measurements, control, monitoring, testing, production and inspection (such as recorders, infrared radiation thermometers, digital storage oscilloscopes and radiographic testing instruments) other than for medical applications.
3. Specific exemptions for the use of UV-328 for replacement parts for articles for the following applications for medical purposes shall apply where UV-328 was originally used in the manufacture of those articles and may be available until the end of the service life of those articles, subject to review by the Conference of the Parties no later than 2041:
- (a) Liquid crystal displays in medical and in-vitro diagnostic devices (such as ultrasound diagnostic devices, flexible endoscopes, immunoassay analysers, clinical chemistry analysers and blood coagulation analysers);
- (b) Liquid crystal displays in instruments for analysis, measurements, control, monitoring, testing, production and inspection (such as recorders, infrared radiation thermometers, digital storage oscilloscopes and radiographic testing instruments).

5 Schedule 2A amended

In Schedule 2A, insert in their appropriate alphabetical order:

Substance	Use or storage	Manufacture	Expiry of permitted use or storage
Dechlorane Plus CAS No: 13560-89-9 “Dechlorane Plus” includes its <i>syn</i> -isomer (CAS No: 135821-03-3) and its <i>anti</i> -isomer (CAS No: 135821-74-8)	(a) aerospace applications:		(a) 25 February 2030:
	(b) space applications:		(b) 25 February 2030:
	(c) defence applications:		(c) 25 February 2030:
	(d) medical imaging and radiotherapy devices and installations:		(d) 25 February 2030:
	(e) replacement parts for, and repair of, articles where Dechlorane Plus was used in the manufacture of those articles in the following applications:		(e) end of the service life of the articles or 31 December 2043, whichever comes earlier:
		(i) aerospace:	
		(ii) space:	
		(iii) defence:	
		(iv) land-based motor vehicles:	(f) end of the service life of the articles:
		(v) stationary industrial machines for use in agriculture, forestry, and construction:	(g) (no expiry date)

**Hazardous Substances and New Organisms
(Schedules 1AA and 2A) Order 2025**

Substance	Use or storage	Manufacture	Expiry of permitted use or storage
Methoxychlor “Methoxychlor” refers to any isomer of dimethoxydiphenyltri-	(vi)	marine, garden, forestry, and outdoor power equipment:	
	(vii)	instruments for analysis, measurements, control, monitoring, testing, production, and inspection (other than for medical devices or in-vitro diagnostic devices):	
	(f)	replacement parts for, and repair of, articles where Dechlorane Plus was used in the manufacture of those articles in the following applications:	
	(i)	medical devices:	
	(ii)	in-vitro diagnostic devices:	
	(g)	articles where Dechlorane Plus has been used as an additive in adhesives, sealants, polymers, cables and wires, wire harnesses, and connectors (in applications such as land-based motor vehicles, power equipment, industrial machinery, marine machinery, garden machinery, forestry machinery, medical equipment, aerospace, defence, electrical equipment, electronic equipment, air conditioning, and heat pumps) present in New Zealand on or before 26 February 2025	

Substance	Use or storage	Manufacture	Expiry of permitted use or storage
chloroethane or any combination of isomers			
For example: CAS No: 72-43-5; CAS No: 30667-99-3; CAS No: 76733-77-2; CAS No: 255065-25-9; CAS No: 255065-26-0; CAS No: 59424-81-6; CAS No: 1348358-72-4			
UV-328 CAS No: 25973-55-1	(a) parts of land-based motor vehicles:	(a)	25 February 2030:
Phenol, 2-(2 <i>H</i> -benzotriazol-2-yl)-4,6- <i>bis</i> (1,1-dimethylpropyl)-	(b) industrial coating applications for land-based motor vehicles, engineering machines, and rail transportation vehicles, and heavy-duty coatings for large steel structures:	(b)	25 February 2030:
		(c)	25 February 2030:
		(d)	25 February 2030:
		(e)	25 February 2030:
	(c) mechanical separators in blood collection tubes:	(f)	end of the service life of the articles or 31 December 2043, whichever comes earlier:
	(d) triacetyl cellulose (TAC) film in polarizers:		
	(e) photographic paper:		
	(f) replacement parts for articles where UV-328 was used in the manufacture of those articles in the following applications:	(g)	end of the service life of the articles:
	(i) land-based motor vehicles:	(h)	(no expiry date)
	(ii) stationary industrial machines for use in agriculture, forestry, and construction:		
	(iii) liquid crystal displays in instruments for analysis, measurements, control, monitoring, testing, production, and inspection (other than for medical applications):		

Substance	Use or storage	Manufacture	Expiry of permitted use or storage
	(g) replacement parts for articles where UV-328 was used in the manufacture of those articles in the following applications for medical purposes:		
	(i) liquid crystal displays in medical devices and in-vitro diagnostic devices:		
	(ii) liquid crystal displays in instruments for analysis, measurements, control, monitoring, testing, production, and inspection:		
	(h) articles where UV-328 has been used as an additive in paints, coatings, sealants, adhesives, plastics and rubbers, printing inks, cooling and hydraulic liquids, lubricants, and construction materials (in applications such as land-based motor vehicles, industrial machinery, electrical equipment, electronic equipment, medical and analytical equipment, air conditioning, and heat pumps) present in New Zealand on or before 26 February 2025		

Clerk of the Executive Council.

Explanatory note

This note is not part of the order but is intended to indicate its general effect.

This order, which comes into force on 14 March 2025, amends the Hazardous Substances and New Organisms Act 1996 (the **Act**). The order makes changes to Sched-

ules 1AA and 2A of the Act to implement the 2023 amendments to the Stockholm Convention on Persistent Organic Pollutants. These changes restrict the use and storage of 3 chemicals: Dechlorane Plus, Methoxychlor, and UV-328.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*:

This order is administered by the Ministry for the Environment.

