



Submission Template:  
The Gene Technology Bill

# Hatchard Report

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# Submission Template: The Gene Technology Bill

This release contains template suggestions to [make a submission](#) to the Health Select Committee querying the provisions of the Gene Technology Bill which was introduced into the New Zealand Parliament on 17th December 2024. **The deadline to make a submission is midnight 17th February 2025.**

To inform your friends, a video is available on YouTube entitled [The Gene Technology Bill. What Kiwis Need To Know](#). For your information a short clip from a discussion between Dr. Guy Hatchard and Andrew Bridgen, former UK MP, about the international implications of the Bill, is available [here](#). All or parts of the following template may be used as follows.

**I oppose the passage of the Gene Technology Bill for the following reasons:**

## **Section 1: Justifications for the Bill are based on false premises**

### **Economic necessity**

The government has suggested that New Zealand's successful and profitable participation in the global economy requires biotechnology deregulation. They promise a boost to our economy, but according to a study by the US National Center for Biotechnology Information, only about 18% of biotech startups make it to market. Even of those that do, only a small percentage are successful enough to generate significant revenue. Biotech bankruptcies hit a ten year peak in 2023.

The biotech industry relies on glossy PR, often making unrealistic promises to generate investment and qualify for government grants. The ultimate holy grail of the biotechnology sector is '*government mandated use*' as happened during the pandemic, when excessive profits of pharmaceutical giants soared to record levels sufficient to create a negative effect on public debt which will last for generations. The Bill specifically reinforces the notion of biotech '*mandates*' which can drain the public purse and create massive economic imbalance.

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## Increased precision and safety

Among the PR myths being used to convince the public of the need for the Bill is the government's contention that gene editing using CRISPR has become more exact and therefore the need for testing, regulation, labelling, etc is reduced and in many if not most cases eliminated. This is not based on any valid scientific principle. Accuracy does not equate with safety. Just because you can achieve something more accurately does not guarantee its safety. A sniper trains every day to hit the target, but this does not make assassination a safer prospect or a right course of action.

The government is assuming incorrectly that so-called CRISPR gene editing is somehow failsafe. On the contrary:

[September 2022 paper](#) in the journal Genome Research describes:

*“Extensive genomic disruptions caused by CRISPR gene editing, involving genomic duplication and inversion of the target region, as well as integrations of exogenous DNA and clustered interchromosomal DNA fragment rearrangements. Furthermore, these genomic alterations led to functional aberrant DNA fragments and altered cell proliferation.”*

In other words CRISPR is not inherently safe or controllable which makes the Bill a frightening prospect. This is because research shows off-target adverse effects of gene editing and commercial manufacturing bio-contamination are inherent in the processes. A [2023 paper in the journal Chemosensors reports](#): *“Most biologic products are characterized by fragile macromolecular structures that are heterogenous with a purity profile that varies with each batch making them susceptible to microorganism contamination...Bio-synthesis is more naturally variable than chemical synthesis, which makes it more difficult to characterize and manage properly”*

Moreover such defects can appear over the longer term, surfacing even years later to the detriment of health. Since the Bill also removes the need for traceability, these effects will remain out of reach of detection and prevention before it is too late.

We have seldom seen a more brazen claim than the use of the word *'safely'* with reference to biotech experimentation after 30 million excess deaths worldwide have been attributed, by multiple authoritative sources including the WHO, Our World in Data and Nature, to the pandemic during the last five years.

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## Regulatory catchup

The government maintains that we have fallen behind other countries because our regulations are too restrictive. In fact [a 2023 study in the journal GM Crops and Foods](#) reported, 26 countries including France, Germany, Italy, Mexico, Russia, China, and India (19 of which are in the European Union (EU)) have partially or fully banned genetically modified organisms (GMOs). Another 60 countries have significant restrictions on GMOs. The study cited the weak agricultural benefits of GMOs compared to their potential risks. It also noted lack of trust and confidence by the public in the regulatory processes behind GMOs.

In the EU, [proposed gene technology legislation](#) has stalled due to disquiet among member states and in any case includes the precautionary principle which says that new technology must be proved safe before use, something that our Gene Technology Bill rejects. Nor does it propose liberalising research on microbes or animals as our Gene Technology Bill does.

