



**Australian Government**  
**Department of Health and Ageing**  
**Office of the Gene Technology Regulator**

**EXPLANATORY STATEMENT ACCOMPANYING LEGISLATIVE  
INSTRUMENT TITLED *DETERMINATION THAT DEALINGS WITH  
GENETICALLY MODIFIED CARNATION LINES BE INCLUDED ON THE  
GMO REGISTER (Register 001/2004)***

**Purpose and Operation of the Instrument**

The *Gene Technology Act 2000* prohibits dealings with genetically modified organisms (GMOs) unless the dealings are:

- (a) licensed by the Gene Technology Regulator; or
- (b) specified by the *Gene Technology Regulations 2001* as dealings exempted from licensing; or
- (c) declared by the regulations as notifiable low risk dealings; or
- (d) included on the GMO Register.

This instrument is a determination made by the Gene Technology Regulator that the specified dealings be included on the GMO Register as provided by the *Gene Technology Act 2000* (Part 6, Division 3).

In making this determination the Gene Technology Regulator is satisfied that the dealings are, or have been, authorised by a GMO licence, that any risks posed by the dealings are minimal, and that it is not necessary for persons undertaking the dealings to hold, or be covered by a GMO licence, in order to protect the health and safety of people or to protect the environment.

**Consultation Undertaken Before the Instrument was Made**

Consultation was undertaken for an 8-week period, commencing in August 2005, which particularly sought information on any adverse effects posed by the dealings from relevant Australian Government agencies, State and Territory governments and the Gene Technology Technical Advisory Committee. The public was also invited to provide comment via a notice published on the website of the Office of the Gene Technology Regulator, and in leading national, state and territory newspapers. All submissions received were considered in the context of currently available scientific evidence. No risks to human health and safety or the environment were identified.

Advice was received from the Office of Regulation Review that a Regulatory Impact Statement was not required to accompany the determination. This is because the determination is of a non-regulatory nature in that it applies existing regulation rather than proposing changes to the regulatory framework.