

## PART VI—RESTORATION AND CESSATION ORDERS

Environmental  
restoration order.

**40.** (1) The Authority may issue and serve on any person a restoration order in respect of any matter relating to release of a genetically modified organism into the environment.

(2) An environmental restoration order issued under subsection (1) shall be issued to—

- (a) require the person on whom it is served to restore the environment as near as it may be to the state in which it was before the release of a genetically modified organism;
- (b) levy a charge on the person on whom it is served which, in the opinion of the Authority, represents a reasonable estimate of the costs of any action taken by an authorized person or organization to restore the environment to the state in which it was before the release of a genetically modified organism.

Contents of  
restoration order.

**41.** An environmental restoration order shall specify clearly and in a manner which may be easily understood—

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- (a) the activity to which it relates;
- (b) the person to whom it is addressed;
- (c) the time at which it comes into effect;
- (d) the action which should be taken to remedy the harm to the environment and the time, being not more than thirty days or such further period as may be prescribed in the order, within which the action should be taken; and
- (e) the penalty which may be imposed if the action specified is not undertaken.

42. (1) The Authority, in consultation with the relevant regulatory agency, may issue an order for the immediate cessation of an approved activity, or for the immediate imposition of additional risk management measures with respect to such activity, if the Authority, in consultation with the relevant regulatory agency, determines that there is an imminent danger posed to the conservation and sustainable use of biological diversity, taking into account risks to the human health on the basis of—

Cessation orders.

- (a) one or more tests conducted and evaluated in a manner consistent with acceptable scientific procedures;
- (b) other validated scientific evidence.

(2) The Authority may issue a cessation order—

- (a) upon the failure of any person issued with an approval to demonstrate compliance with such approval after a reasonable period of time; or
- (b) in the event of non-compliance with the

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provisions of this Act or regulations made thereunder.

(3) A cessation order issued under this Act may be withdrawn once the Authority determines that sufficient information exists to permit the activity concerned to resume, or to resume in the presence of additional risk management measures, without posing a significant risk to human health and the environment.