
AGRICULTURE AND FOOD

AG301

Gene Technology Act 2006

Gene Technology Amendment Regulations 2020

SL 2020/145

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Gene Technology Amendment Regulations 2020*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Gene Technology Regulations 2007*.

4. Regulation 6A inserted

After regulation 6 insert:

6A. Particular dealings relating to COVID-19 vaccine exempt dealings

- (1) In this regulation —

Health Minister means the Minister responsible for the administration of the *Health Services Act 2016*;

relevant dealing means a dealing with a GMO that —

- (a) is —
 - (i) authorised under a GMO licence issued under the Commonwealth Act; and

- (ii) undertaken by a person, or a person in a class of persons, approved under subregulation (3)(a);
or
 - (b) is specified in an emergency dealing determination in force under section 72B of the Commonwealth Act; or
 - (c) is declared by the Commonwealth regulations to be a notifiable low risk dealing; or
 - (d) is specified by the Commonwealth regulations to be an exempt dealing; or
 - (e) is included in the GMO Register.
- (2) For the purposes of section 32(3) of the Act, a dealing with a GMO is an exempt dealing if the dealing —
 - (a) relates to a vaccine for COVID-19; and
 - (b) is a relevant dealing; and
 - (c) is conducted in accordance with any applicable technical and procedural guidelines approved by the Minister under subregulation (3)(b).
- (3) The Minister may, after consulting the Health Minister, by written notice published in the *Gazette* —
 - (a) approve a person or class of persons to deal with a GMO for the purposes of paragraph (a)(ii) of the definition of **relevant dealing** in subregulation (1); and
 - (b) approve technical and procedural guidelines to deal with a GMO for the purposes of subregulation (2)(c).
- (4) Without limiting subregulation (3)(b), the Minister may approve technical and procedural guidelines as in force from time to time under section 27(d) of the Commonwealth Act.
- (5) If the Minister approves technical and procedural guidelines, the Minister must publish the technical and procedural guidelines on the website of the department of the Public Service principally assisting in the administration of the Act.

R. NEILSON, Clerk of the Executive Council.
