



# Gene Technology (Recognition of Designated Areas) Principle 2003

*Gene Technology Act 2000*

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The Ministerial Council constituted under the Gene Technology Agreement makes this Principle under subsection 21 (1) of the *Gene Technology Act 2000*.

31 July 2003

Hon Trish Worth MP

Parliamentary Secretary to the Minister  
for Health and Ageing

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Senator the Hon Kay Patterson,  
Minister for Health and Ageing  
for the Commonwealth

Hon Ian Macdonald MLC

Minister for Agriculture and Fisheries  
for the State of New South Wales

Hon Bronwyn Pike MP

Minister for Health  
for the State of Victoria

Hon Paul Lucas MP

Minister for Innovation and Information  
Economy,  
for the State of Queensland

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Hon Kim Chance MLC  
Minister for Agriculture, Forestry and  
Fisheries  
for the State of Western Australia

Hon Lea Stevens MP  
Minister for Health  
for the State of South Australia

Hon Bryan Green MHA  
Minister for Primary Industries, Water and  
Environment  
for the State of Tasmania

Mr Simon Corbell MLA  
Minister for Health  
for the Australian Capital Territory

## Part 1 Preliminary

### 1 Name of Principle

This Principle is the *Gene Technology (Recognition of Designated Areas) Principle 2003*.

### 2 Commencement

This Principle commences on gazettal.

### 3 Definitions

In this Principle:

*Act* means the *Gene Technology Act 2000*.

*Note* A number of expressions used in this Principle are defined in the Act (see section 10), including:

- GMO licence
- Regulator
- State.

### 4 Purpose

This Principle is issued for the purpose of recognising areas (if any) designated under a State law for the purpose of preserving the identity of GM crops, non-GM crops, or both GM crops and non-GM crops, for marketing purposes.

**Section 5**

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**Part 2                      Principle for recognition of designated areas****5                      Recognition of areas designated under State law**

An area is recognised as an area that is designated for the purpose of preserving the identity of GM crops, non-GM crops, or both GM crops and non-GM crops, for marketing purposes, if the area is so designated under a State law.

**6                      States not compelled to make law**

Section 5 is not intended to compel a State to make a law mentioned in that section.

**7                      Effect on Regulator**

Section 5 is intended to apply for the purposes of paragraph 43 (2) (e) and subsection 57 (1) of the Act, and for clause 2.1 in Schedule 3 of the *Gene Technology Regulations 2001*, but is not intended to otherwise affect the operation of:

- (a) the Regulator's obligation under section 55 of the Act to make a decision whether to issue or refuse to issue a GMO licence; and
- (b) the Regulator's duty to consider the matters mentioned in subsection 56 (1) of the Act in relation to the issue of a GMO licence.