



Genetic Technology (Precision Breeding) Act 2023

2023 CHAPTER 6

PART 1

PRECISION BREEDING: DEFINITIONS

1 Precision bred organism

- (1) In this Act “precision bred organism” means a precision bred plant or a precision bred animal.
- (2) For the purposes of this Act an organism is “precision bred” if—
 - (a) any feature of its genome results from the application of modern biotechnology,
 - (b) every feature of its genome that results from the application of modern biotechnology is stable,
 - (c) every feature of its genome that results from the application of modern biotechnology could have resulted from traditional processes, whether or not in conjunction with selection techniques, alone, and
 - (d) its genome does not contain any feature that results from the application of any artificial modification technique other than modern biotechnology.
- (3) In this Act “modern biotechnology” means any technique mentioned in regulation 5(1) (a) or (b) of the Genetically Modified Organisms (Deliberate Release) Regulations 2002 ([S.I. 2002/2443](#)).
- (4) A feature of an organism’s genome is “stable” if it is capable of being propagated whenever the organism is reproduced, whether by sexual or asexual reproduction.
- (5) In determining whether a feature of an organism’s genome could have resulted from traditional processes, no account is to be taken of—
 - (a) the copy number of the feature,
 - (b) its epigenetic status, or

Changes to legislation: There are currently no known outstanding effects for the Genetic Technology (Precision Breeding) Act 2023, Part 1. (See end of Document for details)

- (c) its location in the genome.
- (6) In [this section](#) “traditional processes” means—
- (a) in relation to plants—
 - (i) sexual fertilisation,
 - (ii) spontaneous mutation,
 - (iii) in vitro fertilisation,
 - (iv) polyploidy induction,
 - (v) embryo rescue,
 - (vi) grafting,
 - (vii) induced mutagenesis, or
 - (viii) somatic hybridisation or cell fusion of plant cells of organisms which are capable of exchanging genetic material by a process within subparagraphs (i) to (vii);
 - (b) in relation to animals—
 - (i) sexual fertilisation,
 - (ii) spontaneous mutation,
 - (iii) artificial insemination,
 - (iv) in vitro fertilisation,
 - (v) embryo transfer,
 - (vi) polyploidy induction, or
 - (vii) recovery and transfer of primordial germ cells.
- (7) An “artificial modification technique” means any technique by which genes or other genetic material can be artificially modified within the meaning of Part 6 of the Environmental Protection Act 1990 (as it has effect from time to time).
- (8) If the category of techniques by which, or circumstances in which, genes or other genetic material are taken to be, or not to be, artificially modified for the purposes of Part 6 of the Environmental Protection Act 1990 changes by virtue of—
- (a) regulation 5 of the Genetically Modified Organisms (Deliberate Release) Regulations 2002 ([S.I. 2002/2443](#)) being modified, or
 - (b) regulations being made under subsection (4B) or (4C) of section 106 of the Environmental Protection Act 1990,
- regulations may modify [this section](#) so as to make corresponding changes (with or without variation) to the definition of “modern biotechnology”.
- (9) Regulations under subsection (8) are subject to the affirmative procedure.
- (10) An organism to which [subsection \(11\)](#) applies does not fail to be precision bred merely because it does not meet the condition in [subsection \(2\)\(d\)](#).
- (11) [This subsection](#) applies to an organism which, for the purposes of Part 6 of the Environmental Protection Act 1990, is to be taken not to be a genetically modified organism by virtue of—
- (a) paragraph (3) of the regulation referred to in [subsection \(8\)\(a\)](#), or
 - (b) regulations under subsection (4C) of section 106 of that Act.

Changes to legislation: There are currently no known outstanding effects for the Genetic Technology (Precision Breeding) Act 2023, Part 1. (See end of Document for details)

Commencement Information

I1 S. 1 in force at Royal Assent, see [s. 48\(2\)](#)

2 Meaning of “plant” and “animal”

- (1) In this Act “plant” means an organism in the taxonomic group—
 - (a) Archaeplastida, or
 - (b) Phaeophyceae.
- (2) In this Act “animal” means an organism in the taxonomic group Metazoa, other than a human (or a human admixed embryo).
- (3) In subsections (1) and (2), references to an organism—
 - (a) include an embryo and all subsequent developmental stages of the organism;
 - (b) in the case of a plant, also include a seed or a vegetative propagule;
 - (c) do not include a gamete.
- (4) In this Act “gamete”—
 - (a) does not include an egg that is in the process of fertilisation or is undergoing any other process capable of resulting in an embryo, but
 - (b) otherwise includes a mature germ cell capable of initiating fusion with a germ cell of the opposite sex.
- (5) In this section—

“embryo” includes an egg that is in the process of fertilisation or is undergoing any other process capable of resulting in an embryo;

“human” includes a human embryo and all subsequent developmental stages of a human;

“human admixed embryo” has the same meaning as it has in the Human Fertilisation and Embryology Act 1990 by virtue of section 4A(6) and (11) of that Act.

Commencement Information

I2 S. 2 in force at Royal Assent, see [s. 48\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Genetic Technology (Precision Breeding) Act 2023, Part 1.