
STATUTORY INSTRUMENTS

2002 No. 2443

**Genetically Modified Organisms
(Deliberate Release) Regulations 2002**

PART I

GENERAL

Purpose of Part VI of the Act and meaning of “genetically modified organisms” etc

3.—(1) Section 106 of the Act (purpose of Part VI of the Act and meaning of “genetically modified organisms” etc) is amended as follows.

(2) For subsection (1) substitute—

“(1) This Part has effect for the purpose of ensuring that all appropriate measures are taken to avoid damage to the environment which may arise from the escape or release from human control of genetically modified organisms.”.

(3) In subsection (4) (definition of organism which is genetically modified) for paragraph (a) (modification of prescribed artificial technique) substitute—

“(a) have been artificially modified, or”.

(4) After that subsection insert—

“(4A) Genes or other genetic material in an organism are “artificially modified” for the purposes of subsection (4) above if they are altered otherwise than by a process which occurs naturally in mating or natural recombination.

This subsection is subject to subsections (4B) and (4C) below.

(4B) For the purposes of subsection (4) above—

(a) genes or other genetic material shall be taken to be artificially modified if they are altered using such techniques as may be prescribed for the purposes of this paragraph;

(b) genes or other genetic material shall not be regarded as artificially modified by reason only of being altered by the use of such techniques as may be prescribed for the purposes of this paragraph.

(4C) An organism shall be taken not to be a genetically modified organism for the purposes of this Part if it is an organism of a prescribed description.

(4D) In subsections (4B) and (4C) above “prescribed” means prescribed by regulations made by the Secretary of State.”.

(5) Subsections (5) and (6) are omitted.