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**Report Stage: Thursday 27 October 2022**

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## **Genetic Technology (Precision Breeding) Bill (Amendment Paper)**

This document lists all amendments tabled to the Genetic Technology (Precision Breeding) Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

★ New Amendments.

New Amendments: 13 and NC8 and NC9

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**Jim McMahon**

**NC1**

Daniel Zeichner  
Ruth Jones  
Alex Sobel  
Mary Glendon  
Caroline Lucas

To move the following Clause—

**“The Genetic Technology Authority**

- (1) There is to be a body corporate called the Genetic Technology Authority.
- (2) The Authority is to consist of—
  - (a) a chairman and deputy chairman, and
  - (b) such number of other members as the Secretary of State appoints.
- (3) Schedule [Genetic Technology Authority: supplementary provisions] to this Act (which deals with the membership of the Authority, etc.) has effect.”

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**Jim McMahon**

**NC2**

Daniel Zeichner  
Ruth Jones  
Alex Sobel  
Mary Glendon  
Caroline Lucas

To move the following Clause—

**“Accounts and audit**

- (1) The Authority must keep proper accounts and proper records in relation to the accounts and must prepare for each accounting year a statement of accounts.
- (2) The annual statement of accounts must comply with any direction given by the Secretary of State, with the approval of the Treasury, as to the information to be contained in the statement, the way in which the information is to be presented or the methods and principles according to which the statement is to be prepared.
- (3) Not later than five months after the end of an accounting year, the Authority must send a copy of the statement of accounts for that year to the Secretary of State and to the Comptroller and Auditor General.
- (4) The Comptroller and Auditor General must examine, certify and report on every statement of accounts received by him under subsection (3) above and must lay a copy of the statement and of his report before each House of Parliament.
- (5) The Secretary of State and the Comptroller and Auditor General may inspect any records relating to the accounts.
- (6) In this section “accounting year” means the period beginning with the day when the Authority is established and ending with the following 31st March, or any later period of twelve months ending with the 31st March.”

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**Jim McMahon**

**NC3**

Daniel Zeichner  
Ruth Jones  
Alex Sobel  
Mary Glindon  
Caroline Lucas

To move the following Clause—

**“Reports to Secretary of State**

- (1) The Authority must prepare and send to the Secretary of State an annual report as soon as practicable after the end of the period of twelve months for which it is prepared.
- (2) A report prepared under this section for any period must deal with the activities of the Authority in the period and the activities the Authority proposes to undertake in the succeeding period of twelve months.
- (3) The Secretary of State must lay before each House of Parliament a copy of every report received by him under this section.”

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**Jim McMahon**

**NC4**

Daniel Zeichner  
Ruth Jones  
Alex Sobel  
Mary Glindon  
Caroline Lucas

To move the following Clause—

**“General functions of the Authority**

- (1) The Authority must—
- (a) keep under review information about the use of genetic technology in plants and animals and any subsequent development of genetic technology and advise the Secretary of State about those matters,
  - (b) publicise the services provided to the public by the Authority or provided in pursuance of release notification requirements or marketing authorisations under this Act,
  - (c) provide, to such extent as it considers appropriate, a code of practice, advice and information for persons to whom release notification requirements or marketing authorisations under this Act apply,
  - (d) maintain a statement of the general principles which it considers should be followed—
    - (i) in the carrying-on of activities governed by this Act, and
    - (ii) in the carrying-out of its functions in relation to such activities,
  - (e) promote, in relation to activities governed by this Act, compliance with—
    - (i) requirements imposed by or under this Act, and
    - (ii) the Authority’s code of practice,
  - (f) perform such other functions as may be specified in regulations.
- (2) The Authority may, if it thinks fit, charge a fee for any advice provided under subsection (1)(c).”

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**Jim McMahon**

**NC5**

Daniel Zeichner  
Ruth Jones  
Alex Sobel  
Mary Glindon  
Caroline Lucas

To move the following Clause—

**“Duties in relation to carrying out its functions**

- (1) The Authority must carry out its functions effectively, efficiently and economically.
- (2) In carrying out its functions, the Authority must, so far as relevant, have regard to the principles of best regulatory practice (including the principles under

which regulatory activities should be transparent, accountable, proportionate, consistent and targeted only at cases in which action is needed).”

