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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 316**

**The Genetically Modified Organisms (Transboundary Movements) (Scotland) Regulations 2005**

**Enforcement**

4.—(1) It shall be the duty of Scottish Ministers to enforce and execute the provisions of these Regulations and the Council Regulation.

(2) The Scottish Ministers may, in any case or in cases of a particular description, direct that the duty referred to in paragraph (1) shall be discharged—

- (a) by a local authority in its area and not by Scottish Ministers; or
- (b) by a local authority in its area and Scottish Ministers acting jointly.

(3) The Scottish Ministers or a local authority may appoint as inspectors such persons as they or it consider necessary for the purpose of enforcing these Regulations and the Council Regulation.

(4) Any appointment of—

- (a) an inspector under section 67(3) of the Agriculture Act 1970 <sup>M1</sup>;
- (b) an authorised officer under section 5(6) of the Food Safety Act 1990 <sup>M2</sup>; or
- (c) an inspector under Part VI of the Environmental Protection Act 1990 <sup>M3</sup>,

having effect at the coming into force of these Regulations has effect as if it were an appointment of that inspector or authorised officer as an inspector for the purpose of these Regulations.

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**Marginal Citations**

- M1** 1970 c. 40.
- M2** 1990 c. 16.
- M3** 1990 c. 43.

**Changes to legislation:**

There are currently no known outstanding effects for the The Genetically Modified Organisms (Transboundary Movements) (Scotland) Regulations 2005, Section 4.