

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 3773 of 25 March, 2010

LEGAL NOTICE NO. 51 OF 2010.

PUBLIC HEALTH ACT

**PUBLIC HEALTH (GENETICALLY MODIFIED
MICRO-ORGANISMS) (CONTAINED USE) (AMENDMENT)
REGULATIONS 2010**

In exercise of the powers conferred on the Government by section 180X of the Public Health Act and for the purpose of completing the transposition into the law of Gibraltar Council Directive 98/81/EC of 26 October 1998 amending Directive 90/219/EEC as amended by Commission Directive 94/51/EC on the contained use of genetically modified micro-organisms the Government has made the following Regulations—

Title and commencement.

1. These Regulations may be cited as the Public Health (Genetically Modified Organisms) (Contained Use) (Amendment) Regulations 2010 and come into operation on the day of publication.

Amendments to the Public Health (Genetically Modified Organisms) (Contained Use) Regulations 2001.

2. The Public Health (Genetically Modified Organisms) (Contained Use) Regulations 2001 are amended as follows—

(a) by inserting the following note after the Table in Schedule 1—

“Note: For the purpose of inclusion in class 1 as defined in this Table, only GMMs which show the following characteristics should be considered appropriate—

- (a) the recipient or parental micro-organism is unlikely to cause disease to humans, animals or plants;
- (b) the nature of the vector and the insert is such that they do not endow the GMM with a phenotype likely to

cause disease to humans, animals or plants, or likely to cause deleterious effects in the environment;

- (c) the GMM is unlikely to cause disease to humans, animals or plants and is unlikely to have deleterious effects on the environment.

In each case, the characteristics would only apply to animals and plants in the environment likely to be exposed.”;

- (b) by substituting the following paragraph for paragraph (g) of Schedule 6–

“(g) displaying biohazard signs on the door and on other places where appropriate;”;

- (c) in the definition of “inactivation” in paragraph 1 of PART I of Schedule 7, by deleting “or partial”; and

- (d) in Table 1a in Part II of Schedule 7, by adding the following entry after row 9 (Access restricted to authorised personnel only)–

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9A	Biohazard sign on the door	not required	required	required	required
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Dated 25th March, 2010.

Y DEL AGUA,
Minister with responsibility for public health.

EXPLANATORY MEMORANDUM

These Regulations amend the Public Health (Genetically Modified Organisms) (Contained Use) Regulations 2001 in order to complete the transposition of Council Directive 98/81/EC by seeking to fully transpose Article 5(5), Annex III, Part B.4 and Annex IV, Table 1A, Column 10 of Directive 98/81/EC.

