1. Summary of decision

1.1 Application APP203434 to import into containment ten reptile species was lodged under section 40(1) of the Hazardous Substances and New Organisms (HSNO) Act 1996 (the Act).

1.2 The application was considered in accordance with the relevant provisions of the Act and of the HSNO (Methodology) Order 1998 (the Methodology).

1.3 The Committee has approved the application in accordance with section 45(1)(a) of the Act, subject to the controls set out in Appendix One.

1 The Committee referred to in this decision is the subcommittee that has made the decision on the applications under delegated authority in accordance with section 18A of the Act.
2. Application process

2.1 The application was formally received for processing on 27 October 2017.

Notification

2.2 Section 53(2) of the Act provides that an application under section 40 of the Act may be publicly notified by the Environmental Protection Authority (EPA) if it considers that there is likely to be significant public interest.

2.3 The EPA Board has delegated the decision to publicly notify applications under section 53(2) to the Chief Executive, who sub-delegated that decision-making to the General Manager Hazardous Substances and New Organisms as of 17 March 2015. The application was not publicly notified because the General Manager did not identify that there would be any significant public interest in this application.

Comments from MPI and DOC

2.4 In accordance with section 58(1)(c) of the Act, the Ministry for Primary Industries (MPI) and the Department of Conservation (DOC) were advised and provided with the opportunity to comment on the application.

2.5 DOC agreed that there is no significant risk of escape or establishment from the 10 species in this application.

2.6 MPI made no comments on the application to import these 10 species of reptiles into containment.

2.7 The Committee was satisfied that these comments were taken into account in the consideration of this application.

Information available for the consideration

2.8 The information available for the consideration comprised the application form, the EPA staff advice memorandum and the comments received from DOC.

2.9 The Committee considered that it had sufficient information to assess the application. To the extent that the application may not meet any legislative information requirements, the Committee waived those requirements.
Sequence of the consideration

2.10 In its consideration of the application as per the requirements in the Act and the Methodology, the Committee considered whether:

- the application is for one of the purposes specified in the Act
- the new organisms can be adequately contained
- the controls provide for matters specified in Schedule 3 (Part 2) of the HSNO Act
- the beneficial effects of having the new organism in containment outweigh the adverse effects of the new organisms and any inseparable organism
- the new organisms could escape from containment
- the new organisms could establish an undesirable self-sustaining population
- the new organisms could be eradicated if it established an undesirable self-sustaining population, and the ease of eradication.

2.11 Each point is addressed in the following sections of this decision.

3. Purpose of the application and scope of the approval

3.1 The applicant sought approval to import ten reptile species into containment for public display in the future Southeast Asian precinct of the Auckland Zoo. The applicant intends to bring potential breeding pairs/groups of all species in to mate and contribute actively to international breeding initiatives.

3.2 Section 45(1)(a)(i) of the Act requires that the application be for one of the purposes specified in section 39(1) of the Act. The Committee was satisfied that the purpose of this application falls within the scope of section 39(1)(e) of the Act: “the public display of any organism including, but not limited to, display in a circus or zoological garden” being conservation and education.

3.3 Auckland Zoo sought approval to import into containment one freshwater crocodile (Tomistoma schlegelii), eight freshwater turtle species (Batagur affinis, B.baska, B.borneoensis, Cuora amboinensis, Heosemys grandis, H.spinosa, Leucocephalon yuwonoi, Orlitia borneensis) and one terrestrial tortoise (Manouria emys). The reptile species will be displayed in a new Southeast Asian precinct to educate the public about the plight of these animals and their habitats.

3.4 The Committee noted that these reptiles are listed “Vulnerable” to “Critically Endangered” by the IUCN. Despite the ban to exploit these species put in place in many Southeast Asian countries, the illegal trade of meat or traditional medicine and the destruction of their natural habitats are the main causes of their decline.

3.5 The Committee noted that the use of this approval is not limited to the applicant. Therefore other persons could use this approval provided that they comply with the approved organisms description (4.3); meet the purpose of this approval (for public display); and that they meet the controls specified in
Appendix One. Therefore, the Committee imposed control 11 requiring all approval users to notify the EPA and MPI that they intend to use this approval prior to first use.

