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STATUTORY INSTRUMENTS

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**2014 No. 1663**

**The Genetically Modified Organisms  
(Contained Use) Regulations 2014**

**PART 2**

**Risk Assessment and Notification of Contained Use**

**Notification of class 2 contained use**

**10.**—(1) A user must not undertake a contained use involving micro-organisms classified as class 2 unless the provisions of this regulation have been complied with.

(2) A person responsible for the contained use must submit a notification to the competent authority containing the information specified in Schedule 6.

(3) The Executive must send an acknowledgement of receipt to the notifier within 10 working days of the competent authority receiving the notification.

(4) Where the premises in the notification have not previously been notified for class 2 or a higher class of contained use, a user may undertake the class 2 contained use if—

- (a) 45 days have elapsed since the acknowledgement of receipt was received, provided that the competent authority has not informed the notifier that the class 2 contained use may not be undertaken; or
- (b) the competent authority has agreed in writing that the class 2 contained use may commence sooner.

(5) Where the premises in the notification have—

- (a) previously been notified for class 2 contained use; or
- (b) already been granted consent for class 3 or class 4 contained use,

a user may undertake the class 2 contained use if the notifier has received the acknowledgement of receipt.

(6) Where a notifier submits a notification for a class 2 contained use which is to be undertaken for the second or subsequent time at the premises in the notification, the notifier may request that the competent authority provide a written agreement that the contained use may be undertaken.

(7) The competent authority must make a decision and, if they agree, provide the written agreement requested under paragraph (6), within 45 days of the date on which the acknowledgement of receipt was sent to the notifier.