



Cabinet Policy Committee

POL Min (03) 7/14

Copy No:

Minute of Decision

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Government Response to the Royal Commission on Genetic Modification: Legislative changes for New Organisms:

Paper 8: Changes to More Appropriately Reflect the Treaty of Waitangi Relationship under the HSNO Act

On 2 April 2003 the Cabinet Policy Committee:

The effective involvement of Maori

- 1 **invited** the Minister for the Environment, through the Statement of Intent, to encourage the Environmental Risk Management Authority (ERMA New Zealand) to further facilitate relationship-building between Maori and potential applicants;
- 2 **directed** officials, led by the Ministry for the Environment (MfE), to work with ERMA New Zealand to further develop and co-ordinate initiatives aimed at improving the engagement of Maori early in the development of research programmes which may lead to applications (particularly new organisms applications) under the HSNO Act, and report to the Minister for the Environment and the Minister of Research, Science and Technology;
- 3 **noted** that ERMA New Zealand has already begun to establish a network of Maori Institutional Biological Safety Committee (IBSC) representatives;
- 4 **directed** officials led by MfE to work with ERMA New Zealand to investigate and report to the Minister for the Environment on the support necessary to further develop the network in paragraph 3 above;
- 5 **directed** MfE, in consultation with ERMA New Zealand and other relevant agencies, to report back to the Cabinet Policy Committee on paragraphs 2 and 4 above, including the funding implications, by 31 July 2003;

Extending knowledge and experience of Maori values by those involved in decision-making

Nga Kaihautu Tikanga Taiao

- 6 **noted** that at present Nga Kaihautu Tikanga Taiao is an advisory committee appointed by, and at the discretion of, the Authority to contribute to the quality of the Authority's policy and decision-making from a Maori perspective, and that Nga Kaihautu Tikanga Taiao appoints its own chairperson, which is confirmed by the Authority;

- 7 **agreed:**
- 7.1 to amend the HSNO Act to give Nga Kaihautu Tikanga Taiao a statutory basis as an advisory body to the Authority to contribute to the quality of the Authority's policy and decision-making from a Maori perspective;
- 7.2 that the Authority appoint the chair and members of Nga Kaihautu Tikanga Taiao;
- 8 **agreed** that the Authority should establish the terms of reference of Nga Kaihautu Tikanga Taiao and review these on a regular basis;

Members of the Authority

- 9 **agreed** to amend the HSNO Act to add knowledge of the Treaty of Waitangi and tikanga Maori to the knowledge and experience that the Minister considers when appointing members of the Authority;
- 10 **noted** that the decision-making framework in sections 4 – 8 of the HSNO Act is consistent with the Treaty principles, but that the relative weighting within the framework could be changed to strengthen the consideration given to Maori interests within the Treaty relationship;

Maori perspectives and values in decision-making

- 11 **noted** the proposals in the paper under POL (03) 69 relating to possible amendment of sections 5 and 8 of the HSNO Act;
- 12 **agreed** not to amend sections 5 or 8 of the HSNO Act;

Publicity

- 13 **agreed** that the decisions in this minute be announced as soon as practicable and the submission under POL (03) 69 and the Maori Reference Group report be made public at that time;
- 14 **agreed** that the Maori Reference Group report be provided to the Select Committee considering the HSNO Amendment Bill;

Consultation

- 15 **noted** that the Minister for the Environment indicates that consultation will be undertaken with government caucuses and will not be required with other parliamentary parties.

Sue Sharp
Secretary

Reference: POL (03) 69

Copies to: (see over)

Present:

Rt Hon Helen Clark (Chair)
Hon Dr Michael Cullen
Hon Jim Anderton (part of item)
Hon Steve Maharey
Hon Phil Goff
Hon Annette King
Hon Jim Sutton (part of item)
Hon Trevor Mallard
Hon Pete Hodgson (part of item)
Hon Margaret Wilson
Hon Parekura Horomia
Hon Lianne Dalziel
Hon Paul Swain
Hon Marian Hobbs
Hon John Tamihere
Hon Chris Carter
Hon Judith Tizard
Hon Rick Barker (part of item)

Officials present from:

Office of the Prime Minister
Department of the Prime Minister and Cabinet

Copies to:

Cabinet Policy Committee
Chief Executive, DPMC
Mary Anne Thompson, DPMC
Secretary to the Treasury
Chief Executive, Ministry of Economic Development
Secretary of Foreign Affairs and Trade
Secretary for Justice
Director-General of Agriculture and Forestry
State Services Commissioner
Chief Executive, Ministry for Research, Science and Technology
Solicitor-General
Chief Executive, Te Puni Kokiri
Minister for the Environment
Secretary for the Environment
Chief Parliamentary Counsel
Legislation Co-ordinator