



# Genetic Technology (Precision Breeding) Act 2023

## 2023 CHAPTER 6

### PART 2

#### PRECISION BRED ORGANISMS: RELEASE, MARKETING AND RISK ASSESSMENTS

##### *Reviews and appeals relating to Part 2*

#### **16** **Reviews and appeals relating to Part 2**

- (1) Regulations must make provision for reviews of and appeals against decisions under this Part.
- (2) The regulations must, in particular, in relation to each of the decisions mentioned in subsection (3)—
  - (a) secure that any person prescribed by the regulations may—
    - (i) require the Secretary of State to review the decision, and
    - (ii) if not satisfied with the outcome of any such review, appeal against the decision,
  - (b) secure that the grounds on which a review may be required or an appeal brought include the following—
    - (i) that the decision was based on an error of fact,
    - (ii) that the decision was wrong in law, and
    - (iii) that the decision was unreasonable for any reason, and
  - (c) make provision for such an appeal to be brought in the First-tier Tribunal.
- (3) Those decisions are—
  - (a) a decision under section 8 not to issue a precision bred confirmation;
  - (b) a decision under section 9 to revoke a precision bred confirmation;
  - (c) a decision under section 13 not to issue a precision bred animal marketing authorisation;

*Status: This is the original version (as it was originally enacted).*

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- (d) a decision under section 15 to suspend or revoke a precision bred animal marketing authorisation.
- (4) Regulations may make provision as to—
  - (a) the Secretary of State’s functions on a review of a decision under this Part;
  - (b) the powers of the First-tier Tribunal on an appeal by virtue of this section.
- (5) Regulations under this section are subject to the negative procedure.