4. Adequacy of the containment regime

4.1 Section 45(1)(a)(iii) of the Act requires that the Committee be satisfied that the new organisms can be adequately contained.

4.2 To evaluate the adequacy of containment, the Committee assessed the ability of the reptile species to escape from containment by taking into account:
- the biological characteristics of the reptile species that relate to containment
- the containment regime
- the potential pathways of escape from the containment facility.

Biological characteristics that relate to containment

4.3 The organisms approved for importation into containment for public display are:
- One false gharial – Class Reptilia, Order Crocodilia, Family Gavialidae:
  - *Tomistoma schlegelii* (Müller, 1838)
- Eight freshwater turtles – Class Reptilia, Order Testudines, Family Geoemydidae:
  - *Batagur affinis* (Cantor, 1847)
  - *Batagur baska* (Gray, 1830)
  - *Batagur borneoensis* (Schlegel & Müller, 1844)
  - *Cuora amboinensis* (Daudin, 1802)
  - *Heosemys grandis* (Gray, 1860)
  - *Heosemys spinosa* (Gray, 1830)
  - *Orlitia borneensis* (Gray, 1873)
- One terrestrial tortoise – Class Reptilia, Order Testudines, Family Testudinidae:
  - *Manouria emys* (Schlegel & Müller, 1844)

4.4 *Tomistoma schlegelii*, is a large freshwater crocodile found in the tropical forest wetlands of Southeast Asia. Its false gharial legs are not suited to raise its body off the ground on land, being only able to push its body forward across the ground. However, in the water *T. schlegelii* is one of the quickest crocodiles in the world thanks to its overdeveloped and flattened tail.

4.5 The eight turtle species in the family Geoemydidae are omnivorous turtles. They are found in freshwater ecosystems of Southeast Asia. They are an easy target for illegal trade as they do not flee when confronted but instead hide in their shells. They do not dig into the ground and only move from place to place by walking or swimming.
4.6 *Manouria emys* is a large herbivorous terrestrial tortoise with a 150 year life expectancy in the wild. *M. emys* does not dig in the ground, its only way to escape predators is to hide in its shell. It moves from place to place by walking.

4.7 All these species are oviparous. The Committee noted if a breeding pair produces eggs they would be easily removed from the containment facility. The eggs will either be destroyed or hatched in a smaller containment facility to avoid their escape or potentially falling prey to the crocodile.

4.8 The Committee noted that the reptile species do not jump or dig into the ground. They could only escape containment by walking slowly out a door or swimming out if a significant breach of containment occurred. The Committee noted that all those potential pathways of escape have been taken into consideration by the applicant.

### The containment regime

4.9 The Committee has determined the set of controls to be imposed by the EPA, and these are detailed in Appendix One of this decision.

4.10 The Committee noted that the controls are primarily outcome focused, specifying outcomes that must be achieved, rather than prescribing a set method by which the outcome must be achieved. However, all approval users are required to document the procedures that specify how the controls will be implemented and complied with, and the quality control measures that will be used to ensure those procedures are effective and complied with. Further, the approval user must operate the containment facility in compliance with that documentation as per controls 3 and 4.

4.11 The Committee was satisfied that the controls set out in Appendix One establish a containment regime that manages the risk of these reptiles escaping from containment. The Committee was satisfied that the containment regime provides for each of the applicable matters specified in Schedule 3 (Part 2) of the Act (*Matters to be addressed by containment controls for new organisms excluding genetically modified organisms*).

### The potential pathways for escape from containment

4.12 The Committee identified the potential pathways of escape from containment of reptile species and assessed these pathways against the containment regime (including the requirements of the controls in Appendix One) and the biological characteristics relating to containment.
4.13 The following potential pathways of escape were identified by the Committee:
- during movement within, to, or from containment facilities
- via accidental or unobserved flight from containment facilities
- via accidental, unintentional or deliberate removal by unauthorised persons
- via accidental, unintentional or deliberate removal by research staff or other facility personnel
- in waste or contaminated equipment
- due to the presence of undesirable organisms (vermin)
- via failure of containment regime through inadequate maintenance/upkeep of regime
- via failure of containment regime following fire or natural disaster.

