
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 541

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

PART I
GENERAL

Purpose of Part VI of the Act and meaning of “genetically modified organisms” etc.

3.—(1) Section 106 of the Act (purpose of Part VI and meaning of “genetically modified organisms” etc.) is amended as follows.

(2) For subsection (1) (purpose of Part VI) substitute—

“(1) This Part has effect for the purpose of ensuring that all appropriate measures are taken to avoid damage to the environment which may arise from the escape or release from human control of genetically modified organisms.”.

(3) In subsection (4) (definition of organism which is genetically modified)—

(a) insert after “this Part”—

“, subject to subsection (4C) below,”;

and

(b) for paragraph (a) (modification of prescribed artificial technique) substitute—

“(a) have been artificially modified, or”.

(4) After subsection (4) insert—

“(4A) subject to subsections (4B) and (4C) below, genes or other genetic material in an organism are “artificially modified” for the purposes of subsection (4) above if they are altered otherwise than by a process which occurs naturally in mating or natural recombination.

(4B) For the purposes of subsection (4) above—

(a) genes or other genetic material shall be taken to be artificially modified if they are altered using such techniques as may be prescribed for the purposes of this paragraph;

(b) genes or other genetic material shall not be regarded as artificially modified by reason only of being altered by the use of such techniques as may be prescribed for the purposes of this paragraph.

(4C) An organism shall be taken not to be a genetically modified organism for the purposes of this Part if it is an organism of a prescribed description.

(4D) In subsections (4B) and (4C) above, “prescribed” means prescribed by regulations made by the Scottish Ministers.”.

