

February 6, 2025.

cc. The Hon. Dr Shane Reti,  
MP in charge of the Gene  
Technology Bill 2024.

Dear Parliamentary Services,

Re: EVIDENCE OF PROCEDURAL IMPROPRIETY SEEKING TO CAPTURE PARLIAMENTARY POWERS FOR ENABLING GENETIC ENGINEERING.

Physicians and Scientists for Global Responsibility, New Zealand Charitable Trust (PSGR) notes that the current Government is seeking to advance a Bill that will have the effect of vastly reducing regulatory oversight gene editing technologies and gene edited organisms in New Zealand.

Notice of the [Gene Technology Bill 2024](#) was made just prior to the summer recess of Parliament. The deadline for public feedback on this Bill is 17 February 2025.

This email highlights evidence of procedural impropriety in the manner in which this Bill is being managed (apparently within Parliamentary Services), such that it does not comply with the principles of constitutional and administrative law.

In particular, but not limited to, the following are observations about deficiencies in due process:

1. There is no Bills Digest on the main public-facing parliamentary page.
2. There are no reports on the Bill lodged on that page. There are no Regulatory Impact Assessments, nor a Regulatory Impact Statement posted there. These are the required and necessary reports to inform the public as to whether or not the Bill has been formulated according to required administrative law principles. They must be easy to access on the relevant Parliamentary page.
3. Permissions for public submissions to a complex 'paradigm changing' Bill when Parliament is in recess.

There is a strict constitutional duty to act consistently ('procedural consistency') and adhere to long-established procedures (trusted conventions) when a government seeks to engage with the taking of parliamentary powers – particularly on a matters of such complexities (and substance) as are covered in this Bill.

PSGR is aware that some of New Zealand's largest industries have been [denied an extension](#) to the February 17 deadline by a previous Select Committee Chair.

It is likely that these large industries have only recently become aware that neither an economic analysis, nor a cost-benefit assessment (following the deregulation as outlined in this Bill) have been undertaken.

A scientific assessment of the validity of the scientific claims, i.e., of the organisms that would be indistinguishable and exempt from any pre-market assessment, has not been undertaken. A risk assessment has not been undertaken to assess risk from genetically modified/edited organisms created by exempted technologies and modified organisms. Without such an assessment there can be no claim of 'risk-proportionate' legislation.

The government's hurried pursuit of parliamentary powers sought in this most complex Bill also includes scant time for a Technical Advisory Group to undertake complex risk-assessments and therefore advise the administering agencies and members of Parliament, which require very specialised scientific expertise.

Relatedly, no evaluation of the current status of similar legislation in our key export markets has been undertaken.

The Chair's refusal of an extension raises the issue of 'procedural fairness' in this matter, and that further raises the question of the legal advice from Parliamentary Services to the Chair of that Select Committee. However, our understanding is that the Chairperson's decision can be independent of such legal advice.

This advice needs to be transparently documented in open parliamentary records, so that people can observe that procedural propriety, as a precondition for Parliamentary Services to approve of fair and reasonable access to seeking parliamentary powers.

Procedural propriety is a precondition for Parliamentary Services to approve of fair and reasonable access to seeking parliamentary powers.

In this matter the evidence seems to suggest that our Parliament's powers are being unfairly and unlawfully pursued for political purposes to the possible detriment of our Nation.

Members of Parliament are expected to approve this Bill without any knowledge of the extent of undeclared organisms that could potentially be released into the environment and subsequently into human and animal foods. Members of Parliament must make decisions, without provision of a cost-benefit analysis assessing the risk of deregulation (to environment, health and trade) versus the benefit of deregulation.

Yet, from a proportionality stand-point this Bill arguably threatens to remove New Zealand's comparative advantage in trading of safe food products, while having the very real potential to contaminate and degrade our Nation's unique living systems and environment.

It is a matter of considerable substance for the people of our Country when the public can no longer trust the powers of its Parliament. A parliament that has hurriedly sought to implement those powers, with no due proportionate consideration of the potential 'fallout' as New Zealand becomes one of the most under-regulated jurisdictions globally, and in the absence of any independent and robust assessment of the probable serious adverse effects on New Zealand trade, and on public and animal health and the natural environment.

PSGR therefore requests that Parliamentary Services should take action to protect our Parliament from political abuse and to preserve compliance with constitutional principles and maxims that are applicable in this matter.

PSGR submits that it raises a most serious constitutional matter that goes to the heart of whether or not the New Zealand public can continue to have any confidence in the powers of its Parliament, which can and should, only be accessed by fair, transparent, appropriate and duly-proportionate procedures.

We ask that Parliamentary Services investigate this matter, and lodge all relevant documents on the Parliamentary website. We additionally request that the parties to this email consider that an extension to the deadline for submissions to this Bill may be a reasonable action to take in the circumstances.

Thank you for your consideration of this matter.

Yours sincerely,



Jodie Bruning.

For the Trustees of Physicians and Scientists for Global Responsibility.

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