

Official Information Act Request

Requester's details

Date: 23 July 2024

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Reference number: ENQ-47517-G4G2C0

Tēnā koe Claire

I refer to your request received on 14 February 2024:

“Please may we have the comprehensive administrative and internal and external correspondence made received or generated by the EPA since 20 June 2023 - 15 February 2024, concerning gene editing techniques and their products specifically all correspondence regarding "null segregants”.

Your request was extended on 27 March 2024 and later refined on 10 June 2024 to only be for the following 18 documents:

1. ENQ-47391-X0T5G3 Ministerial Briefing cover sheet
2. Communications plan null segregants2
3. ENQ-47391-X0T5G3 - Briefing - Null segregants determination
4. Communications priorities 2024
5. APP204713 Brief for Contact Centre
6. Back pocket notes null segregants v1
7. Comms options null segregants
8. Null Segregant Messaging Tim EPA 22Dec23
9. Ministerial Update – HME Ryegrass – 27 Oct 23
10. Ministerial Update - Gene Ed Endos - 31 Oct 23
11. Ministerial Update – Hi Condensed Tannin White Clover - 24 Oct 2023
12. GE GM November 2023.pdf3
13. Null segregant illustrations mark-up 1.pdf
14. APP20473 NKTT update memo 20240117
15. 2024 Agenda Ngā Kaihautū Induction 30 January 2024
16. Biotechnology reform – Policy questions to answer
17. NKTT Korero meeting papers 26 July 2023
18. Null seg media prep 22 Feb.

The information you have requested is attached in four PDF binder files.

Binder one contains three documents. One document (Briefing - Release of 'null segregants' statutory determination) was provided to the Minister for the Environment concerning the

statutory determination of null segregants. In addition to this document, there are two versions of the cover sheet, which capture the internal peer review process. An earlier version does record Dr Chris Hill's signature. A mobile number in the briefing has been withheld under Section 9(2)(a) of the Official Information Act 1982 (OIA) to protect the privacy of natural persons. We consider there is good reason to withhold this information that outweighs the public interest in making it available.

- Briefing - Release of 'null segregants' statutory determination
- Ministerial Briefing cover sheet ENQ-47391-X0T5G3
- Ministerial Briefing cover sheet ENQ-47391-X0T5G3

Binder two contains six documents relating to the communication of the null segregants determination. Some information in the documents 'Back pocket notes null segregants v1' and 'Comms options null segregants' has been withheld under Section 9(2)(g)(i) of the Official Information Act 1982 (OIA) to maintain the effective conduct of public affairs through the free and frank expression of opinions. We consider there is good reason to withhold this information that outweighs any public interest in making it available. The document 'Null segregant illustrations mark up 1.pdf' was a draft document used to prepare the Null Segregant illustrations used on our website.

- Comms options null segregants
- Communications plan null segregants
- Null seg media prep 22 Feb
- Back pocket notes null segregants v1.
- Null segregant illustrations mark up 1.pdf
- APP204713 Brief for Contact Centre

A seventh document (Communications priorities 2024) has been withheld as it is considered out of scope of the request.

Binder three contains one document which was provided to the Environmental Protection Authority (EPA) by AgResearch.

- Null Segregant Messaging Tim EPA 22Dec23

The documents 'Ministerial Update - HME_Ryegrass – 27 Oct 23', 'Ministerial Update - Gene Ed Endos - 31 Oct 23', and 'Ministerial Update – Hi Condensed Tannin White Clover - 24 Oct 2023' are being withheld as they are subject to section 55 of the Hazardous Substances and New Organisms Act 1996, which requires us to maintain the confidentiality of information supplied by an applicant. Therefore, these parts of your request are refused under section 18(c)(i) of the OIA, because releasing this information would be contrary to the provisions of a specified enactment.

The document 'GE GM November 2023.pdf' has been withheld under section 18(d) of the OIA on the basis that the information is publicly available. This document is available on the AgResearch website: [Pasture Biotechnology update #1 - AgResearch](#)

The document 'Biotechnology reform - Policy questions to answer v2' was provided by The Ministry of Business, Innovation and Employment (MBIE) to the EPA. This document relates

to ongoing policy development which is under active consideration by ministers. For this reason we are withholding this document under section 9(2)(f)(iv) the OIA to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by officials. We consider there is good reason to withhold this information that outweigh the public interest in making it available.

Binder four contains two documents. One document dated 17 January 2024, is an update to Ngā Kaihautū Tikanga Taiao (NKTT), the EPA's Māori advisory committee on the Null Segregants determination. The second document dated 30 January 2024, is a Ngā Kaihautū Tikanga Taiao meeting agenda for the induction of their new members.

- APP20473 NKTT update memo 20240117
- 2024 Agenda Ngā Kaihautū Induction 30 January 2024

In the document '2024 Agenda Ngā Kaihautū induction' dated 30 January 2024, there is no specific reference to null segregants, however it was discussed verbally under 'other business'. The third document requested 'NKTT Korero meeting papers 26 July 2023' is being withheld, as on further review, it is considered to be out of scope to the request.

In summary, we are releasing 11 of the 18 documents from the refined document list. Seven documents have been withheld from release or are considered to be out of scope of the request, for the reasons described above.

Thank you for your patience while we prepared our response to your information request. Your subsequent refinement to specific documents greatly assisted EPA to prepare the information for release.

I hope this information is helpful. You have the right to seek an investigation and review by the Ombudsman of this decision under section 28(3) of the OIA. You can contact the Ombudsman on 0800 802 602, or by email at info@ombudsman.parliament.nz

If you have any further queries, please do not hesitate to contact us via ministerials@epa.govt.nz. We may publish your request and our response on our website, www.epa.govt.nz. We make OIA responses available so others can read more about the work we do and the questions we are asked. Any information that might identify you will be removed to protect your privacy.

Nāku noa nā



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