**Imports and Exports (Restrictions) Prohibition Order
(No 2) 2004 Amendment Order 2025**

Order in Council

At Wellington this day of 2025

Present:
in Council

This order is made under section 3A(1) of the Imports and Exports (Restrictions) Act 1988—

- (a) on the advice and with the consent of the Executive Council; and
- (b) after the precondition in that section has been met.

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Order

- 1 Title**
- This order is the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 Amendment Order 2025.

2 Commencement

This order comes into force on 14 March 2025.

3 Principal order

This order amends the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004.

4 Schedule 1 amended

In Schedule 1, insert in their appropriate alphabetical order:

Dechlorane Plus (CAS No: 13560-89-9), including its *syn*-isomer (CAS No: 135821-03-3) and its *anti*-isomer (CAS No: 135821-74-8)

Methoxychlor, including any isomer of dimethoxydiphenyltrichloroethane or combination of isomers

UV-328 (CAS No: 25973-55-1; Phenol, 2-(2*H*-benzotriazol-2-yl)-4,6-*bis*(1,1-dimethylpropyl)-)

Clerk of the Executive Council.

Explanatory note

This note is not part of the order but is intended to indicate its general effect.

This order, which comes into force on 14 March 2025, amends the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 (the **principal order**). It adds 3 more chemicals to the list of Stockholm chemicals in the principal order to implement the 2023 amendments to the Stockholm Convention on Persistent Organic Pollutants. These changes place restrictions on the export of those chemicals.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*:

This order is administered by the Ministry of Business, Innovation, and Employment.



Cabinet Legislation Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Implementing New Persistent Organic Pollutants - Stockholm Convention COP

Portfolio **Environment**

On 6 March 2025, the Cabinet Legislation Committee:

- 1 **noted** that in February 2025, the Cabinet Expenditure and Regulatory Review Committee agreed to prohibit Dechlorane Plus (with exemptions), methoxychlor, and UV-328 (with exemptions) by amending:
 - 1.1 Schedules 1AA and 2A of the Hazardous Substances and New Organisms Act 1996;
 - 1.2 Schedule 1 of the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004;
 - 1.3 Schedule 1 of the Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Regulations 2011;

[EXP-25-MIN-0001]
- 2 **noted** that these amendments are required to meet new international obligations under the Stockholm Convention on Persistent Organic Pollutants which come into force internationally on 26 February 2025, including for New Zealand;
- 3 **noted** that the following statutory prerequisites have been met:
 - 3.1 the Minister for the Environment's requirement to comply with sections 140A(2) and 141 of the Hazardous Substances and New Organisms 1996 in relation to amendments to Schedule 2A of the Act;
 - 3.2 the Minister for Food Safety's requirement to comply with the prerequisites in section 75(3) and (3A), and the consultation requirements in section 78(1) of the Agricultural Compounds and Veterinary Medicines Act 1997;
- 4 **noted** that the Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 Amendment Order 2025 is necessary to give effect to international obligations under the Stockholm Convention on Persistent Organic Pollutants, such that the Governor-General can be satisfied of this fact to meet the statutory prerequisite to making this Order in section 3A(1) of the Imports and Exports (Restrictions) Act 1988;

- 5 **authorised** the submission to the Executive Council of the:
- 5.1 Hazardous Substances and New Organisms (Schedules 1AA and 2A) Order 2025 [PCO 26963/5.0];
 - 5.2 Imports and Exports (Restrictions) Prohibition Order (No 2) 2004 Amendment Order 2025 [PCO 26962/5.0];
 - 5.3 Agricultural Compounds and Veterinary Medicines (Exemptions and Prohibited Substances) Amendment Regulations 2025 [PCO 26961/5.0];
- 6 **noted** that a waiver of the 28-day rule is sought:
- 6.1 so that the Orders and Regulations can come into force on 14 March 2025;
 - 6.2 on the grounds that New Zealand became bound to the new obligations on 26 February 2025 and this is the earliest date following final Cabinet decision for New Zealand to implement the required domestic changes;
- 7 **agreed** to waive the 28-day rule so that the Orders and Regulations can come into force on 14 March 2025.

Tom Kelly
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Louise Upston (Chair)
Hon Brooke van Velden
Hon Judith Collins KC
Hon Dr Shane Reti
Hon Tama Potaka
Hon Nicole McKee
Hon Casey Costello
Hon Simon Watts
Hon Chris Penk
Hon James Meager
Hon Andrew Hoggard
Jamie Arbuckle, MP
Todd Stephenson, MP

Officials present from:

Officials Committee for LEG



Cabinet

Minute of Decision

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Report of the Cabinet Legislation Committee: Period Ended 7 March 2025

On 10 March 2025, Cabinet made the following decisions on the work of the Cabinet Legislation Committee for the period ended 7 March 2025:

s(9)(f)(iv)	[REDACTED]	CONFIRMED
s(9)(f)(iv)	[REDACTED]	CONFIRMED
s(9)(f)(iv)	[REDACTED]	CONFIRMED
s(9)(f)(iv)	[REDACTED]	CONFIRMED
s(9)(f)(iv)	[REDACTED]	CONFIRMED
LEG-25-MIN-0019	Implementing New Persistent Organic Pollutants - Stockholm Convention COP Portfolio: Environment	CONFIRMED
s(9)(f)(iv)	[REDACTED]	CONFIRMED
s(9)(f)(iv)	[REDACTED]	CONFIRMED

Rachel Hayward
Secretary of the Cabinet

