
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 541

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

PART III

MARKETING ORGANISMS

Transitional provision in respect of applications to market

17. Where the Scottish Ministers have received an application for consent to market genetically modified organisms before the coming into force date of these Regulations pursuant to the 1992 Regulations and have not yet determined that application, or in a case where the Commission is required to take a decision in accordance with Article 13(3) of the 1990 Directive, that decision has not yet been taken—

- (a) the application shall be subject to the provisions of these Regulations;
- (b) the applicant shall submit in writing to the Scottish Ministers such further information, additional to that already provided in connection with the application, as is necessary in order to comply with the requirements of these Regulations by the date occurring three months after the coming into force date of these Regulations;
- (c) the application shall be treated as having been received by the Scottish Ministers for the purposes of regulation 23 on the date of submission of the information required by paragraph (b);
- (d) if, by the coming into force date of these Regulations, the information required by regulation 16(2) of the 1992 Regulations has been forwarded to the Commission, the Scottish Ministers shall ensure that the information is supplemented and, if they consider it necessary, revised on the receipt by the Scottish Ministers of the further information required by paragraph (b) in the light of their obligations under these Regulations; and
- (e) if the information required by paragraph (b) has not been submitted in writing by the date occurring three months after the coming into force date of these Regulations, the Scottish Ministers may refuse to proceed with the application.