



14 March 2025

Ref: DOIA-REQ-0010274-Claire Bleakley

Claire Bleakley
Email: claire@gefree.org.nz

Tēnā koe Claire

Thank you for your email of 14 February 2025 to the Ministry of Business, Innovation and Employment (MBIE) requesting, under the Official Information Act 1982 (the Act), the following information:

We note that MBIE has been developing a Gene Regulatory Bill relating to Gene Technology and we request these documents

- *2324-1836 Biotechnology Regulator – process 8 February 2024*
- *2324-2057 Regulation of Biotechnology – Legislation bid - 12 February 2024*
- *2324-2241 Regulation of Biotechnology – Joint Ministers meeting 14 March 2024*
- *2324- 3529 Regulation of gene technology Third Ministers meeting 5 June 2024*
- *2324-3917 – Meeting with Life Sciences Network 24 June*
- *2324- 3917 Event Briefing Regulation of gene technology fourth joint ministers meeting 25 June*
- *2425-0261 Regulation of gene technology- draft cabinet paper for Ministerial consultation – 11 July 2024*
- *2425-0421 Regulation of gene technology – regulatory impact statement – 24 July 2024*

What are the implications of the new biotechnology regulations and legislation on current RMA and HSNO Acts on existing precautionary or GE Free regions in Aotearoa?

Will the Fast Track Bill allow the Ministers to override local body and community decisions on GE?

Will there be public submissions and the ability to challenge the decisions?

We request these documents under the Official Information Act 1982,[sic].

I am writing to respond in part to your request and to advise you that MBIE will provide a further response in relation to your request but needs to extend the time available to answer your request fully. MBIE's further response will be sent to you no later than 18 April 2025.

The reason for the extension to respond fully is that your request necessitates consultation to make a decision and the consultations required are such that a proper response to the request cannot reasonably be made within the original time limit.

Please see MBIE's response to your request below.

Decision and partial response to request for documents

All but two of the documents you requested have been proactively released and are available on MBIE's website at this link:

<https://www.mbie.govt.nz/dmsdocument/29940-regulation-of-gene-technologies-policy-decisions-proactive-release-of-advice-proactiverelase-pdf>

Because these are publicly available I am refusing under section 18(d) of the Act your request for the documents listed above, except for the two documents which have not been proactively released:

- 2324-2057 Regulation of Biotechnology – Legislation bid - 12 February 2024
- 2324-2230 Meeting with Life Sciences Network 24 June.

Once we have undertaken consultation on these two documents, I will respond to advise our decision about them.

Decision on official information related to your other questions

Information responding to your other questions is publicly available in:

- the August 2024 Cabinet paper "Regulation of gene technologies – policy decisions" (available on the MBIE website at the above link), and
- the [Gene Technology Bill](#).

I am therefore refusing under section 18(d) of the Act your other requests.

Response to question about implications for existing precautionary or GE Free regions in Aotearoa

The [Gene Technology Bill](#) provides that the Resource Management Act 1991 will be amended – refer to the Bill's explanatory note on Part 6 Subpart 9 and Schedule 4 and to the related clauses for specific details. The effect of the amendments is outlined in the Minister's Cabinet paper seeking policy approvals for the development of the Bill. The Cabinet paper has also been publicly released and is available at the link noted above.

Response to question about the Fast Track Bill overriding local body and community decisions on GE

We are unclear to what you reference here, however, the functions of the Minister under the Gene Technology Bill are set out in clause 106 and there are no functions or powers related to local body and community decisions.

Response to question about public submissions and the ability to challenge the decisions

We interpret your question as seeking information about whether the Bill provides for this.

The Bill requires that the public *must* be consulted on certain matters and that they *may* be consulted on others. The relevant clauses in the Bill are clauses 28 and 49. In respect of the public's ability to challenge decisions, the Bill does not limit judicial review in any way and Part 5 Subpart 2 of the Bill sets out rights of appeal.

If you wish to discuss any aspect of your request or this response, or if you require any further assistance, please contact OIA@mbie.govt.nz.

You have the right to seek an investigation and review by the Ombudsman of our decision to extend the time limit and our decisions (below) concerning parts of your request. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'de Jong', enclosed within a large, loopy oval shape.

Tony de Jong
Manager Biotechnology Policy & Regulation
Labour, Science and Enterprise, MBIE