



Claire Bleakley
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14 JUN 2017

Dear Ms Bleakley

On 6 May 2017 you made an email request for information from the Ministry for Primary Industries (MPI), which they treated as a request under the Official Information Act 1982 (OIA). On 17 May 2017, your request was transferred to me by MPI under section 14 of the OIA.

I note that in February 2017, you requested information from MPI [OIA request 17-0061] on the status of the consultation for the National Environmental Standard for Plantation Forestry (NES-PF). In a telephone conversation with Oliver Hendrickson you clarified that you specifically want to know whether provisions for permitting genetically modified tree stock remain part of the NES-PF proposal. Mr Hendrickson responded in writing to your request on 28 March 2017. In response to that email you have asked:

Please could you advise me why we have received no documentation or information regarding the OIA17-0061. I still have not received any consultation material regarding the outcome of the NES-PF. I was of the understanding that it had been sent to the Minister in July 2016. Please can you advise me why there has been such a delay/ Please could you advise me has the section 6.4 and all related clauses been removed from the document?

I understand that in a further phone call with Mr Hendrickson you confirmed the scope of your 6 May request as specifically whether the provisions for genetically modified (GM) tree stock remain part of the NES-PF proposal.

The Minister for the Environment (the Minister) is responsible for promulgating National Environmental Standards under the Resource Management Act 1991 (RMA). The Minister has yet to make a final decision on whether the provisions for GM tree stock have been included or excluded from the NES-PF proposal. Final approval of the NES-PF must be made by Cabinet.

I thought it may be helpful to clarify the policy process of the NES-PF to outline why any delays may have occurred.

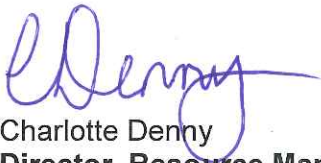
In June 2016 Cabinet agreed to the Minister's recommendation to instruct the Parliamentary Counsel Office (PCO) to begin drafting the NESPF regulations. The draft regulations are lengthy and cover a range of matters, so drafting and redrafting took up the latter part of 2016.

A confidential exposure draft was released in April 2017 to a small group of to test the workability and readability of the draft NES-PF. Those receiving the draft regulations were required to sign a confidentiality agreement. This was not a public consultation process.

Responses from the exposure draft process have been considered by officials in order to ensure the regulations are clear and workable and PCO are in the process of redrafting the regulations in light of these responses.

Under section 28(3) of the OIA, you have the right to ask the Ombudsman to review my response to your request.

Yours sincerely



Charlotte Denny
Director, Resource Management System

On behalf of the Ministry for the Environment