
STATUTORY INSTRUMENTS

2000 No. 2831

**The Genetically Modified
Organisms(Contained Use) Regulations 2000**

PART I

INTERPRETATION AND GENERAL

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the 1974 Act” means the Health and Safety at Work etc. Act 1974;

“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—

(a) as regards England and Wales, the Secretary of State, the Minister of Agriculture, Fisheries and Food and the Executive, acting jointly; and

(b) as regards Scotland, the Scottish Ministers and the Executive, acting jointly,

and the expressions “competent authority as regards England and Wales” and “competent authority as regards Scotland” shall be construed accordingly;

“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;

(1) Cm 2073 and 2183.
(2) 1993 c. 51.

“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
- (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;

“joint competent authority” means the competent authority as regards England and Wales and the competent authority as regards Scotland, acting jointly;

“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; 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(3).

(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;
- (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; and
- (c) in relation to a notification submitted in accordance with regulation 13(1), any reference to the competent authority shall be construed as a reference to the joint competent authority.

(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) In these Regulations, unless the context otherwise requires—

- (a) a reference to a numbered regulation or Schedule is a reference to the regulation or Schedule in these Regulations so numbered; and
- (b) a reference to a numbered paragraph is a reference to the paragraph so numbered in the regulation or Schedule in which that reference occurs.