
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 541

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

PART IV

DUTIES AFTER THE MAKING OF APPLICATIONS

Decisions by the Scottish Ministers on applications for renewals of consents to market

26.—(1) In the cases of subparagraphs (a) or (b), the Scottish Ministers may and in the case of subparagraph (c), the Scottish Ministers shall grant an application to renew a consent to market genetically modified organisms only where they have prepared an assessment report which indicates that the genetically modified organisms should continue to be marketed and—

- (a) no reasoned objection has been raised by a Member State or by the Commission during a sixty day period beginning on the day the Commission circulated the assessment report;
- (b) a reasoned objection has been raised by either a competent authority of any Member State or by the Commission but all outstanding issues have been resolved in accordance with Article 17(7) and (8) of the Deliberate Release Directive within a seventy-five day period beginning on the day the Commission circulated the assessment report; or
- (c) an objection has been raised and maintained by a competent authority of any Member State or the Commission in accordance with Articles 17 or 20 of the Deliberate Release Directive and the Commission has adopted a decision in accordance with Article 18(1) of the Deliberate Release Directive in favour of granting consent.

(2) The Scottish Ministers shall—

- (a) inform the applicant; and
- (b) ensure that the other Member States and the Commission are informed,

of any decision by the Scottish Ministers to renew the consent to market genetically modified organisms within thirty days of its renewal.

(3) The renewed consent to market genetically modified organisms shall be given for ten years unless the Scottish Ministers consider that a shorter or longer period is justified, in which case they shall give their reasons therefor in writing.

(4) The applicant may continue to market the genetically modified organisms under the conditions specified in the existing consent until a final decision has been taken on the application.