4.14 The Committee noted that the containment requirements (Appendix One) include controls that address each of the identified pathways of escape. Those controls include specifications regarding moving the approved organism (controls 9, 13 and 14), limiting access to the facility (controls 15-17), removing equipment and waste from the facility (controls 18 and 19), dealing with undesirable organisms (control 20), entering and exiting the containment facility (control 8), training of laboratory personnel and other people entering the facility (control 21 and 22), design, construction and maintenance of the facility (control 6 and 7), and monitoring and inspection of the containment measures (controls 25 and 26).

4.15 The Committee noted that approval users will need to demonstrate how they are meeting each control, including documenting the procedures that specify how they will meet the controls (control 3), and that they must operate in compliance with those documented procedures (control 4). The Committee also imposed control 2 specifying the parties responsible for ensuring compliance with the controls, and controls 10-12 specifying notifications to the EPA and MPI.

Conclusion on adequacy of the containment regime

4.16 The Committee concluded that it is highly improbable that these ten reptile species would be able to escape from containment, taking into account the:
- biological characteristics that relate to containment
- potential pathways of escape from the containment facility
- containment regime and controls.

4.17 Overall, the Committee was satisfied that the ten reptile species can be adequately contained provided the controls are applied appropriately and followed.

4.18 In particular, the Committee considered that the controls imposed in Appendix One provide for each of the applicable matters specified in Schedule 3 (Part 2) of the Act (as required under section 45(2) of the Act).
4.19 Section 45(2) provides that an approval may include controls that provide for any other matters in order to give effect to the purpose of the Act. The Committee considered that no further additional controls are required to achieve the purpose of the Act, but imposed controls 3, 4, 10, 11 and 12 for administrative purposes and to enable MPI to measure compliance with the controls.

5. Ability of the organism to establish an undesirable self-sustaining population and ease of eradication

5.1 In accordance with sections 37 and 44 of the Act and clause 10(e)(f) of the Methodology, the Committee took into consideration the ability of the new organisms to form undesirable self-sustaining populations should they escape containment, and the ease of eradication of such populations.

5.2 The Committee noted that the potential of the new organisms to escape from containment is limited by the containment regime and if in the highly improbable event of an escape the reptile species would be easy to recover due to their slow moving nature.

5.3 The Committee noted that in the event of escape, it is unlikely that a self-sustaining population could establish, knowing that these reptile species require an average temperature of 30ºC to produce viable eggs.

5.4 The Committee considered that in the event of a breach of containment, all possible measures should be taken to either retrieve or eradicate the organisms as per controls 23 and 24 (requirements for contingency plans).

6. Identification and assessment of potentially significant adverse and beneficial effects

6.1 The Committee is required by section 45(1)(a)(ii) to take into account all the effects of the organisms and any inseparable organisms, and consider whether the beneficial effects of having the organisms in containment outweigh the adverse effects of the organisms and any inseparable organisms.

Potentially significant adverse effects of having these ten reptile species in containment

Potentially significant adverse effects on the environment

6.2 The potential for reptile species to cause adverse effects on the environment is limited by the containment requirements of this approval. No potentially significant effects of having these organisms in containment have been identified in relation to the environment.

6.3 In the event of an escape from containment there is potential for these reptile species to cause adverse effects to valued species. The potential for any adverse effects to occur is negligible taking into account the containment requirements and controls of this approval.
Potentially significant adverse effects on human health and safety

6.4 *Tomistoma schlegelii* is an opportunistic carnivore. It is a shy and non-aggressive crocodile which is not known to cause harm to humans. In addition, it will be held in containment, limiting potential exposure to members of the public.

6.5 Turtle and tortoise species can bite during the reproductive season but do not represent a risk for humans. In addition, they will be held in containment, limiting potential exposure to members of the public.