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**Jim McMahon**

**NC6**

Daniel Zeichner  
Ruth Jones  
Alex Sobel  
Mary Glindon  
Caroline Lucas

To move the following Clause—

**“Power to delegate and establish committees**

- (1) The Authority may delegate a function to a committee, to a member or to staff.
- (2) The Authority may establish such committees or sub-committees as it thinks fit (whether to advise the Authority or to exercise a function delegated to it by the Authority).
- (3) The members of the committees or sub-committees may include persons who are not members of the Authority.
- (4) Subsection (1) has effect subject to any enactment requiring a decision to be taken by members of the Authority or by a committee consisting of members of the Authority.”

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**Caroline Lucas**

**NC7**

To move the following Clause—

**“Labelling of food or feed produced by precision bred organisms**

- (1) Food or feed produced from a precision bred organism or its progeny that is placed on the market must be labelled to inform prospective purchasers that it has been produced from a precision bred organism or its progeny.
- (2) The labelling required under subsection (1) must be in easily visible and clearly legible type and, where packaging is used, it must be placed on the front outer surface of the packaging.
- (3) Regulations must lay down the labelling terms to be used to meet the requirements of subsection (1).
- (4) Before making regulations under this section, the Secretary of State must—
  - (a) consult representatives of—
    - (i) consumers,
    - (ii) citizens and civil society,
    - (iii) food producers,
    - (iv) suppliers,

- (v) retailers,
  - (vi) growers and farmers,
  - (vii) the organic sector,
  - (viii) other persons likely to be affected by the regulations, and
  - (ix) any other persons the Secretary of State considers appropriate; and
- (b) seek the advice of the Food Standards Agency on the information to be required to be provided on labelling.

(5) Regulations under this section are subject to the affirmative procedure."

#### **Member's explanatory statement**

This new clause would require the Secretary of State to make regulations about the labelling of precision bred organisms and food and feed products made from them and to consult with named stakeholders before doing so.

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**Deidre Brock**

**NC8**

★ To move the following Clause—

#### **"Labelling of food or feed produced by precision bred animals**

- (1) Food or feed produced from a precision bred animal or its progeny that is placed on the market must be labelled to inform prospective purchasers that it has been produced from a precision bred animal or its progeny.
- (2) The labelling required under subsection (1) must be in easily visible and clearly legible type and, where packaging is used, it must be placed on the front outer surface of the packaging.
- (3) Regulations must lay down the labelling terms to be used to meet the requirements of subsection (1).
- (4) Regulations under this section are subject to the affirmative procedure."

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**Deidre Brock**

**NC9**

★ To move the following Clause—

#### **"Power of the Scottish Parliament to legislate on the marketing of precision bred organisms**

- (1) Schedule 1 of the United Kingdom Internal Market Act 2020 is amended as follows.
- (2) After paragraph 11 insert—

#### *"Marketing of precision bred organisms*

- 11A The United Kingdom market access principles do not apply to (and sections 2(3) and 5(3) do not affect the operation of) any Act of the

Scottish Parliament, or any subordinate legislation made under or by virtue of such an Act, relating to the marketing of—

- (a) precision bred organisms, or
- (b) food or feed produced from precision bred organisms.”.”

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**Caroline Lucas**

1

Clause 1, page 1, line 4, leave out “or a precision bred animal”

**Member's explanatory statement**

This amendment removes animals from the scope of the Bill.

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**Caroline Lucas**

11

Clause 1, page 1, line 14, at end insert—

“(2A) But for the purposes of this Act an organism is not “precision bred” if any feature of its genome results from any technique or process which involves the insertion of exogenous genetic material, whether or not such material is subsequently removed.”

**Member's explanatory statement**

This amendment would exclude the use of exogenous genetic material in the creation of precision bred organisms.

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**Jim McMahon**

3

Daniel Zeichner  
Ruth Jones  
Alex Sobel  
Mary Glindon  
Caroline Lucas

Clause 3, page 3, line 35, at end insert—

- “(c) the organism has been developed for or in connection with one or more of the following purposes—
- (i) producing food in a way that protects or enhances a healthy, resilient and biodiverse natural environment;
  - (ii) growing and managing plants or animals in a way that mitigates or adapts to climate change;
  - (iii) producing food in a way that prevents, reduces or protects from environmental hazards;
  - (iv) protecting or improving the health or welfare of animals;
  - (v) conserving native animals or genetic resources relating to any such animal;
  - (vi) protecting or improving the health of plants;

- (vii) reducing the use of pesticides and artificial fertiliser;
- (viii) conserving plants grown or used in carrying on an agricultural, horticultural or forestry activity, their wild relatives or genetic resources relating to any such plant;
- (ix) protecting or improving the quality of soil;
- (x) supporting or improving human health and well-being;
- (xi) supporting or improving the sustainable use of resources.”