## Section 2: Excessive liberalisation which ignores risk

### Removal of labelling requirement

The Bill does away with any provision for the labelling of gene altered foods, We will no longer be allowed to know what we are eating. It grants an opaque and remote *'regulator'* the power to alter the national diet without anyone being allowed to know what they are doing. This violates provision 10 of the New Zealand Bill of Rights which states *"Every person has the right not to be subjected to medical or scientific experimentation without that person's consent."* Gene altered foods have a novel genetic structure. Without labelling, their introduction becomes an experiment without any means to ascertain the effect on health.

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## Regulatory *laisse faire*

The Bill hands decisions to an inevitably naive government appointed regulator, without specifying any guidelines or protocols to assess safety. Inevitably, any decisions will contain arbitrary elements which can bypass the intent of any legislation. There is therefore no means to assess the safety or procedure of the regulator's decisions. In this situation their actions are likely to become those of a facilitator.

## Removal of the Precautionary Principle

The Bill removes the precautionary principle embodied in the current HSNO legislation which requires that products need to be proved safe before release. This runs contrary to the fundamental tenets of science.

## Removal of Liability

Clause 187 of the Bill— '*Protection from civil and criminal liability*' removes any responsibility for mistakes, accidents and misjudgements. *It protects persons involved from civil and criminal liability, however it may arise for any act that the person does or omits to do in the performance of their functions or duties under this Bill as long as they appear to be acting in good faith.* This is a *carte blanche* to act irresponsibly and dangerously. It is so vaguely worded that it could be argued in a court of law that almost anyone conducting gene editing is free of liability as long as they attest that they did so '*in good faith*'.

## The Spectre of Biotech Mandates

Two permissively worded clauses: "**Mandatory medical activity authorisations:** *for a human medicine that is or contains gene technology that has been approved by at least two recognised overseas gene technology regulators.*" and "**Emergency authorisations:** *when there is an actual or imminent threat to the health and safety of people or to the environment, for example, threat from a disease outbreak, or an industrial spillage, the Minister responsible for the Gene Technology Act (Judith Collins) will have the power to grant an emergency authorisation.*" These grant extensive powers to the government that can be misused and yet even so be justified within the framework of the Bill. Moreover they give away New Zealand sovereign control of regulations to foreign decision makers without qualification.

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## Risks to farming

There is a significant risk that New Zealand's agricultural economy and exports will be damaged if we adopt biotech deregulation. It will devalue our clean green reputation and result in regulatory barriers. Our farm products could be subject to a consumer backlash as has happened in the UK over the introduction of dairy products from cows fed a methane-reducing bio-synthetic feed called Bovaer.

GE farming is quite different from conventional practice, biotech farming relies on patents which favour higher costs for farmers and higher prices for the public in order to generate profits for the patent holders. This will encourage a style of corporate controlled farming distinctly different from the current diversified New Zealand practice.

## Section 3: The Bill ignores the lessons of the pandemic years. Biotechnology experimentation needs more regulation not less

Eminent biotechnologists are warning that gene technology is far more risky than previously believed. For example Prof. Tim Spector, a Downing Street adviser and leading geneticist, in [an article in the UK Telegraph](#) dated 21 November 2024 points to *an 'obvious cover-up' of Covid lab origins orchestrated by governments to hide the risks of biotechnology. Prof Spector said that the case had shown that labs across the world should face more oversight and be treated with the same seriousness as a nuclear threat.* His view received solid support when a [Wall Street Journal investigation](#) published on Dec 26 2024 found that scientific evidence of a Wuhan Lab leak collected by the FBI was withheld from President Biden.

Lab accidents appear to be the norm rather than the exception. A 2022 study of the [Prevalence of Accident Occurrence Among Scientific Laboratory Workers](#) found: *"Among 220 participants recruited in the study, 99 participants (45%) have had accidents during their lab works. 60% have been exposed once, 32% between two and four times, only 1.0% between four and six times, and an incredible 7% more than six times."*

A November 11 2024 article in the US Washington Post headlines ["The U.S. could soon face a threat 'more powerful' than nuclear weapons"](#). And continues: *researchers around the globe are tinkering with viruses far deadlier than COVID-19.... The nightmare of a biological holocaust is far from fanciful.*