6.6 No potentially significant adverse effects on human health and safety have been identified in relation to having these reptile species in containment.

Potentially significant adverse effects on Māori culture and traditions

6.7 The Committee did not identify any adverse effects on Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, valued flora and fauna, and other taonga, as these reptile species will be held within approved containment facilities which have structural requirements and operational procedures to prevent escape.

6.8 The applicant indicated that these reptile species would be displayed in the new Southeast Asian precinct at Auckland Zoo. The applicant is consulting relevant iwi as part of the Resource Consent process for the whole zoo master plan, including the Southeast Asian development.

Potentially significant adverse effects on the market economy

6.9 The potential for these ten reptile species to cause adverse effects on the economy is limited by the containment requirements of this approval. No potentially significant adverse effects of having them in containment have been identified in relation to the economy.

6.10 The Committee noted that the purpose of importing these ten reptile species is for public display, education and conservation.

Potentially significant adverse effects on society and communities

6.11 No potentially significant adverse effects on society and communities have been identified in relation to having these ten reptile species in containment.

Potentially significant benefits of having these ten reptile species in containment

6.12 The Committee noted that the purpose of importing these ten reptile species into containment is to display them in a zoological garden, raise awareness on endangered species and habitats, and take part in an international conservation programme. The Committee considered the gains that could be made in conservation and education to be beneficial, with improved understanding of these endangered species and the threats on their habitats.
Conclusion on the risks, costs and benefits

6.13 After considering the relevant information, the Committee did not identify any potentially adverse effects from importing the ten reptile species into containment. Therefore, the Committee considered that any adverse effects of the new organisms would be negligible.

6.14 After considering the relevant information, the Committee identified beneficial effects and considered that those beneficial effects would be non-negligible.

7. Evaluation and weighing of beneficial and adverse effects

7.1 The Committee considered that they had sufficient information to weigh the effects of the new organisms in containment.

7.2 The Committee concluded that the potential adverse effects of importing the new organisms into containment were negligible, and that the benefits were non-negligible.

7.3 Given that there were no adverse effects identified, consideration of whether the adverse effects may aggregate in order to assess any cumulative effects was not relevant.

7.4 The Committee took into account all the effects of the new organisms, and all the measures available for risk management, and concluded that it was evident that the beneficial effects outweigh the adverse effects.

7.5 Section 6(f) of the Act requires the Committee to take into account New Zealand’s international obligations when determining this application. New Zealand has no obligations which are relevant to this approval.

7.6 The Committee, having considered all the effects of the new organisms in containment and the effects of any inseparable organisms, and the matters outlined in section 45 of the Act, concluded that:
  - the application is for one of the purposes specified in section 39(1)
  - the beneficial effects outweigh the adverse effects of the new organisms and any inseparable organisms
  - the approved organisms can be adequately contained.

8. Achieving the purpose of the Act

8.1 The purpose of the Act is to protect the environment, and the health and safety of people and communities, by preventing or managing the adverse effects of hazardous substances and new organisms (section 4 of the Act).
8.2 In order to achieve the purpose of the Act, when considering the application the Committee recognised and provided for the following principles of the Act (section 5):

- the safeguarding of the life-supporting capacity of air, water, soil and ecosystems
- the maintenance and enhancement of the capacity of people and communities to provide for their own economic, social and cultural well-being and for the reasonably foreseeable needs of future generations.

8.3 The Committee took into account the following matters when considering the application in order to achieve the purpose of the Act (sections 6, 7 and 8 of the Act):

- the sustainability of all native and valued introduced flora and fauna
- the intrinsic value of ecosystems
- public health
- the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, valued flora and fauna, and other taonga
- the economic and related benefits and costs of using a particular hazardous substance or new organism
- New Zealand’s international obligations
- the need for caution in managing adverse effects where there is scientific and technical uncertainty about those effects
- the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

8.4 The Committee was satisfied that this decision is consistent with the purpose of the Act and the above principles and matters.
9. Decision

9.1 After reviewing all of the information contained in the application, the Committee was satisfied that the application met the requirements of section 40 of the Act.

