
WELSH STATUTORY INSTRUMENTS

2002 No. 3188

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

Part VIII

REGISTER OF INFORMATION

Information to be included on the register

- 35.**—^{F1}(1) The register must contain the particulars set out in paragraphs (2) to (10).
- (2) In relation to a prohibition notice served by the Welsh Ministers under section 110 of the Act—
- (a) the name and address of the person on whom the notice is served;
 - (b) the description of the genetically modified organisms in relation to which the notice is served;
 - (c) the location at which the genetically modified organisms are proposed to be released;
 - (d) the purpose for which the genetically modified organisms are proposed to be released or marketed;
 - (e) the reason for the service of the notice;
 - (f) any date specified in the notice as the date on which the prohibition is to take effect.
- (3) Subject to paragraph (4), in relation to an application for a consent under section 111(1) of the Act—
- (a) the name and address of the applicant;
 - (b) a general description of the genetically modified organisms in relation to which the application is being made;
 - (c) the location at which the genetically modified organisms are proposed to be released, to the extent that this information is notified to the Welsh Ministers;
 - (d) the purpose for which the genetically modified organisms are proposed to be released (including any future use to which they are intended to be put) or, in relation to a consent to market, the purpose for which they will be marketed;
 - (e) the intended dates of the release;
 - (f) the environment risk assessment;
 - (g) the methods and plans for monitoring the genetically modified organisms and for responding to an emergency;
 - (h) a summary of any advice the Welsh Ministers have received from the Advisory Committee on Releases to the Environment as to whether an application for release of, or to market, genetically modified organisms should be granted or rejected, and either—
 - (i) the conditions or limitations in accordance with which that Committee has advised that the consent should be granted, or

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- (ii) a summary of the reasons why that Committee has advised that the consent should not be granted;
 - (i) the summary of the information contained in the application required by regulation 12(1)(d) or as the case may be, of the application required by regulation 17(2)(j).
- (3A) Subject to paragraph (4) and to the information not being confidential, in relation to an application for a consent under section 111(1) of the Act 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 Welsh Ministers;
 - (f) the information included in the application as specified at paragraphs 3 and 7 of Schedule 3;
 - (g) information about stored samples of the 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.
- (4) Where the Welsh Ministers are or become aware that information regarding the genetically modified organisms or the purpose for which they will be released or marketed has been published which is more detailed than that which would satisfy the requirements of paragraph (3), they must enter so much of that more detailed information on the register as they consider appropriate.
- (5) In relation to consents granted under section 111(1) of the Act—
- (a) a copy of the consent, and a reference to the application in respect of which it was granted;
 - (b) any information supplied to the Welsh Ministers in accordance with conditions imposed on the consent;
 - (c) the fact that the consent has been varied or revoked, the contents of the notice by which the consent was varied or revoked, and a copy of the varied consent;
 - (d) a summary of any advice the Welsh Ministers have received from the Advisory Committee on Releases to the Environment as to whether a consent to release genetically modified organisms should be varied or revoked.
- (6) The following information concerning the risk of damage being caused to the environment by genetically modified organisms—
- (a) any information provided to the Welsh Ministers in accordance with section 111(6A) or 112(5)(b)(i) of the Act;
 - (b) any information relating to an unforeseen event occurring in connection with a release of a genetically modified organism which might affect the risks there are of damage being caused to the environment notified to the Welsh Ministers in accordance with section 112(5)(b)(iii) of the Act.
- (7) A copy of any consent to market genetically modified organisms granted before exit day by a competent authority of a Member State.
- (7A) A copy of any assessment report produced in accordance with regulation 24(1)(c) or 26(1)(c).

(8) The location of any genetically modified organisms grown in Wales pursuant to a consent to market insofar as that information is supplied to the Welsh Ministers in accordance with the monitoring requirements imposed on the consent.

(9) Any decision adopted before exit day by the European Commission in accordance with Article 18 of the Deliberate Release Directive.]

(10) In relation to convictions for any offence under section 118 of the Act—

- (a) the name and address of the person convicted,
- (b) the description of any genetically modified organisms in relation to which the conviction was obtained,
- (c) the offence which was committed,
- (d) the penalty imposed and any order made by the court under section 120 of the Act.

Textual Amendments

F1 Reg. 35(1)-(9) substituted (31.12.2020) by [The Genetically Modified Organisms \(Deliberate Release and Transboundary Movement\) \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1492\)](#), regs. 1(3), **2(16)**; 2020 c. 1, Sch. 5 para. 1(1)

Keeping the register

[^{F2}**36.**—(1) The information prescribed in regulation 35(2) shall be placed on the register within twelve days of the prohibition notice being served.

(2) The information prescribed in paragraphs (a) to (g) and (i) of regulation 35(3) shall be placed on the register within twelve days of the receipt by the Welsh Ministers of the application for consent to release or market.

(3) The information prescribed in regulation 35(3)(h) shall be placed on the register within twelve days of the consent being granted or refused.

(4) The information prescribed in regulation 35(3A) shall be placed on the register within twelve days of the receipt by the Welsh Ministers of the application for consent to market.

(5) The information prescribed in regulation 35(5)(a) shall be placed on the register within twelve days of the consent being granted.

(6) The information prescribed in regulation 35(5)(b) and (d) shall be placed on the register within twelve days of its receipt by the Welsh Ministers.

(7) The information prescribed in regulation 35(5)(c) shall be placed on the register within fourteen days of the consent being revoked or varied.

(8) The information prescribed in regulation 35(6) and (10) shall be placed on the register within fourteen days of its receipt by the Welsh Ministers.

(9) The information prescribed in regulation 35(7A) shall be placed on the register within twelve days of its production.

(10) The information prescribed in regulation 35(8) shall be placed on the register within fourteen days of its receipt by the Welsh Ministers.]

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Textual Amendments

- F2** Reg. 36 substituted (31.12.2020) by [The Genetically Modified Organisms \(Deliberate Release and Transboundary Movement\) \(Miscellaneous Amendments\) \(Wales\) \(EU Exit\) \(No. 2\) Regulations 2019 \(S.I. 2019/1492\)](#), regs. 1(3), **2(17)**; 2020 c. 1, Sch. 5 para. 1(1)

Publication of representations

37.—(1) The National Assembly for Wales shall, within a period of 28 days after granting consent to or rejecting an application for the release of genetically modified organisms, make available to the public by whatever means it shall consider appropriate details of where and when paper copies of representations received may be inspected.

(2) Paragraph (1) shall not require copies of representations to be made publicly available where they contain confidential information and the person making the representations has asked the National Assembly for Wales to treat that information as confidential.

Status:

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Changes to legislation:

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