



POLICY ON REQUESTS FOR TRANSFER, SURRENDER OR SUSPENSION OF A GMO LICENCE

TRANSFERS OF LICENCE

Application may be made to the Regulator to transfer a licence from the existing licence holder to another person (a proposed transferee).

In such cases, the application must be in writing and must be a joint application by the licence holder and proposed transferee.

Licence holders who wish to make an application for a transfer should contact the OGTR for details on how to apply. Prospective transfer applicants should note that the Regulator will not transfer the licence unless satisfied that:

- if the licence is transferred, any risks posed by the dealings authorised by the licence will continue to be able to be managed in such a way as to protect the health and safety of people and the environment; and
- the transferee is a suitable person to hold the licence (Section 58 of the *Gene Technology Act 2000* prescribes the matters the Regulator must take into account in deciding whether a person is suitable to hold a licence).

The Regulator will give the applicants written notice of any decision on transfer of a licence. If the Regulator decides to transfer the licence:

- the transfer will take place on the date specified in the written notice from the Regulator;
- the licence continues in force until the end of a period specified in the licence or until the licence is suspended, cancelled or surrendered; and
- the licence is subject to the same conditions as those in force immediately before the transfer.

SURRENDER OF LICENCE

A licence holder may, with the consent of the Regulator, surrender a licence.

Licence holders should note that the Regulator will not consent to the surrender of a licence in circumstances where an ongoing licence would be necessary to ensure appropriate containment of a GMO (eg where GMO volunteers are likely to continue growing at a trial site) or to manage risks to human health and safety or the environment from a GMO.

Licence holders contemplating surrender of a licence should contact the OGTR for more details. The Regulator's consent to surrender a licence should be sought in writing.

The Regulator will give the licence holder written notice of any decision on surrender of a licence.

SUSPENSION OF LICENCES

The Regulator can suspend a licence under certain circumstances, such as non-compliance (by the licence holder or a person covered by the licence) with the *Gene Technology Act 2000* or with licence conditions, or inability to manage risks from continuation of the dealings authorised by the licence. The Act also contemplates that a suspension can be in response to a request from the licence holder.

Licence holders should note that the Regulator will not suspend a licence in circumstances where an ongoing licence would be necessary to ensure appropriate containment of a GMO (eg where GMO volunteers are likely to continue growing at a trial site) or to manage risks to human health and safety or the environment from a GMO.

Licence holders contemplating suspension of a licence should contact the OGTR. A request to suspend a licence should be in writing to the Regulator, and should provide the reasons for the suspension.

The Regulator will give the licence holder written notice of any decision on suspension of a licence.