

## AUSTRALIAN CAPITAL TERRITORY

### Gene Technology (GM Crop Moratorium) Moratorium Order 2004 (No 2)

#### Disallowable Instrument DI2004–235

#### 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*<sup>®</sup> canola and Monsanto's *Roundup Ready*<sup>®</sup> canola.

This instrument prohibits the cultivation in the open environment of canola plants (known as *Roundup Ready*<sup>®</sup> Canola) which have been genetically modified and have been licensed under the Gene Technology Act 2000 of the Commonwealth for intentional release into the environment.

The moratorium order applies to any canola plant which derives its glyphosate tolerance from the specified genetic modification whether that modification was to that plant or to any other plant from which that plant is derived (see definition of GM food plant in the *Gene Technology (GM Crop Moratorium) Act 2004*).

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