**Member's explanatory statement**

This amendment would require that a precision bred organism has been developed to provide a public benefit, if it is to be released into the environment.

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**Jim McMahon**

4

Daniel Zeichner  
Ruth Jones  
Alex Sobel  
Mary Glindon  
Caroline Lucas

Clause 13, page 9 line 20, at end insert—

- “(za) that the precision bred traits will not have a direct or indirect adverse effect on the health or welfare of the relevant animal or its qualifying progeny,
- (zb) that the relevant animal and its qualifying progeny are not likely to experience pain, suffering or lasting harm arising from or connected with fast growth, high yields or any other increase in productivity,
- (zc) that the precision bred traits will not facilitate the keeping of the relevant animal or its qualifying progeny in conditions that are crowded, stressful or otherwise likely to have an adverse effect on animal welfare,
- (zd) that the objective of the precision bred traits could not reasonably have been achieved by means that do not involve modification of the genome of the animal.”

**Member's explanatory statement**

The amendment requires a range of factors to be taken into account by the Secretary of State when deciding whether to issue a precision bred animal marketing authorisation.

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**Sir Roger Gale**

12

Clause 13, page 9, line 20, at end insert—

- “(za) that the scientific evidence does not indicate that the precision bred traits are likely to have a direct or indirect adverse effect on the health or welfare of the relevant animal or its qualifying progeny, and if so”

**Member's explanatory statement**

This amendment would prevent the Secretary of State from issuing a precision bred animal marketing authorisation if the scientific evidence indicated that the precision bred traits are likely to have a direct or indirect adverse effect on the health or welfare of the relevant animal or its qualifying progeny.

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**Caroline Lucas****6**

Clause 26, page 16, line 29, leave out "may" and insert "must"

**Member's explanatory statement**

This amendment would require the Secretary of State to regulate the placing on the market in England of food and feed produced from precision bred organisms.

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**Caroline Lucas****7**

Clause 26, page 16, line 31, leave out "may" and insert "must"

**Member's explanatory statement**

This amendment would require the Secretary of State to make regulations prohibiting the marketing of food or feed produced from a precision bred organism on the market in England except in accordance with a marketing authorisation, and imposing requirements for the purpose of securing traceability.

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**Caroline Lucas****8**

Clause 26, page 16, line 36, after "traceability", insert "through supply chain auditing"

**Member's explanatory statement**

This amendment makes supply chain auditing the method of securing traceability in relation to food or feed produced from precision bred organisms that is placed on the market in England.

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**Caroline Lucas****9**

Clause 26, page 17, line 1, leave out "may" and insert "must"

**Member's explanatory statement**

This amendment requires the prescribing of requirements that must be satisfied in order for the Secretary of State to issue a food and feed marketing authorisation in relation to a precision bred organism.

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**Caroline Lucas****10**

Clause 26, page 17, line 4, leave out "may" and insert "must"



**Member's explanatory statement**

This amendment prescribes which requirements must be satisfied in order for the Secretary of State to issue a food and feed marketing authorisation in relation to a precision bred organism.

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**Jim McMahon**

5

Daniel Zeichner  
Ruth Jones  
Alex Sobel  
Mary Glindon  
Caroline Lucas

Clause 43, page 28, line 6, at end insert—

- “(7) No regulations may be made under this Act unless—
- (a) a policy statement on environmental principles has been laid before Parliament under section 18(6) of the Environment Act 2021, and
  - (b) section 19 of the Environment Act 2021 is in force.
- (8) Regulations under this Act must be made in accordance with—
- (a) the environmental principles set out in section 17(5) of the Environment Act 2021, and
  - (b) Article 391 (Non-regression from levels of protection) of the Trade and Cooperation Agreement between the United Kingdom of Great Britain and Northern Ireland, of the one part, and the European Union and the European Atomic Energy Community, of the other part, done at Brussels and London on 30 December 2020.”

**Member's explanatory statement**

This amendment would prevent the exercise of any powers granted by the Bill until the Government's policy statement on environmental principles has been finalised and Ministers are under a statutory duty to have due regard to it.

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**Deidre Brock**

13

★ Clause 48, page 30, line 20, at end insert—

- “(5A) Regulations may not be made under or by virtue of this section unless a common framework agreement relating to the release and marketing of, and risk assessments relating to, precision bred plants and animals, and the marketing of food and feed produced from such plants and animals, has been agreed between a Minister of the Crown, the Scottish Government and the Welsh Government.
- (5B) “Common framework agreement” has the meaning given by section 10(4) of the United Kingdom Internal Market Act 2020.”

