
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 541

The Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002

PART VIII

REGISTER OF INFORMATION

Information to be included in the register

34.—(1) The register shall contain the particulars set out in paragraphs (2) to (10).

(2) In relation to a prohibition notice served by the Scottish Ministers under section 110 of the Act—

- (a) the name and address of the person on whom the notice is served;
- (b) the description of the genetically modified organisms in relation to which the notice is served;
- (c) the location at which the genetically modified organisms are proposed to be released;
- (d) the purpose for which the genetically modified organisms are proposed to be released or marketed;
- (e) the reason for the service of the notice; and
- (f) any date specified in the notice as the date on which the prohibition is to take effect.

(3) Subject to paragraph (4), in relation to an application for a consent under section 111(1) of the Act—

- (a) the name and address of the applicant;
- (b) a general description of the genetically modified organisms in relation to which the application is being made;
- (c) the location at which the genetically modified organisms are proposed to be released, to the extent that this information is notified to the Scottish Ministers;
- (d) the purpose for which the genetically modified organisms are proposed to be released (including any future use to which they are intended to be put) or, in relation to a consent to market, the purpose for which they will be marketed;
- (e) the intended dates of the release;
- (f) the environmental risk assessment;
- (g) the methods and plans for monitoring the genetically modified organisms and for responding to an emergency; ^{F1}...
- (h) a summary of any advice the Scottish Ministers have received from the Advisory Committee on Releases to the Environment as to whether [^{F2}the applied for consent to release or, as the case may be, market] genetically modified organisms should be granted or [^{F3}refused], and either—

- (i) the conditions or limitations in accordance with which that Committee has advised that the consent should be granted; or
 - (ii) a summary of the reasons why that Committee has advised that the consent should not be granted [^{F4}, and]
- [^{F5}(i) the summary of the application required by regulation 11(1)(d) or regulation 16(2)(j), as the case may be.]
- [^{F6}(3A) Subject to paragraph (4) and to the information not being confidential, in relation to an application for a consent under section 111(1) of the Act to market genetically modified organisms—
- (a) the name and address of the person who is responsible for the marketing, whether manufacturer, importer or distributor,
 - (b) the proposed commercial name of the product,
 - (c) the names of the genetically modified organisms in the product, including the scientific and common names of, where appropriate, the parental, recipient and donor organisms,
 - (d) the unique identifiers for the genetically modified organisms in the product,
 - (e) an application reference code assigned by the Scottish Ministers,
 - (f) the information included in the application as specified at paragraphs 3 and 7 of schedule 4, and
 - (g) information on stored samples of the genetically modified organisms, including the type of material, its genetic characterisation and stability, the amount of repository material, and the conditions of appropriate storage and shelf-life.]
- (4) Where the Scottish Ministers are or become aware that information regarding the genetically modified organisms or the purpose for which they will be released or marketed has been published which is more detailed than that which would satisfy the requirements of paragraph (3), they shall enter so much of that more detailed information on the register as they consider appropriate.
- (5) In relation to consents granted under section 111(1) of the Act—
- (a) a copy of the consent, and a reference to the application in respect of which it was granted;
 - (b) any information supplied to the Scottish Ministers in accordance with conditions imposed on the consent;
 - (c) the fact that the consent has been varied or revoked, the contents of the notice by which the consent was varied or revoked and, where applicable, a copy of the varied consent; and
 - (d) a summary of any advice the Scottish Ministers have received from the Advisory Committee on Releases to the Environment as to whether a consent to release genetically modified organisms should be varied or revoked.
- (6) The following information concerning genetically modified organisms released or grown pursuant to a consent, or proposed to be released or grown pursuant to a consent, as the case may be:—
- (a) any information provided to the Scottish Ministers in accordance with section 111(6A) or 112(5)(b)(i) of the Act;
 - (b) any information relating to an unforeseen event occurring in connection with a release of a genetically modified organism which might affect the risks there are of damage being caused to the environment notified to the Scottish Ministers in accordance with section 112(5)(b)(iii) ^{M1} of the Act.
- (7) A copy of any consent to market genetically modified organisms granted [^{F7}before exit day] by a competent authority of [^{F8}a][^{F9}member] State [^{F10}or, at the time it was granted, the United Kingdom].
- [^{F11}(7A) A copy of any assessment report referred to in regulation 23(1)(c) or regulation 25(1)(c).]

(8) The location of any genetically modified organisms grown in Scotland pursuant to a consent to market insofar as that information is supplied to the Scottish Ministers in accordance with the monitoring requirements imposed in the consent.

(9) Any decision adopted [^{F12}before exit day by the European] Commission in accordance with Article 18 of the Deliberate Release Directive and such decisions are prescribed as matters relating to Part VI of the Act for the purposes of section 122(1)(h) of the Act.

(10) In relation to convictions for any offence under section 118 of the Act—

- (a) the name and address of the person convicted;
- (b) the description of any genetically modified organisms in relation to which the conviction was obtained;
- (c) the offence which was committed;
- (d) the date on which the offence was committed;
- (e) the date on which the person was convicted; and
- (f) the penalty imposed and any order made by the court under section 120 of the Act (power of the court to order cause of offence to be remedied).

Textual Amendments

- F1** Word in reg. 34(3)(g) omitted (31.12.2020) by virtue of The Genetically Modified Organisms (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/57), regs. 1(2)(b), **3(22)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in reg. 34(3)(h) substituted (28.3.2019) by The Genetically Modified Organisms (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/57), regs. 1(2)(a), **2(15)(a)(i)**
- F3** Word in reg. 34(3)(h) substituted (28.3.2019) by The Genetically Modified Organisms (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/57), regs. 1(2)(a), **2(15)(a)(ii)**
- F4** Word in reg. 34(3)(h) inserted (31.12.2020) by The Genetically Modified Organisms (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/57), regs. 1(2)(b), **3(22)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Reg. 34(3)(i) inserted (31.12.2020) by The Genetically Modified Organisms (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/57), regs. 1(2)(b), **3(22)(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Reg. 34(3A) inserted (31.12.2020) by The Genetically Modified Organisms (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/57), regs. 1(2)(b), **3(22)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in reg. 34(7) inserted (31.12.2020) by The Genetically Modified Organisms (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/57), regs. 1(2)(b), **3(22)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Word in reg. 34(7) substituted (31.12.2020) by The Genetically Modified Organisms (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/57), regs. 1(2)(b), **3(22)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F9** Word in reg. 34(7) substituted (28.3.2019) by The Genetically Modified Organisms (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/57), regs. 1(2)(a), **2(15)(b)**
- F10** Words in reg. 34(7) inserted (31.12.2020) by The Genetically Modified Organisms (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/57), regs. 1(2)(b), **3(22)(c)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Reg. 34(7A) inserted (31.12.2020) by The Genetically Modified Organisms (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/57), regs. 1(2)(b), **3(22)(d)**; 2020 c. 1, Sch. 5 para. 1(1)
- F12** Words in reg. 34(9) substituted (31.12.2020) by The Genetically Modified Organisms (EU Exit) (Scotland) (Amendment) Regulations 2019 (S.S.I. 2019/57), regs. 1(2)(b), **3(22)(e)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the The Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002, Section 34. (See end of Document for details)

Marginal Citations

M1 [Section 112\(5\)\(b\)\(iii\)](#) has been inserted by regulation 29(3)(iii).

Changes to legislation:

There are currently no known outstanding effects for the The Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002, Section 34.