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STATUTORY RULES OF NORTHERN IRELAND

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**2015 No. 339**

**The Genetically Modified Organisms (Contained Use) Regulations (Northern Ireland) 2015**

**PART 3**

Conduct of Contained Use

**Principles of occupational and environmental safety**

**18.**—(1) A user who undertakes a contained use involving micro-organisms shall ensure that the risks to human health and the environment arising from the contained use are reduced to the lowest level that is reasonably practicable.

(2) The measures to be taken in order to comply with the duty under paragraph (1) shall include the general principles of good microbiological practice and of good occupational safety and hygiene set out in Schedule 7.

(3) A user who undertakes a contained use involving larger GMOs shall ensure that the risks to human health arising from the contained use are reduced to the lowest level that is reasonably practicable.

(4) For contained use involving larger GMOs, the general principles set out in Schedule 7 shall be applied to the extent that they are appropriate.

**Containment and control measures for contained use involving micro-organisms**

**19.**—(1) A user who undertakes a contained use involving micro-organisms shall apply the containment measures set out in the applicable table in Part 2 of Schedule 8, where and to the extent required in the column of the appropriate containment level.

(2) A user need not apply a containment measure required for the appropriate containment level where—

- (a) the risk assessment, or any review of the risk assessment, shows that the containment measure is not necessary or practicable for a specific activity;
- (b) the notifier of the contained use has provided justification in writing to the competent authority; and
- (c) the notifier has received the written agreement of the competent authority that the containment measure need not be applied.

(3) A person responsible for the contained use shall review the containment measures applied—

- (a) at suitably regular intervals; and
- (b) immediately, if that person suspects that—
  - (i) the containment measures are no longer adequate;
  - (ii) the class assigned to the contained use in the risk assessment is no longer appropriate;or

- (iii) in the light of new scientific or technical knowledge, the risk assessment is no longer valid.

### **Containment and control measures for contained use involving larger GMOs**

**20.**—(1) A user who undertakes a contained use involving larger GMOs shall apply the containment measures selected in the risk assessment for the contained use.

- (2) A person responsible for the contained use shall review the containment measures applied—
  - (a) at suitably regular intervals; and
  - (b) immediately, if that person suspects that—
    - (i) the containment measures are no longer adequate; or
    - (ii) in the light of new scientific or technical knowledge, the risk assessment is no longer valid.

### **Emergency plans**

**21.**—(1) Where an assessment carried out under regulation 5(1) shows that, as a result of any reasonably foreseeable accident—

- (a) the health or safety of persons outside the premises in which the contained use is undertaken is liable to be seriously affected; or
- (b) there is a risk of serious damage to the environment from the contained use,

a person responsible for the contained use shall ensure that, before the contained use commences, a suitable emergency plan is prepared with a view to securing the health and safety of those persons or the protection of the environment or both.

(2) Where an assessment carried out under regulation 6(1) shows that, as a result of any reasonably foreseeable accident, the health or safety of persons outside the premises in which the contained use is undertaken is liable to be seriously affected, a person responsible for the contained use shall ensure that, before the contained use commences, a suitable emergency plan is prepared with a view to securing the health and safety of those persons.

- (3) An emergency plan shall—
  - (a) include the measures to be taken in the event of an accident to which the plan relates; and
  - (b) be reviewed and, where necessary, revised at suitably regular intervals.
- (4) A person responsible for the contained use which is the subject of an emergency plan shall—
  - (a) inform the emergency services, and any body or authority liable to be affected by an accident to which the plan relates, of the contents of the plan and of any relevant revisions; and
  - (b) make information about the plan and any such revisions publicly available.

### **Information relating to accidents**

**22.** If an accident occurs, a person responsible for the contained use shall immediately inform the competent authority of the accident and shall provide the following information—

- (a) the circumstances of the accident;
- (b) the identity and quantity of the genetically modified organisms concerned;
- (c) any information necessary to assess the effects of the accident on the health of the general population and, in the case of a genetically modified micro-organism, on the environment; and

(d) any measures taken in response to the accident.