**Member's explanatory statement**

This amendment would prevent the operative parts of this Bill coming into force until a common framework agreement on the regulation of precision breeding had been agreed between the UK Government and the Scottish and Welsh Governments.

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**Jim McMahon**

NS1

Daniel Zeichner  
Ruth Jones  
Alex Sobel  
Mary Glindon  
Caroline Lucas

To move the following Schedule—

**“SCHEDULE****THE AUTHORITY: SUPPLEMENTARY PROVISIONS***Status and capacity*

- 1 The Authority is not to be regarded as the servant or agent of the Crown, or as enjoying any status, privilege or immunity of the Crown; and its property is not to be regarded as property of, or property held on behalf of, the Crown.
- 2 The Authority has power to do anything which is calculated to facilitate the discharge of its functions, or is incidental or conducive to their discharge, except the power to borrow money.

*Expenses*

- 3 The Secretary of State may, with the consent of the Treasury, pay the Authority out of money provided by Parliament such sums as he thinks fit towards its expenses.

*Appointment of members*

- 4 (1) All the members of the Authority (including the chairman and deputy chairman who are to be appointed as such) are to be appointed by the Secretary of State.  
(2) The following persons are disqualified for being appointed as chairman or deputy chairman of the Authority—
  - (a) any person who is, or has been, concerned with the creation, release or marketing of plant or animal organisms, gametes or embryos created using genetic technology, and
  - (b) any person who is, or has been, directly concerned with commissioning or funding any research involving such creation, release or marketing, or who has actively participated in any decision to do so.
- (3) The Secretary of State must secure that at least one-third but fewer than half of the other members of the Authority fall within sub-paragraph (2)(a)

or (b), and that at least one member falls within each of paragraphs (a) and (b).

- 5 (1) A person ("P") is disqualified for being appointed as chairman, deputy chairman, or as any other member of the Authority if—
  - (a) P is the subject of a bankruptcy restrictions order,
  - (b) in the last five years P has been convicted in the United Kingdom, the Channel Islands or the Isle of Man of an offence and has had a qualifying sentence passed on P.
- (2) For the purposes of sub-paragraph (1)(b), the date of conviction is to be taken to be the ordinary date on which the period allowed for making an appeal or application expires or, if an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of its non-prosecution.
- (3) In sub-paragraph (1)(b), the reference to a qualifying sentence is to a sentence of imprisonment for a period of not less than three months (whether suspended or not) without the option of a fine.

#### *Tenure of office*

- 6 (1) Subject to the following provisions of this paragraph and paragraph 7, a person holds and vacates office as a member of the Authority in accordance with the terms of his appointment.
  - (2) A person may not be appointed as a member of the Authority for more than three years at a time.
  - (3) A member may at any time resign his office by giving notice to the Secretary of State.
  - (4) A person who ceases to be a member of the Authority is eligible for re-appointment (whether or not in the same capacity).
  - (5) A person holding office as chairman, deputy chairman or other member of the Authority is to cease to hold that office if the person becomes disqualified for appointment to it.
  - (6) If the Secretary of State is satisfied that a member of the Authority—
    - (a) has been absent from meetings of the Authority for six consecutive months or longer without the permission of the Authority, or
    - (b) is unable or unfit to discharge the person's functions as chairman, deputy chairman or other member,the Secretary of State may remove the member from office as chairman, deputy chairman or other member.
  - (7) The Secretary of State may suspend a member from office as chairman, deputy chairman or other member of the Authority if it appears to him that one of the conditions in paragraph (6) is or may be satisfied in relation to the member.
- 7 (1) This paragraph applies where the Secretary of State decides to suspend a member under paragraph 6(7).

- (2) The Secretary of State must give notice to the member of the decision and the suspension takes effect on receipt by the member of the notice.
- (3) A notice under subsection (2) is treated as being received by the member—
  - (a) in a case where it is delivered in person or left at the member's proper address, at the time at which it is delivered or left;
  - (b) in a case where it is sent by post to the member at that address, on the third day after the day on which it was posted.
- (4) The initial period of suspension must not exceed 6 months.
- (5) The Secretary of State may review the member's suspension at any time.
- (6) The Secretary of State must review the member's suspension if requested in writing by the member to do so, but need not carry out a review less than 3 months after the beginning of the initial period of suspension.
- (7) Following a review the Secretary of State may—
  - (a) revoke the suspension, or
  - (b) suspend the member for another period of not more than 6 months from the expiry of the current period.
- (8) The Secretary of State must revoke the suspension if at any time—
  - (a) he decides that neither of the conditions mentioned in paragraph 5(5) is satisfied, or
  - (b) he decides that either of those conditions is satisfied but does not remove the member from office as chairman, deputy chairman or other member of the Authority.

