
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 541

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

PART IV

DUTIES AFTER THE MAKING OF APPLICATIONS

Duties on the Scottish Ministers on receiving applications for renewal of consent to market

25.—(1) On receipt of an application for renewal of consent to market genetically modified organisms the Scottish Ministers shall—

- (a) inform the applicant in writing of the date of receipt of the application;
- (b) examine the application for its conformity with the requirements of the Act and of these Regulations and, if necessary, request the applicant to supply additional information;
- (c) either—
 - (i) send to the applicant an assessment report prepared in accordance with Schedule 5 which indicates that the genetically modified organisms should continue to be permitted to be marketed and under which conditions; or
 - (ii) refuse the application, stating reasons for their decision, supported by an assessment report which indicates that the genetically modified organisms should not continue to be marketed; and
- (d) ensure that a copy of the application and their assessment report is forwarded to the Commission.

(2) Where the Scottish Ministers intend to arrange for an assessment report which indicates that the genetically modified organisms to which an application relates should be permitted to be marketed to be forwarded to the Commission, they shall first consult the Health and Safety Executive and shall not arrange for their favourable opinion on the application as it relates to the protection of human health to be forwarded to the Commission where the Health and Safety Executive has informed them that it does not fulfil the requirements of the Act and of these Regulations.