

AUSTRALIAN CAPITAL TERRITORY

Gene Technology (GM Crop Moratorium) Moratorium Order 2004 (No 1)

Disallowable Instrument DI2004–234

Explanatory Statement

Section 7 of the *Gene Technology (GM Crop Moratorium) Act 2004* (the Act) provides for the Minister for Health to, in writing, make an order (a moratorium order) prohibiting the cultivation in the ACT of a stated genetically modified (GM) food plant.

The purpose of the instrument is to give effect to the Government's policy commitment of June 2003 to place a three-year moratorium on the commercial release of GM food crops for marketing purposes.

Currently the only GM food crop licensed for commercial release by the Gene Technology Regulator in Australia is canola. There are two varieties of GM canola approved by the regulator, Bayer's *InVigor Hybrid*[®] canola and Monsanto's *Roundup Ready*[®] canola.

This instrument prohibits the cultivation in the open environment of Bayer *InVigor Hybrid*[®] canola plants tolerant to the herbicide glufosinate ammonium due to genetic modification which are derived from the lines defined in the applications under Section 40 of the Gene Technology Act 2000 of the Commonwealth (the Commonwealth Act) designated DIR010/2001 and DIR021/2002 made to the Gene Technology Regulator.

A moratorium order under Section 7 of the Act is a disallowable instrument.