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Richard H. Ebright, Ph.D., is Board of Governors Professor of Chemical Biology at Rutgers University. He served for sixteen years as editor of the Journal of Molecular Biology. He is a member of the Institutional Biosafety Committee, and he has been a member of the NIH Molecular Biology Study Section, the Antimicrobial Resistance Committee of the Infectious Diseases Society of America, the Working Group on Pathogen Security, and the Controlling Dangerous Pathogens Project of the Center for International Security Studies. So his words carry weight. In 2022 Ebright testified at US House and US Senate hearings on biosafety, biosecurity, and biorisk management ([https://www.hsgac.senate.gov/wp-content/uploads/imo/media/doc/Ebright Testimony Updated.pdf](https://www.hsgac.senate.gov/wp-content/uploads/imo/media/doc/Ebright%20Testimony%20Updated.pdf)) as follows:

*“Researchers in Wuhan, as of 2018, had engineered SARS viruses to have a 10,000x increase in viral growth in lung, a 1,000,000x increase in viral growth in brain, and a 3x increase in lethality in mice that were engineered to possess human receptors for SARS viruses”*

Professor Ebright asked why the Wuhan gain-of-function research, which was funded by the US National Institute of Health, was not stopped when its initial results were known in 2018. A similar question could be asked of the government: ***Why is the Gene Technology Bill which deregulates biotechnology experimentation being introduced at a time when a very high level of risk is becoming obvious?***

The higher level of risk associated with biotechnology arises because by definition gene technology crosses the cell membrane and edits the command and control system of the whole organism. In the case of humans and animals this necessarily affects the conscious capacities of the organism. The seed of everything that we treasure in life is contained inside our first human cell—our immunity, strength, health, appearance, intelligence, growth, ambition, emotions and our unique personal identity.

See for example this 2024 paper from Korea entitled [Psychiatric adverse events following COVID-19 vaccination: a population-based cohort study in Seoul, South Korea](#) which found “COVID-19 vaccination increased the risks of depression, anxiety, dissociative, stress-related, and somatoform disorders, and sleep disorders”. This introduces a whole new class of serious risks which are little understood.

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An editorial published in the prestigious journal Nature in 2021 entitled "[Gene Therapy Needs a Long Term Approach](#)" offered this precautionary assessment: *"Gene-therapy trials are on the rise, but more needs to be done to understand the long-term risks associated with this type of treatment....[there are];growing concerns about the late adverse effects."*

Among its many false justifications for the Bill the government suggests that similar legislation is working well in Australia. This is a laughable assertion. On 23rd Dec 2024, NSW lawyers P J O'Brien sent a letter to the Federal parliament cosigned by scientific experts entitled "**Urgent Request to Present Evidence of Synthetic DNA Contamination in Blood to the Prime Minister**". It began: *"We write to you with the utmost urgency regarding recent findings that significantly amplify the concerns surrounding the synthetic DNA contamination in the Pfizer and Moderna COVID-19 vaccines. This new evidence confirms the same synthetic DNA contamination found in Australian sourced COVID-19 vaccine vials is in the blood of South Australian participants in a peer-reviewed study."*

**IN CONCLUSION**, gene technology is a highly technical field with a risk profile that is not amenable to recall, containment or remediation. Despite the efforts of significant commercial lobby groups heavily invested in biotechnology who wish to avoid any regulation, it is clear that government claims of safety, economic necessity and international alignment do not stand up to even superficial scrutiny. The lack of a labelling requirement speaks volumes about the disregard of public wishes. The idea that legislation protecting our food and medical choices can be removed and replaced with a regulator taking decisions for us is foolhardy and repugnant. It is entirely unsafe, not to say dangerous in the extreme, that the government is attempting to pass a Bill deregulating biotechnology at this time before even the Royal Commission on COVID-19 Phase II reports in 2026, with its broader terms of reference including risk and safety. We need more safeguards than those currently in the HSNO legislation, not their removal as this Bill proposes.

Advise your friends and colleagues to view our YouTube video [The Gene Technology Bill. What Kiwis Need To Know](#) and [make a submission](#) to the Health Select Committee by February 17th. Write to your MP. They need to be quizzed on this egregious Bill. They are trying to get this fast tracked during the holidays. We do not live in a country where people are willing to let others take away their food choices and increase exposure to serious long term environmental and health risks.

Support our work here: [Donation Options](#).