

STATUTORY INSTRUMENTS

2019 No. 190

**EXITING THE EUROPEAN
UNION, NORTHERN IRELAND
ENVIRONMENTAL PROTECTION,
NORTHERN IRELAND**

The Genetically Modified Organisms (Amendment)
(Northern Ireland) (EU Exit) Regulations 2019

<i>Sift requirements satisfied</i>	<i>16th January 2019</i>
<i>Made - - - -</i>	<i>31st January 2019</i>
<i>Laid before Parliament</i>	<i>7th February 2019</i>
<i>Coming into force in accordance with regulation 1</i>	

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 ^{M1}.

The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018 (relating to the appropriate parliamentary procedure for these Regulations) have been satisfied.

Marginal Citations

M1 [2018 c.16.](#)

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Genetically Modified Organisms (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 and shall come into force on exit day.

(2) These Regulations extend to Northern Ireland only.

Commencement Information

11 Reg. 1 in force at 31.12.2020 in force on IP completion day (in accordance with [2020 c. 1, Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Genetically Modified Organisms (Amendment) (Northern Ireland) (EU Exit) Regulations 2019. (See end of Document for details)

PROSPECTIVE

The Genetically Modified Organisms (Risk Assessment) (Records and Exemptions) Regulations (Northern Ireland) 1996

^{F1}2.

Textual Amendments

F1 Reg. 2 omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\)\(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(2)**

The Genetically Modified Organisms (Deliberate Release) Regulations (Northern Ireland) 2003

3.—(1) The Genetically Modified Organisms (Deliberate Release) Regulations (Northern Ireland) 2003 ^{M2} are amended as follows.

(2) In regulation 2(1)—

^{F2}(a)

^{F3}(b)

(c) omit the definition of “the Contained Use Directive”;

^{F4}(d)

(e) in the definition of “the First Simplified Procedure (crop plants) Decision” insert at the end “ as it applies immediately before exit before exit day ”.

^{F5}(3)

(4) In regulation 11(1)(d)—

(a) omit the words from “, in the format” to “Directive,”;

(b) at the end, insert “, in the relevant format set out in the Annex to Council Decision [2002/813/EC](#)”.

(5) In regulation 15—

^{F6}(a)

^{F7}(b)

(c) for sub-paragraphs (b) and (c) substitute—

“(b) genetically modified organisms are made available for activities regulated under the Genetically Modified Organisms (Contained Use) Regulations Northern Ireland 2015 ^{M3},”;

^{F8}(d)

^{F9}(e)

^{F10}(f)

^{F11}(6)

(7) In regulation 20—

(a) omit sub paragraph (c);

- (b) in sub-paragraph (f), omit the words from “and any comments made” to the end.
- (8) In regulation 21—
 - (a) in paragraph (3), omit “and to the Commission”;
 - (b) for paragraph (6) substitute—
 - “(6) Information submitted in accordance with paragraph (5) shall be provided in the format set out in the Annex to Commission Decision [2003/701/EC](#).”.
 - F12(9)
 - F12(10)
 - F12(11)
 - F12(12)
 - F12(13)
 - F12(14)
 - F12(15)
- (16) In regulation 34—
 - (a) in paragraph (3)—
 - (i) in sub-paragraph (h), after “release of” insert”, or to market,”;
 - (ii) after sub-paragraph (h) insert—
 - “(i) the summary of the information contained in the application required by regulation 11(1)(d) or, as the case may be, of the application required by regulation 16(2)(j).”;
 - (b) after paragraph (3) insert—
 - “(3A) Subject to paragraph (4) and to the information not being confidential, in relation to an application for a consent under Article 8(1) of the Order 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 of the genetically modified organisms in the product,
 - (e) an application reference code assigned by the Department
 - (f) the information included in the application as specified at paragraphs 3 and 7 of Schedule 3,
 - (g) information about stored samples of 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.”;
 - F13(c)
 - F14(d)
 - F15(17)
- (18) In Schedule 3—

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- (a) in paragraph 2, omit “ in the European Union”;
 - (b) in paragraph 5, omit “within the European Union”;
 - ^{F16}(c)
 - (d) in paragraph 8, omit “established in the European Union”; and
 - (e) in paragraph 14, for “the European Union” substitute “ Northern Ireland ”.
- (19) In Schedule 4, paragraph 6, omit the words from “, and whether the views” to the end.

Textual Amendments

- F2** Reg. 3(2)(a) omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\)\(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(3)(i)**
- F3** Reg. 3(2)(b) omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\)\(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(3)(i)**
- F4** Reg. 3(2)(d) omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\)\(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(3)(i)**
- F5** Reg. 3(3) omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\)\(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(3)(ii)**
- F6** Reg. 3(5)(a) omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\)\(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(3)(iii)**
- F7** Reg. 3(5)(b) omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\)\(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(3)(iii)**
- F8** Reg. 3(5)(d) omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\)\(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(3)(iii)**
- F9** Reg. 3(5)(e) omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\)\(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(3)(iii)**
- F10** Reg. 3(5)(f) omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\)\(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(3)(iii)**
- F11** Reg. 3(6) omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\)\(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(3)(iv)**
- F12** Reg. 3(9)-(15) omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(3)(iv)**
- F13** Reg. 3(16)(c) omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(3)(v)**
- F14** Reg. 3(16)(d) omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\) \(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(3)(v)**
- F15** Reg. 3(17) omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\)\(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(3)(vi)**
- F16** Reg. 3(18)(c) omitted (6.1.2020) by virtue of [The Genetically Modified Organisms \(Deliberate Release\) \(Amendment\) Regulations \(Northern Ireland\) 2019 \(S.R. 2019/223\)](#), regs. 1(1), **9**

Commencement Information

- I2** Reg. 3 in force at 31.12.2020 in force on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 1\(1\)](#)

Marginal Citations

- M2** [S.R. 2003 No. 167](#), as amended by [S.R. 2005 No. 272](#)
- M3** [S.R. 2015 No. 339](#)

Status: This version of this Instrument contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the The Genetically Modified Organisms (Amendment) (Northern Ireland) (EU Exit) Regulations 2019. (See end of Document for details)

PROSPECTIVE

The Genetically Modified Organisms (Transboundary Movements) Regulations (Northern Ireland) 2005

^{F17}4.

Textual Amendments

F17 Reg. 4 omitted (30.12.2020) by virtue of [The Genetically Modified Organisms \(Amendment\)\(EU Exit\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/269\)](#), regs. 1(2), **3(4)**

Department for Environment, Food and Rural
Affairs

George Eustice
Parliamentary Under Secretary of State

Status: *This version of this Instrument contains provisions that are prospective.*
Changes to legislation: *There are currently no known outstanding effects for the The Genetically Modified Organisms (Amendment) (Northern Ireland) (EU Exit) Regulations 2019. (See end of Document for details)*

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations are made in exercise of the powers conferred by section 8(1) of, and paragraph 21(b) of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(b), (c), and (g) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations make amendments to subordinate legislation in the field of the deliberate release, marketing and transboundary movements of genetically modified organisms in relation to Northern Ireland.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

Status:

This version of this Instrument contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the The Genetically Modified Organisms (Amendment) (Northern Ireland) (EU Exit) Regulations 2019.