



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

Status: This is the original version (as it was originally enacted).

- (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.

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.