

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 113 of the Environmental Protection Act 1990 (“the 1990 Act”) confers power to make and from time to time revise a scheme of fees payable in respect of applications for consents under Part VI (genetically modified organisms) of the 1990 Act and charges in respect of the subsistence of such consents.

These Regulations amend section 113 of the 1990 Act so as to provide that in making a scheme under that section Scottish Ministers may, with the consent of the Secretary of State, provide for any functions under the scheme to be performed by a Minister of the Crown or government department where Scottish Ministers consider it expedient to do so in relation to the implementation of Council Directive [90/220/EEC](#) on the deliberate release into the environment of genetically modified organisms.