
STATUTORY INSTRUMENTS

2000 No. 2831

**The Genetically Modified
Organisms(Contained Use) Regulations 2000**

PART V

MISCELLANEOUS AND GENERAL

Enforcement and civil liability

26.—(1) Subject to paragraph (2) and to the extent they would not otherwise do so, the provisions of—

- (a) sections 16 to 26 (approved codes of practice and enforcement), sections 33 to 42 (provisions as to offences) and section 47 (civil liability) of the 1974 Act; and
- (b) the Health and Safety (Training for Employment) Regulations 1990(1),

shall apply to these Regulations as if they were health and safety regulations for the purposes of that Act, and any function of the Health and Safety Commission under any other provision of the 1974 Act which is exercisable in relation to any function of the Executive under or in respect of health and safety regulations (including their enforcement) shall be exercisable as if these Regulations were, to the extent they would not otherwise be so, health and safety regulations for the purposes of that Act.

(2) A failure to discharge a duty—

- (a) placed on the competent authority or the Executive by these Regulations; or
- (b) placed on any other person by Schedule 11,

shall not be an offence, and section 33(1)(c) of the 1974 Act shall have effect accordingly.

(3) Notwithstanding regulation 3 of the Health and Safety (Enforcing Authority) Regulations 1998(2), the enforcing authority for these Regulations shall be the Executive.

(1) S.I.1990/1380.
(2) S.I. 1998/494.