

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

Budget Estimates 2017 - 2018, 29 & 30 May 2017

Ref No: SQ17-000822

OUTCOME: 5 - Regulation, Safety and Protection

Topic: Genetically Modified Organism

Type of Question: Written Question on Notice

Senator: Rice, Janet

Question:

The OGTR has stated that the regulatory status of null segregants and agroinfiltration is clear in relation to the definition of 'genetically modified organism' under section 10 of the Gene Technology Act 2000 (SQ17-000433).

The Gene Technology Act 2000 defines a "genetically modified organism" as:

- (a) an organism that has been modified by gene technology; or
 - (b) an organism that has inherited particular traits from an organism (the initial organism), being traits that occurred in the initial organism because of gene technology; or
 - (c) anything declared by the regulations to be a genetically modified organism, or that belongs to a class of things declared by the regulations to be genetically modified organisms;
- a) In the OGTR's view how are these techniques excluded from this definition?
 - b) Has the OGTR sought legal advice to inform this position?
 - c) Has the OGTR sought external technical advice to arrive at this position?
 - i) If yes to c) who provided this technical advice?
 - ii) Please table the advice and any declaration of interests by those who gave advice

Answer:

- a) The view of the Gene Technology Regulator is that null segregants are those offspring that have not inherited particular traits from their Genetically Modified Organism (GMO) parents, where these traits have occurred because of gene technology. Subject to paragraphs (d) and (e) of the definition of 'genetically modified organism', organisms that have not themselves been modified by gene technology are GMOs only if they meet paragraph (b) of the definition.

In other words, the GMO parents are subject to regulation, however the null segregant offspring do not possess the GM traits that occurred because of gene technology, and are not subject to regulation.

In the Gene Technology Regulator's view, organisms that are genetically modified in a transient manner are GMOs while the genetic modification or trait is present, and are no longer GMOs once both the trait and genetic modification are no longer present. Agroinfiltration can be used as a technique for transient genetic modification.

b) and c)

The current Gene Technology Regulator has not sought legal or external technical advice to inform the view as expressed in part a).