*Disqualification of members of Authority for House of Commons and Northern Ireland Assembly*

- 8 In Part II of Schedule 1 to the House of Commons Disqualification Act 1975 and in Part II of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies of which all members are disqualified) the following entry is inserted at the appropriate place in alphabetical order—  
“The Genetic Technology Authority”.

*Remuneration and pensions of members*

- 9 (1) The Authority may—
  - (a) pay to the chairman such remuneration, and
  - (b) pay or make provision for paying to or in respect of the chairman or any other member such pensions, allowances, fees, expenses or gratuities,as the Secretary of State may, with the approval of the Treasury, determine.
- (2) Where a person ceases to be a member of the Authority otherwise than on the expiry of his term of office and it appears to the Secretary of State that there are special circumstances which make it right for him to receive compensation, the Authority may make to him a payment of such amount as the Secretary of State may, with the consent of the Treasury, determine.

*Staff*

- 10 (1) The Authority may appoint such employees as it thinks fit, upon such terms and conditions as the Authority, with the approval of the Secretary of State and the consent of the Treasury, may determine.
- (2) The Authority must secure that any employee whose function is, or whose functions include, the inspection of premises is of such character, and is so qualified by training and experience, as to be a suitable person to perform that function.
- (3) The Authority must, as regards such of its employees as with the approval of the Secretary of State it may determine, pay to or in respect of them such pensions, allowances or gratuities (including pensions, allowances or gratuities by way of compensation for loss of employment), or provide and maintain for them such pension schemes (whether contributory or not), as may be so determined.
- (4) If an employee of the Authority—
  - (a) is a participant in any pension scheme applicable to that employment, and
  - (b) becomes a member of the Authority,he may, if the Secretary of State so determines, be treated for the purposes of the pension scheme as if his service as a member of the Authority were service as employee of the Authority, whether or not any benefits are to be payable to or in respect of him by virtue of paragraph 7 above.

*Proceedings*

- 11 (1) Subject to any provision of this Act, the Authority may regulate its own proceedings, and make such arrangements as it thinks appropriate for the discharge of its functions.
- (2) The Authority may pay to the members of any committee or sub-committee such fees and allowances as the Secretary of State may, with the consent of the Treasury, determine.
- 12 (1) A member of the Authority who is in any way directly or indirectly interested in a release notification or marketing authorisation under this Act must, as soon as possible after the relevant circumstances have come to his knowledge, disclose the nature of his interest to the Authority.
- (2) Any disclosure under sub-paragraph (1) above must be recorded by the Authority.
- (3) Except in such circumstances (if any) as may be determined by the Authority under paragraph 9(1) above, the member must not participate after the disclosure in any deliberation or decision of the Authority with respect to the release notification or marketing authorisation, and if he does so the deliberation or decision is of no effect.
- 13 The validity of any proceedings of the Authority, or of any committee or sub-committee, is not affected by any vacancy among the members or by any defect in the appointment of a member.

*Instruments*

- 14 The fixing of the seal of the Authority must be authenticated by the signature of the chairman or deputy chairman of the Authority or some other member of the Authority authorised by the Authority to act for that purpose.
- 15 A document purporting to be duly executed under the seal of the Authority, or to be signed on the Authority's behalf, may be received in evidence and is deemed to be so executed or signed unless the contrary is proved.

*Investigation by Parliamentary Commissioner*

- 16 The Authority is subject to investigation by the Parliamentary Commissioner and accordingly, in Schedule 2 to the Parliamentary Commissioner Act 1967 (which lists the authorities subject to investigation under that Act), the following entry is inserted at the appropriate place in alphabetical order—  
"Genetic Technology Authority".

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Caroline Lucas

2

Title, line 2, leave out "and animals, and the marketing of food and feed produced from such plants and animals" and insert ", and the marketing of food and feed produced from such plants"

**Member's explanatory statement**

This amendment, which is contingent on Amendment 1, would change the long title to reflect the removal of animals from the scope of the Bill.

**Order of the House**

[15 June 2022]

That the following provisions shall apply to the Genetic Technology (Precision Breeding) Bill:

**Committal**

1. The Bill shall be committed to a Public Bill Committee.

**Proceedings in Public Bill Committee**

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 12 July 2022.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

**Consideration and Third Reading**

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

**Other proceedings**

7. Any other proceedings on the Bill may be programmed.