9.2 The Committee considered that the threshold for approval under section 45 of the Act has been met. It was satisfied that the organisms can be adequately contained and that the beneficial effects of the organisms outweigh the adverse effects of the organisms, taking into account all of the following:

- all the effects of the organisms and any inseparable organisms
- the matters in section 37, 44, and 45, and Schedule 3 (Part 2) of the Act
- the relevant matters in Part 2 of the Act
- the Methodology.

9.3 The Committee decided to exercise its discretion and approve the import into containment of ten reptile species (Tomistoma schlegelii, Batagur affinis, B. baska, B. borneoensis, Cuora amboinensis, Heosemys grandis, H. spinosa, Leucocephalon yuwooni, Orlitia borneensis and Manouria emys) under section 45(1)(a) of the Act. The Committee noted that in accordance with section 45(2) of the Act, the approval has been granted with controls.

<table>
<thead>
<tr>
<th>Organisms</th>
<th>Approval codes</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Tomistoma schlegelii</em> (Müller, 1838)</td>
<td>NOC100200</td>
</tr>
<tr>
<td><em>Batagur affinis</em> (Cantor, 1847)</td>
<td>NOC100201</td>
</tr>
<tr>
<td><em>Batagur baska</em> (Gray, 1830)</td>
<td>NOC100202</td>
</tr>
<tr>
<td><em>Batagur borneoensis</em> (Schlegel &amp; Müller, 1844)</td>
<td>NOC100203</td>
</tr>
<tr>
<td><em>Cuora amboinensis</em> (Daudin, 1802)</td>
<td>NOC100204</td>
</tr>
<tr>
<td><em>Heosemys grandis</em> (Gray, 1860)</td>
<td>NOC100205</td>
</tr>
<tr>
<td><em>Heosemys spinosa</em> (Gray, 1830)</td>
<td>NOC100206</td>
</tr>
<tr>
<td><em>Leucocephalon yuwooni</em> (McCord, Iverson &amp; Boeadi, 1995)</td>
<td>NOC100207</td>
</tr>
<tr>
<td><em>Orlitia borneensis</em> (Gray, 1873)</td>
<td>NOC100208</td>
</tr>
<tr>
<td><em>Manouria emys</em> (Schlegel &amp; Müller, 1844)</td>
<td>NOC100209</td>
</tr>
</tbody>
</table>
Appendix One: Proposed controls used for risk assessment

Any person importing the approved organism under the approval granted by this decision (each referred to as the approval holder) must ensure compliance with the controls set out below in respect of any activity they carry out under this approval in a containment facility under their control.

Requirement for the containment of approved organisms
1. The approved organism(s) must be contained.

Requirements for accountability for compliance with controls
2. The organisation, entity or person(s) responsible for the ownership, control and management of the containment facility where the approved organisms are held (including Board members and/or directors) must ensure compliance with the controls of this approval.

Requirement to specify how controls will be met
3. Procedures that specify how the controls will be implemented and complied with must be documented, and these procedures must be reviewed at least annually to ensure they:
   a) are effective in maintaining containment and achieving their purpose,
   b) reflect any relevant changes in the facility and its operation, and
   c) incorporate any improvements to best practice.
4. The containment facility must be operated in compliance with the documentation specified in control 3.

Requirement for continuity of containment
5. The person(s) responsible for compliance with the HSNO Act controls must demonstrate that the containment facility has access to on-going financial resources and the management expertise necessary to ensure that the containment of all approved organisms held within the facility can be adequately maintained in the long term.

Requirements for the containment regime
6. The containment facility and all containment area(s) where the approved organisms may be held must be clearly defined, described, and documented, including their location and boundaries.
7. The containment area(s) must be designed, constructed, managed, and maintained to prevent the approved organism from escaping, taking into account the physical, health and behavioural needs of the approved organism(s).
8. Persons entering and exiting the containment facility and/or any containment areas must do so in a way that does not adversely affect containment of the approved organism(s).
9. The approved organism(s) must be identifiable as a new organism and be able to be linked to the relevant HSNO Act approval.
Requirements for notification to the EPA and/or MPI

10. Notification must be given to MPI of any intended movement of approved organisms outside of the facility, or any proposed modification to the containment regime which may affect the integrity of containment of the approved organism(s), before the actions are undertaken.

