



# Genetic Technology (Precision Breeding) Act 2023

## 2023 CHAPTER 6

### PART 4

#### ENFORCEMENT

##### *Enforcement of relevant breaches: general provisions*

#### **31** Meaning of “relevant breach” etc

- (1) In this Act “relevant breach”, in relation to a person, means a failure by the person to comply with a relevant obligation, but—
  - (a) in relation to an inspector appointed under section 19, means a failure to comply with a Part 2 obligation;
  - (b) in relation to an inspector appointed under regulations under section 28, means a failure to comply with a Part 3 obligation.
- (2) In this Part—
  - (a) “inspector” means an inspector appointed under section 19 or under regulations under section 28;
  - (b) “relevant obligation” means a Part 2 obligation or a Part 3 obligation.
- (3) Regulations may make provision for—
  - (a) persons to be treated as having failed to comply with a Part 3 obligation in circumstances corresponding or similar to those in which section 20 of the Food Safety Act 1990 provides for persons to be guilty of an offence under that section;
  - (b) a failure to comply with a Part 3 obligation not to be regarded as a relevant breach in circumstances corresponding or similar to those in which sections 21 and 22 of the Food Safety Act 1990 provide for defences to offences under that Act.

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**Changes to legislation:** There are currently no known outstanding effects for the Genetic Technology (Precision Breeding) Act 2023, Cross Heading: Enforcement of relevant breaches: general provisions. (See end of Document for details)

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(4) Regulations under subsection (3) are subject to the affirmative procedure.

**Commencement Information**

**I1** S. 31 in force at Royal Assent for specified purposes, see [s. 48\(3\)\(a\)](#)

## 32 Enforcement

- (1) Regulations may make provision for—
- (a) an inspector to issue either of the following—
    - (i) a compliance notice (see section 33);
    - (ii) a stop notice (see section 34);
  - (b) the Secretary of State or an inspector to issue a monetary penalty notice (see section 35);
- to a person in relation to a relevant breach.

(2) Regulations may provide for a requirement imposed by a stop notice to be enforceable, on the application of the Secretary of State, by injunction.

This does not affect the enforcement of the requirement (or power to make provision for its enforcement) in any other way (whether by monetary penalty notice or otherwise).

- (3) In this Act “enforcement notice” means—
- (a) a compliance notice,
  - (b) a stop notice, or
  - (c) a monetary penalty notice.
- (4) Regulations under this section are subject to the affirmative procedure.

**Commencement Information**

**I2** S. 32 in force at Royal Assent for specified purposes, see [s. 48\(3\)\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Genetic Technology (Precision Breeding) Act 2023, Cross Heading: Enforcement of relevant breaches: general provisions.