
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 295

Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 2001

Part I

Interpretation and General

Interpretation

2.—(1) In these Regulations—

“the 1978 Order” means the Health and Safety at Work (Northern Ireland) Order 1978;

“accident” means an incident involving a significant and unintended release of genetically modified organisms in the course of an activity involving genetic modification which presents an immediate or delayed hazard to human health or to the environment;

“activity involving genetic modification” means a contained use;

“class”, in relation to an activity involving genetic modification of micro-organisms, means one of the four classes described in Schedule 1;

“competent authority” means the Department of the Environment and the Executive, acting jointly;

“contained use” means an activity in which organisms are genetically modified or in which genetically modified organisms are cultured, stored, transported, destroyed, disposed of or used in any other way and for which physical, chemical or biological barriers, or any combination of such barriers, are used to limit their contact with, and to provide a high level of protection for, humans and the environment;

“EEA State” means a State, other than the United Kingdom, which is a Contracting Party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992, as adjusted by the Protocol signed at Brussels on 17th March 1993⁽¹⁾ and adopted as respects the United Kingdom by the European Economic Area Act 1993⁽²⁾;

“emergency plan” means a plan required by virtue of regulation 20;

“emergency services” means the police, fire and ambulance services;

“the Executive” means the Health and Safety Executive for Northern Ireland;

“genetic modification” in relation to an organism means the altering of the genetic material in that organism in a way that does not occur naturally by mating or natural recombination or both and within the terms of this definition—

- (a) genetic modification occurs at least through the use of the techniques listed in Part I of Schedule 2; and

(1) Cm 2073 and 2183

(2) 1993 c. 51

(b) the techniques listed in Part II of Schedule 2 are not considered to result in genetic modification,

and “genetically modified” shall be construed accordingly;

“the Great Britain competent authority” means the joint competent authority defined in regulation 2(1) of the Genetically Modified Organisms (Contained Use) Regulations 2000⁽³⁾;

“micro-organism” means a microbiological entity, cellular or non-cellular, capable of replication or of transferring genetic material, and includes a virus, a viroid, and an animal or plant cell in culture;

“notifier” means a person who has submitted a notification to the competent authority pursuant to regulation 9(1), 10(1), 11(1) or 12(1);

“organism” means a biological entity capable of replication or of transferring genetic material and includes a micro-organism, but does not include a human or a human embryo;

“territorial waters” means United Kingdom territorial waters adjacent to Northern Ireland and “within territorial waters” includes on, over and under them; and

“working day” means any day other than a Saturday, a Sunday, Christmas Day or Good Friday, or a bank holiday within the meaning given by the Banking and Financial Dealings Act 1971⁽⁴⁾.

(2) In these Regulations—

(a) in relation to an activity involving genetic modification, any reference to an appropriate containment level is a reference to the containment level assigned to that activity in accordance with paragraphs 3(*h*) and 4 of Part II of Schedule 3; and

(b) any reference to an activity involving genetic modification in a numbered class is a reference to an activity involving genetic modification of micro-organisms which has been classified as belonging to the class of that number in accordance with paragraph 3(*i*) and (*j*) of Part II of Schedule 3.

(3) The provisions in—

(a) Part II of Schedule 8 shall be applied in accordance with Part I of that Schedule; and

(b) Tables 1a, 1b and 1c in Part II of Schedule 8 shall be applied in accordance with the notes set out at the end of the Table in question.

(4) The Interpretation Act (Northern Ireland) 1954⁽⁵⁾ shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

⁽³⁾ S.I.2000/2831

⁽⁴⁾ 1971 c. 80

⁽⁵⁾ 1954 c. 33 (N.I.)