(5) Subsections (5) (techniques which may be prescribed as genetic modification) and (6) (direct or indirect means of modification immaterial) are omitted.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Genetically Modified Organisms (Deliberate Release) (Scotland) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 3-68-10](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Pt. 6A inserted by [S.S.I. 2019/86 reg. 16](#)
- Sch. 1 para. 6(4)(a)(i) word substituted by [S.S.I. 2023/374 Sch. 2 para. 2\(4\)](#)
- Sch. 1 para. 6(4)(b)(i) word substituted by [S.S.I. 2023/374 Sch. 2 para. 2\(5\)](#)
- sch. 1 para. 6(4)(a)(ii) words inserted by [S.S.I. 2022/361 reg. 14\(2\)\(ii\)](#)
- sch. 1 para. 6(4)(a)(i) words substituted by [S.S.I. 2022/361 reg. 14\(2\)\(i\)](#)
- sch. 2 para. 42 words substituted by [S.S.I. 2019/57 reg. 3\(25\)\(c\)](#)
- sch. 2 para. 43 words substituted by [S.S.I. 2019/57 reg. 3\(25\)\(c\)](#)
- sch. 2 para. 46 words substituted by [S.S.I. 2019/57 reg. 3\(25\)\(c\)](#)
- sch. 2 para. 53 words substituted by [S.S.I. 2019/57 reg. 3\(25\)\(d\)](#)
- sch. 2 para. 54(h)(i) words substituted by [S.S.I. 2019/57 reg. 3\(25\)\(e\)\(i\)](#)
- sch. 2 para. 54(h)(ii) words substituted by [S.S.I. 2019/57 reg. 3\(25\)\(e\)\(ii\)](#)
- sch. 5A inserted by [S.S.I. 2019/57 sch. 2](#)
- reg. 11(1)(a)(aa) substituted for reg. 11(1)(a) by [S.S.I. 2019/86 reg. 4](#)
- reg. 15(1) reg. 15 renumbered as reg. 15(1) by [S.S.I. 2019/86 reg. 7\(a\)](#)
- reg. 15(1) word omitted by [S.S.I. 2019/57 reg. 2\(5\)\(b\)\(ii\)](#)
- reg. 15(1) word substituted by [S.S.I. 2019/57 reg. 2\(5\)\(a\)](#)
- reg. 15(1) words omitted by [S.S.I. 2019/57 reg. 2\(5\)\(b\)\(i\)](#)
- reg. 15(1) words substituted by [S.S.I. 2019/57 reg. 2\(5\)\(c\)](#)
- reg. 15(1)(a) words inserted by [S.S.I. 2019/57 reg. 3\(6\)\(a\)\(i\)](#)
- reg. 15(1)(a) words substituted by [S.S.I. 2019/57 reg. 2\(5\)\(d\)\(i\)](#)
- reg. 15(1)(a) words substituted by [S.S.I. 2019/57 reg. 2\(5\)\(d\)\(ii\)](#)
- reg. 15(1)(b) words substituted by [S.S.I. 2019/57 reg. 3\(6\)\(a\)\(iii\)](#)
- reg. 15(1)(c) omitted by [S.S.I. 2019/57 reg. 3\(6\)\(a\)\(iv\)](#)
- reg. 15(1)(d) word inserted by [S.S.I. 2019/57 reg. 3\(6\)\(a\)\(v\)](#)
- reg. 15(1)(e) substituted by [S.S.I. 2019/57 reg. 3\(6\)\(a\)\(vi\)](#)
- reg. 15(1)(e) word inserted by [S.S.I. 2019/86 reg. 7\(c\)](#)
- reg. 15(1)(e) words substituted by [S.S.I. 2019/86 reg. 7\(b\)](#)
- reg. 15(1)(f) and word omitted by [S.S.I. 2019/86 reg. 7\(d\)](#)
- reg. 15(1)(g) omitted by [S.S.I. 2019/57 reg. 3\(6\)\(a\)\(vii\)](#)
- reg. 15(1)(aa) inserted by [S.S.I. 2019/57 reg. 3\(6\)\(a\)\(ii\)](#)
- reg. 15(2) inserted by [S.S.I. 2019/86 reg. 7\(e\)](#)
- reg. 15(2) substituted by [S.S.I. 2019/57 reg. 3\(6\)\(b\)](#)
- reg. 16(2)(a)-(ab) substituted for reg. 16(2)(a) by [S.S.I. 2019/86 reg. 8](#)
- reg. 24(7)-(11) inserted by [S.S.I. 2019/86 reg. 10\(d\)](#)
- reg. 24(7) words substituted by [S.S.I. 2019/57 reg. 2\(6\)\(b\)](#)
- reg. 24(9) words substituted by [S.S.I. 2019/57 reg. 2\(6\)\(c\)](#)
- reg. 26(5)-(8) inserted by [S.S.I. 2019/86 reg. 11](#)
- reg. 26(5) substituted by [S.S.I. 2019/57 reg. 3\(13\)\(b\)](#)
- reg. 26(5) words substituted by [S.S.I. 2019/57 reg. 2\(8\)\(b\)](#)
- reg. 26(6) words substituted by [S.S.I. 2019/57 reg. 2\(8\)\(c\)](#)
- reg. 26(7) substituted for reg. 26(7)(8) by [S.S.I. 2019/57 reg. 3\(13\)\(c\)](#)
- reg. 26A26B inserted by [S.S.I. 2019/86 reg. 12](#)
- reg. 26A substituted by [S.S.I. 2019/57 reg. 3\(14\)](#)
- reg. 26A(1) words substituted by [S.S.I. 2019/57 reg. 2\(9\)](#)