11. The EPA and MPI must be notified in writing before this HSNO Act approval is used for the first time.

12. MPI must be notified as soon as possible, and within 24 hours, of any escape and/or breach of containment and the actions taken in response to that incident.

Requirements for moving approved organisms

13. The approved organism(s) must be contained during movement within or to the containment facility.

14. When being moved outside of a containment facility, within New Zealand, the approved organism(s) must be accompanied by documentation stating the:
   a) Identity of the approved organism(s)
   b) Containment requirements
   c) Details of the sender
   d) Details of the receiving facility.

Requirements to limit access to the containment facility

15. Unauthorised persons must be excluded from the containment facility.

16. All containment facility entrances must be clearly identified including specifying who has the right of access.

17. The number and location of entrances to the containment facility where the approved organism(s) are held must be identified and documented.

Requirements for removing equipment and waste from the containment facility

18. Any waste (including biological material) that may harbour the approved organism(s), or heritable material from the approved organism, must be treated to ensure that the approved organism or any heritable material is killed prior to discarding.

19. Any equipment, that may harbour the approved organism(s) or heritable material from the approved organism, must be treated to ensure that the approved organism or any heritable material is killed prior to the equipment being used for another purpose or being removed from the containment area/facility.

Requirement for dealing with undesirable organisms

20. The containment facility must be secured and monitored to ensure the exclusion of undesirable organisms that might compromise the containment of the approved organism(s).
Requirements for instruction and training

21. Any person (including contractors, staff, students, visitors, and volunteers) entering the containment facility and/or containment areas must have received sufficient instruction on the containment regime to enable the person to meet their responsibilities in relation to containment.

22. The containment facility must have sufficient staff with the appropriate qualifications, training, and experience in the care and behaviour of the approved organism(s) to ensure containment is effectively maintained.

Requirements for contingency plans

23. There must be a documented contingency plan for each approved organism held in the containment facility.

24. The contingency plan must be implemented immediately if there is any reason to believe that an approved organism has escaped or been released from the containment area or the containment facility, or any other breach of containment has occurred.

Requirements for internal inspections and monitoring

25. To ensure containment is being achieved, containment measures must be:
   a) Inspected, monitored and reviewed as appropriate
   b) Inspected as soon as possible after any event that could compromise the containment regime, such as an Act of God (such as flood, earthquake) or any unauthorised attempt to enter the containment facility.

26. Any remedial requirements identified under control 25, or by any other means, must be actioned as soon as possible.
## Interpretation

In these controls, unless the context otherwise requires, the words below have the stated meaning:

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>approved organism</strong></td>
<td>New organisms approved under application APP203434.</td>
</tr>
<tr>
<td><strong>authorised person</strong></td>
<td>Authorised persons are those identified in the containment facility documentation as being allowed to be in the containment facility or any part thereof.</td>
</tr>
<tr>
<td><strong>breach</strong></td>
<td>Escape of organism(s), unauthorised entry to the facility and/or the structural integrity of the facility being compromised.</td>
</tr>
<tr>
<td><strong>containment</strong></td>
<td>Restricting an organism to a secure location or facility to prevent escape (section 2 of the HSNO Act).</td>
</tr>
<tr>
<td><strong>containment facility</strong></td>
<td>A place approved by MPI in accordance with section 39 of the Biosecurity Act 1993, for holding approved organisms.</td>
</tr>
<tr>
<td><strong>contingency plan</strong></td>
<td>A plan devised for a specific situation where things could go wrong, for example escape of an approved organism. It contains information, tasks and procedures that are necessary for timely decision-making and response to an unexpected event, or situation where the preferred plan fails.</td>
</tr>
<tr>
<td><strong>controls</strong></td>
<td>Any obligations or restrictions imposed on any approved organism, or on any person in relation to any approved organism, by the HSNO Act, or any regulations, rules, codes, or other documents made in accordance with the provisions of this or any other Act for the purposes of controlling the adverse effects of that organism on people or the environment (section 2 of the HSNO Act).</td>
</tr>
<tr>
<td><strong>disposal</strong></td>
<td>The action or process of discarding or getting rid of something, including but not limited to burial, incineration, or placing in the general waste. [Excludes the act of transferring to another containment facility under section 29 of the Biosecurity Act]</td>
</tr>
<tr>
<td><strong>documentation</strong></td>
<td>Written or electronic records (including manuals, lists, diagrams, maps, policies, procedures, plans and protocols, records of training, access).</td>
</tr>
<tr>
<td><strong>EPA</strong></td>
<td>The Environmental Protection Authority.</td>
</tr>
<tr>
<td><strong>heritable material</strong></td>
<td>(In relation to an approved organism) viable biological material, including gametes and spores, arising from that organism that can, without human intervention, regenerate the organism or reproduce a new generation of the same species of the organism (section 2, HSNO Act).</td>
</tr>
<tr>
<td><strong>HSNO Act</strong></td>
<td>Hazardous Substances and New Organisms Act 1996.</td>
</tr>
<tr>
<td><strong>MPI</strong></td>
<td>Ministry for Primary Industries.</td>
</tr>
<tr>
<td><strong>MPI Inspector</strong></td>
<td>A person appointed under the Biosecurity Act to undertake administering and enforcing the provisions of the Biosecurity Act.</td>
</tr>
<tr>
<td><strong>new organism</strong></td>
<td>Defined by section 2A of the HSNO Act</td>
</tr>
<tr>
<td>------------------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>(a)</td>
<td>an organism belonging to a species that was not present in New Zealand immediately before 29 July 1998</td>
</tr>
<tr>
<td>(b)</td>
<td>an organism belonging to a species, subspecies, infra-subspecies, variety, strain, or cultivar prescribed as a risk species, where that organism was not present in New Zealand at the time of promulgation of the relevant regulation</td>
</tr>
<tr>
<td>(c)</td>
<td>an organism for which a containment approval has been given under the HSNO Act</td>
</tr>
<tr>
<td>(ca)</td>
<td>an organism for which a conditional release approval has been given under the HSNO Act</td>
</tr>
<tr>
<td>(cb)</td>
<td>a qualifying organism approved for release with controls</td>
</tr>
<tr>
<td>(d)</td>
<td>a genetically modified organism</td>
</tr>
<tr>
<td>(e)</td>
<td>an organism that belongs to a species, subspecies, infra-subspecies, variety, strain, or cultivar that has been eradicated from New Zealand.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>organism</strong></th>
<th>Defined in section 2 of the HSNO Act:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)</td>
<td>Does not include a human being</td>
</tr>
<tr>
<td>(ab)</td>
<td>Includes a human cell</td>
</tr>
<tr>
<td>(b)</td>
<td>Includes a micro-organism</td>
</tr>
<tr>
<td>(c)</td>
<td>Includes a genetic structure, other than a human cell, that is capable of replicating itself, whether that structure comprises all or only part of an entity, and whether it comprises all or only part of the total genetic structure of an entity</td>
</tr>
<tr>
<td>(d)</td>
<td>Includes an entity (other than a human being) declared to be an organism for the purposes of the Biosecurity Act 1993</td>
</tr>
<tr>
<td>(e)</td>
<td>Includes a reproductive cell or developmental stage of an organism.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>treat (with reference to waste)</strong></th>
<th>Kill all approved organisms and make heritable material non-viable.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>undesirable organism</strong></td>
<td>Organisms such as rodents, insects, and birds within the containment facility that could compromise containment (dependent on what organism is being contained).</td>
</tr>
<tr>
<td><strong>waste</strong></td>
<td>Unusable or unwanted substances or materials (including water, liquids, solids or air).</td>
</tr>
</tbody>
</table>