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STATUTORY INSTRUMENTS

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**1998 No. 1548**

**HEALTH AND SAFETY**

**The Genetically Modified Organisms (Contained Use) (Amendment) Regulations 1998**

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|-------------------------------|---------|-----------------------|
| <i>Made</i>                   | - - - - | <i>23 June 1998</i>   |
| <i>Laid before Parliament</i> |         | <i>1st July 1998</i>  |
| <i>Coming into force</i>      | - -     | <i>22nd July 1998</i> |

The Secretary of State, being the Minister designated(1) under section 2(2) of the European Communities Act 1972(2) in relation to the control and regulation of genetically modified organisms, in the exercise of the powers conferred on him by the said section 2 and section 15(1) of the Health and Safety at Work etc. Act 1974(3) (“the 1974 Act”) and of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Genetically Modified Organisms (Contained Use) (Amendment) Regulations 1998 and shall come into force on 22nd July 1998.

**Amendments to the Genetically Modified Organisms (Contained Use) Regulations 1992**

2. In regulation 6 of the Genetically Modified Organisms (Contained Use) Regulations 1992(4)—

- (a) at the end of paragraph (2)(a)(ii), for the word “and” substitute “or”; and
- (b) after paragraph (2)(a)(ii) insert the following paragraph—

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(1) [S.I. 1991/755](#).  
(2) [1972 c. 68](#); the enabling powers conferred by section 2(2) were extended by virtue of section 1 of the European Economic Area Act [1993 \(c. 51\)](#).  
(3) [1974 c. 37](#); sections 15(1) and 50(3) were amended by the Employment Protection Act 1975 ([1975 c. 71](#)), Schedule 15, paragraphs 6 and 16(3) respectively.  
(4) [S.I. 1992/3217](#), as amended by [S.I. 1996/967](#).

“(iii) a novel food or novel food ingredient marketed in accordance with the provisions of Regulation (EC) No. 258/97 of the European Parliament and the Council<sup>(5)</sup>; or”.

Signed by authority of the Secretary of State

23rd June 1998

*Angela Eagle*  
Parliamentary Under-Secretary of State,  
Department of the Environment, Transport and  
the Regions

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(5) OJ No. L 43, 14.2.97, p.1.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations amend the Genetically Modified Organisms (Contained Use) Regulations 1992 (“the Contained Use Regulations”) to take account of Regulation (EC) No. 258/97 (OJ No. L43, 14.2.97, p.1) concerning novel foods and novel food ingredients, by excluding such foods and ingredients marketed in accordance with the Regulation from the requirement for certain work with genetically modified micro-organisms to be undertaken in conditions of contained use. The Regulations also amend the Contained Use Regulations, insofar as they relate to genetically modified organisms which are not genetically modified micro-organisms, to exclude such foods and ingredients from that requirement.

2. A copy of the cost benefit assessment prepared in respect of these Regulations can be obtained from the Health and Safety Executive, Economic Advisers Unit, Rose Court, 2 Southwark Bridge, London SE1 9HS. Copies have been placed in the Library of each House of Parliament.