

# Genetic Technology (Precision Breeding) Bill

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AMENDMENTS  
TO BE MOVED  
IN GRAND COMMITTEE

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**Clause 1**

BARONESS PARMINTER

Clause 1, page 1, line 5, after “bred” insert “farmed”

*Member's explanatory statement*

*This amendment reduces the scope of the bill to farm animals.*

BARONESS PARMINTER

Clause 1, page 1, line 5, at end insert –

“(1A) For the purposes of this Act a farmed animal is as defined under the Welfare of Farmed Animals (England) Regulations 2007 (S.I. 2007/2078), regulation 3(2).”

*Member's explanatory statement*

*This amendment defines farm animals.*

**After Clause 25**

BARONESS HAYMAN OF ULLOCK

After Clause 25, insert the following new Clause –

**“Release and marketing of precision bred animals**

A person may not give a release notice to the Secretary of State in relation to the release of a precision bred animal (see section 4(1)(a)), and no precision bred animal marketing authorisation may be issued (see section 13(1)), until –

- (a) 12 months have passed since the date of the establishment of the Animal Sentience Committee under section 1 of the Animal Welfare (Sentience) Act 2022, and
- (b) 6 months have passed since the date on which the Animal Sentience Committee has made to the Secretary of State a report on the provisions of this Act.”

**Member's explanatory statement**

*This new Clause would delay the release of precision bred animals for at least 12 months after the Animal Sentience Committee established under the Animal Welfare (Sentience) Act 2022 has been established and at least 6 months after the Committee has reported on the impact of the Act on animal welfare.*

**After Clause 38**

BARONESS JONES OF WHITCHURCH

After Clause 38, insert the following new 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 chair and deputy chair, and
  - (b) such number of other members as the Secretary of State appoints.
- (3) The Schedule deals with the membership of the Authority, etc.”

BARONESS JONES OF WHITCHURCH

After Clause 38, insert the following new 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 under subsection (3) above and must lay a copy of the statement and 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 31 March, or any later period of twelve months ending with 31 March.”

## BARONESS JONES OF WHITCHURCH

After Clause 38, insert the following new Clause –

**“General functions of the Authority**

- (1) The Authority must –
  - (a) keep under review information about the use of genetic technology in precision bred plants and animals and any subsequent development of such 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 relevant 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).”

## BARONESS JONES OF WHITCHURCH

After Clause 38, insert the following new Clause –

**“Duties in relation to carrying out the Authority’s 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).”

## BARONESS JONES OF WHITCHURCH

After Clause 38, insert the following new 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.”

### Clause 48

BARONESS HAYMAN OF ULLOCK

Clause 48, page 30, line 26, at end insert –

- “(3A) Regulations under subsection (3)(b) may not appoint a day on which any of sections 11 to 15 is to come into force unless the welfare advisory body has advised the Secretary of State that it is satisfied that regulations made under Part 2 establish a proper process to ensure that the health and welfare of animals, and their qualifying progeny, in respect of which a precision bred animal marketing authorisation is made, will not be adversely affected by any precision bred trait.”

### After Clause 48

BARONESS JONES OF WHITCHURCH

After Clause 48, insert the following new 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 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 or she thinks fit towards its expenses.

*Appointment of members*

- 4 (1) All the members of the Authority (including the chair and deputy chair 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 chair or deputy chair 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 chair, deputy chair, or 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 their 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 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 chair, deputy chair 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 chair, deputy chair or other member,
- the Secretary of State may remove the member from office as chair, deputy chair or other member.
- (7) The Secretary of State may suspend a member from office as chair, deputy chair or other member of the Authority if it appears to him or her 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 or she decides that neither of the conditions mentioned in paragraph 5(5) is satisfied, or
  - (b) he or she decides that either of those conditions is satisfied but does not remove the member from office as chair, deputy chair 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 chair such remuneration, and
  - (b) pay or make provision for paying to or in respect of the chair 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 their term of office and it appears to the Secretary of State that there are special circumstances which make it right for them to receive compensation, the Authority may make to them 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,
- they may, if the Secretary of State so determines, be treated for the purposes of the pension scheme as if their 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 them by virtue of paragraph 9 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 their knowledge, disclose the nature of their 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 11(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 they do 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 chair or deputy chair 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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*24 November 2022*

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