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WELSH STATUTORY INSTRUMENTS

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**2002 No. 3188**

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

**Part IV**

**DUTIES AFTER THE MAKING OF APPLICATIONS**

**[<sup>F1</sup>Decisions by the Welsh Ministers on applications for consent to market genetically modified organisms**

**25.**—(1) The Welsh Ministers must not grant an application for consent to market genetically modified organisms under section 111(1) of the Act as it relates to the protection of human health without the agreement of the Health and Safety Executive.

(2) Where the Welsh Ministers invite representations on an assessment report relating to an application for consent to market genetically modified organisms—

- (a) the Welsh Ministers must not determine whether to grant or refuse the application before the period for making representations under regulation 24(3) has ended and the Welsh Ministers have considered any representations made in accordance with that regulation;
- (b) the Welsh Ministers must, within 105 days after the end of the period for making representations under regulation 24(3)—
  - (i) determine the application, and
  - (ii) notify the applicant in writing of the decision to grant or refuse the application, and the reasons for the decision.

(3) the period referred to in paragraph (2)(b) does not include any period beginning with the day on which the Welsh Ministers give notice in writing under section 111(6) of the Act that further information in respect of the application is required and ending on the day on which that information is received by the Welsh Ministers.

(4) Subject to paragraphs (5) and (6), a consent to market genetically modified organisms may be given for a maximum period of ten years beginning with the day on which the Welsh Ministers grant a consent under section 111 of the Act.

(5) The period of the first consent to market—

- (a) a genetically modified organism, or
- (b) a progeny of that genetically modified organism contained in a plant variety where the plant variety is intended only for the marketing of its seeds,

must end at the latest ten years after the date of the first inclusion of the first plant variety containing the genetically modified organism on a National List in accordance with regulation 3 of the Seeds (National Lists of Varieties) Regulations 2001.

(6) For the purpose of granting consent to market a genetically modified organism contained in forest reproductive material, the period of the first consent shall end at the latest ten years after the specified date.

(7) In paragraph (6), “the specified date” means the date of the first inclusion of basic material containing the genetically modified organism on the National Register in accordance with regulations 6 and 7 of the Forest Reproductive Material (Great Britain) Regulations 2002.]

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**Textual Amendments**

- F1** Reg. 25 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(10)**; 2020 c. 1, Sch. 5 para. 1(1)

**Changes to legislation:**

There are currently no known outstanding effects for the The Genetically Modified Organisms (Deliberate Release) (Wales) Regulations 2002, Section 25.