

STATUTORY INSTRUMENTS

2014 No. 1663

The Genetically Modified Organisms (Contained Use) Regulations 2014

PART 5

Miscellaneous and General

Enforcement

30.—(1) This regulation applies to the extent that any part of these Regulations are not health and safety regulations within the meaning of section 15 of the 1974 Act.

(2) The following provisions apply to the whole of these Regulations as if they were health and safety regulations for the purposes of that Act—

(a) sections 16 to 26^{M1} (approved codes of practice and enforcement) and sections 33 to 42^{M2} (provisions as to offences) of the 1974 Act; and

(b) the Health and Safety (Training for Employment) Regulations 1990^{M3}.

(3) Every function of the Executive under any provision of the 1974 Act, or under health and safety regulations, is exercisable in relation to these Regulations as if the whole of these Regulations were health and safety regulations for the purposes of that Act.

(4) Despite section 33(1)(c) of the 1974 Act a failure to discharge a duty placed on the competent authority or the Executive by these Regulations is not an offence.

(5) Despite regulation 3 of the Health and Safety (Enforcing Authority) Regulations 1998^{M4}, the enforcing authority for these Regulations is the Executive.

Marginal Citations

M1 Section 16 of the 1974 Act was amended by paragraph 9 of Schedule 3 to the [Railways Act 2005](#) (c. 14) and paragraphs 4 and 5 of Schedule 7 to the [Health and Social Care Act 2012](#) (c. 7). Section 18 was amended by Schedules 15 and 18 to the [Employment Protection Act 1975](#) (c. 71), **paragraph 10(3)** of Schedule 3 and Part 1 of Schedule 13 to the [Railways Act 2005](#) and paragraphs 1 and 6 of Schedule 12 to the [Energy Act 2013](#) (c. 32). Section 20 was amended by paragraph 49 of Schedule 27 to the [Civil Partnership Act 2004](#) (c. 33). Section 22 was amended by Schedule 3 to the [Consumer Protection Act 1987](#) (c. 43). Section 23 was amended in relation to England and Wales by paragraph 44 of Schedule 1 to the [Fire and Rescue Services Act 2004](#) (c. 21) and [S.I. 2005/1541](#). In relation to Scotland section 23 was amended by [S.S.I. 2005/383](#), [S.S.I. 2006/475](#) and paragraph 49 of Schedule 7 to the [Police and Fire Reform \(Scotland\) Act 2012](#) (asp. 8). Section 24 was amended by section 1(2) (a) of the [Employment Rights \(Dispute Resolution\) Act 1998](#) (c. 8). Section 25A was inserted by paragraph 3 of Schedule 3 to the [Consumer Protection Act 1987](#) (c. 43). In addition sections 16, 17 and 18 were amended by [S.I. 2008/960](#).

M2 Section 33 was amended by Schedules 15 and 18 to the [Employment Protection Act 1975](#), Part 1 of the Schedule to the [Forgery and Counterfeiting Act 1981](#) (c. 45), **Schedule 3** to the [Consumer](#)

Changes to legislation: There are currently no known outstanding effects for the *The Genetically Modified Organisms (Contained Use) Regulations 2014, Section 30*. (See end of Document for details)

Protection Act 1987, sections 4(5) and (6) of, and Schedule 2 to, the [Offshore Safety Act 1992 \(c. 15\)](#) and section 1(1) of the [Health and Safety \(Offences\) Act 2008 \(c. 20\)](#). Section 34 was amended by [S.I. 2008/960, paragraph 25](#) of Schedule 21 to the [Coroners and Justice Act 2009 \(c. 25\)](#) and, in its application to Scotland, by paragraph 51 of Schedule 9 to the [Criminal Procedure \(Scotland\) Act 1975 \(c. 21\)](#) and paragraph 18 of Schedule 7 to the [Gas Act 1986 \(c. 44\)](#). Section 36 has been modified by [S.I. 2007/1353](#) to the effect that references to the Crown are treated as including references to the National Assembly for Wales Commission. Section 38 was amended by paragraph 30(7) of Schedule 22 to the [Environmental Act 1995 \(c. 25\)](#) and [S.I. 2013/755](#). Section 36 was amended by paragraph 2(2) and (3) of Schedule 3 to the [Health and Safety \(Offences\) Act 2008](#).

M3 [S.I. 1990/1380](#).

M4 [S.I. 1998/494](#), to which there are amendments not relevant to these Regulations.

Changes to legislation:

There are currently no known outstanding effects for the The Genetically Modified Organisms (Contained Use) Regulations 2014, Section 30.