- reg. 26B substituted by S.S.I. 2019/57 reg. 3(15)
- reg. 26B(1) substituted by S.S.I. 2019/57 reg. 2(10)
- reg. 29A29B inserted by S.S.I. 2019/86 reg. 13
- reg. 29A(1) words omitted by S.S.I. 2019/57 reg. 3(17)(a)(iii)
- reg. 29A(1)(a) word substituted by S.S.I. 2019/57 reg. 2(11)(a)(i)
- reg. 29A(1)(a) words substituted by S.S.I. 2019/57 reg. 2(11)(a)(ii)
- reg. 29A(1)(b) words substituted by S.S.I. 2019/57 reg. 3(17)(a)(i)
- reg. 29A(1)(c) full stop substituted for comma by S.S.I. 2019/57 reg. 3(17)(a)(ii)
- reg. 29A(2) omitted by S.S.I. 2019/57 reg. 3(17)(b)
- reg. 29A(3)(a) words substituted by S.S.I. 2019/57 reg. 2(11)(b)(i)
- reg. 29A(3)(b) word substituted by S.S.I. 2019/57 reg. 2(11)(b)(ii)
- reg. 29A(3)(c) word inserted by S.S.I. 2019/57 reg. 3(17)(c)
- reg. 29A(5) word inserted by S.S.I. 2019/57 reg. 3(17)(d)(ii)
- reg. 29A(5) word substituted by S.S.I. 2019/57 reg. 3(17)(d)(i)
- reg. 29A(6) word substituted by S.S.I. 2019/57 reg. 3(17)(e)
- reg. 29A(6) words inserted by S.S.I. 2019/57 reg. 2(11)(c)
- reg. 29A(7) words inserted by S.S.I. 2019/57 reg. 2(11)(d)
- reg. 29A(7)(a)(v) words omitted by S.S.I. 2019/57 reg. 3(17)(f)(i)
- reg. 29A(7)(b) word inserted by S.S.I. 2019/57 reg. 3(17)(f)(ii)
- reg. 29A(7)(b) word substituted by S.S.I. 2023/374 Sch. 2 para. 2(2)
- reg. 29A(7)(e) word substituted by S.S.I. 2023/374 Sch. 2 para. 2(3)
- reg. 29A(7)(e) words substituted by S.S.I. 2019/57 reg. 3(17)(f)(iii)
- reg. 29A(9)(a) omitted by S.S.I. 2019/57 reg. 3(17)(g)
- reg. 29A(11) words substituted by S.S.I. 2019/57 reg. 2(11)(e)
- reg. 29A(11) words substituted by S.S.I. 2019/57 reg. 3(17)(h)
- reg. 29A(12)(a) word inserted by S.S.I. 2019/57 reg. 2(11)(f)(i)
- reg. 29A(12)(a) words inserted by S.S.I. 2019/57 reg. 2(11)(f)(ii)
- reg. 29A(12)(a) words omitted by S.S.I. 2019/57 reg. 3(17)(i)
- reg. 29B(1)(a) words inserted by S.S.I. 2019/57 reg. 2(12)(a)(i)
- reg. 29B(1)(a) words inserted by S.S.I. 2019/57 reg. 2(12)(a)(ii)
- reg. 29B(1)(a) words substituted by S.S.I. 2019/57 reg. 2(12)(a)(iii)
- reg. 29B(1)(b) words inserted by S.S.I. 2019/57 reg. 2(12)(b)
- reg. 29B(1)(c) words substituted by S.S.I. 2019/57 reg. 3(18)(a)
- reg. 29B(2) words substituted by S.S.I. 2019/57 reg. 3(18)(b)
- reg. 30A inserted by S.S.I. 2019/86 reg. 14
- reg. 30A(1)(a)(i) word omitted by S.S.I. 2019/57 reg. 2(13)(a)(i)(bb)
- reg. 30A(1)(a)(i) word substituted by S.S.I. 2019/57 reg. 2(13)(a)(i)(aa)
- reg. 30A(1)(a)(i) words omitted by S.S.I. 2019/57 reg. 3(19)
- reg. 30A(1)(a)(iii) inserted by S.S.I. 2019/57 reg. 2(13)(a)(iii)
- reg. 30A(1)(a)(ii) word inserted by S.S.I. 2019/57 reg. 2(13)(a)(ii)
- reg. 30A(1)(b) words substituted by S.S.I. 2019/57 reg. 2(13)(b)(i)
- reg. 30A(1)(b) words substituted by S.S.I. 2019/57 reg. 2(13)(b)(ii)
- reg. 30A(1)(c) words substituted by S.S.I. 2019/57 reg. 2(13)(c)
- reg. 30A(1)(d) words substituted by S.S.I. 2019/57 reg. 2(13)(d)
- reg. 32B(1)(d) words substituted by S.S.I. 2019/57 reg. 2(14)(a)(i)
- reg. 32B(1)(d) words substituted by S.S.I. 2019/57 reg. 2(14)(a)(ii)
- reg. 32B(1)(e) words substituted by S.S.I. 2019/57 reg. 2(14)(b)
- reg. 34(3)(i) inserted by S.S.I. 2019/57 reg. 3(22)(a)(iii)
- reg. 34(3A) inserted by S.S.I. 2019/57 reg. 3(22)(b)
- reg. 34(7A) inserted by S.S.I. 2019/57 reg. 3(22)(d)
- reg. 35(3A) inserted by S.S.I. 2019/57 reg. 3(23)(b)
- reg. 35(7A) inserted by S.S.I. 2019/57 reg. 3(23)(c)