

# Genetic Technology (Precision Breeding) Bill

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SECOND MARSHALLED

LIST OF AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

*[Amendments marked ★ are new or have been altered]*

**Amendment  
No.**

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**Clause 3**

LORD WINSTON

- 20** Clause 3, page 3, line 35, at end insert –  
“and unless the organism appears to be phenotypically healthy and has no defect likely to cause suffering.”

LORD WINSTON

- 21** Clause 3, page 3, line 35, at end insert –  
“and unless the organism’s genome has been sequenced, the features of its genome that have resulted from the application of modern biotechnology (see section 1(2)(a)) have been recorded, there have been no changes in the genome other than those predicted, and this has been reported to the Secretary of State.”

LORD WINSTON

- 22** Clause 3, page 3, line 35, at end insert –  
“(1A) A precision bred animal that is a vertebrate may not be released in England unless –  
(a) the animal has gained sexual maturity,  
(b) the animal’s fertility has been tested,  
(c) the phenotype of any progeny has been described, and  
(d) a description of the animal’s phenotype, genotype, offspring and epigenetic status has been recorded and notified to the Secretary of State.”

## LORD WINSTON

23 Clause 3, page 3, line 35, at end insert –

“(1A) A precision bred animal may not be released in England unless the application of modern biotechnology that resulted in changes to its genome (see section 1(2)) was conducted in a registered dedicated laboratory with an appropriately controlled environment and supervised by an experienced reproductive scientist qualified to undertake such work so that there was no risk of infection with micro-organisms or the possibility of stray DNA, particularly human DNA, contaminating the process specified.”

## Clause 4

BARONESS PARMINTER  
BARONESS HAYMAN OF ULLOCK

24 Clause 4, page 4, line 10, at end insert –

“(ia) in relation to precision bred animals, a written undertaking to use best endeavours to keep a continuing record of clinical outcomes, and adverse effects and outcomes, of the precision bred animals and their qualifying progeny, and to supply such records and other required information to the Secretary of State, and”

## LORD ROOKER

25 Clause 4, page 4, line 16, leave out subsection (3)

*Member's explanatory statement*

*This subsection gives power to Ministers as to what the required information is to be.*

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

26 Clause 4, page 4, line 24, leave out “negative” and insert “affirmative”

*Member's explanatory statement*

*This amendment would mean regulations made under Clause 4 are subject to the affirmative procedure.*

## Clause 5

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

27 Clause 5, page 4, line 33, leave out paragraph (b)

**Member's explanatory statement**

*This amendment is consequential on another amendment to remove animals from the scope of the Bill.*

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

28 Clause 5, page 5, leave out lines 9 to 11

**Member's explanatory statement**

*This amendment is consequential on another amendment to remove animals from the scope of the Bill.*

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

29 Clause 5, page 5, line 12, leave out subsection (5)

**Member's explanatory statement**

*This amendment is consequential on another amendment to remove animals from the scope of the Bill.*

**Clause 6**

LORD ROOKER

30 Clause 6, page 5, line 20, leave out subsection (2)

**Member's explanatory statement**

*This subsection gives power to Ministers as to what the required information is to be.*

**Clause 7**

BARONESS JONES OF WHITCHURCH  
LORD KREBS

31 Clause 7, page 6, line 8, at end insert —

“(4A) Information requested by the advisory committee may include, in cases where the precision bred organism is likely to be used for the purposes of agriculture, an assessment of the likely changes to agricultural processes arising from the use of that organism.”

**Member's explanatory statement**

*This amendment is designed to probe potential consequential impacts of a precision bred organism being rolled out in an agricultural setting. If the use of new crop variants were to result in changes to field rotation, for example, there could be consequences for wildlife, soil quality, and so on.*

**Clause 9**

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

32 Clause 9, page 7, line 1, leave out paragraph (a)

***Member's explanatory statement***

*This amendment is consequential on another amendment to remove animals from the scope of the Bill.*

**Clause 10**

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

*The above-named Lords give notice of their intention to oppose the Question that Clause 10 stand part of the Bill.*

***Member's explanatory statement***

*This is consequential on another amendment to remove animals from the scope of the Bill.*

**Clause 11**

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

33 Clause 11, page 8, line 25, leave out “negative” and insert “affirmative”

***Member's explanatory statement***

*This amendment would mean regulations made under Clause 11 are subject to the affirmative procedure.*

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

*The above-named Lords give notice of their intention to oppose the Question that Clause 11 stand part of the Bill.*

***Member's explanatory statement***

*This is consequential on another amendment to remove animals from the scope of the Bill.*

**Clause 12**

BARONESS HAYMAN OF ULLOCK

34 Clause 12, page 8, line 28, at end insert –

- “(1A) The welfare advisory body must carry out an assessment of the likely impact of the precision bred traits on the health and welfare of the relevant animal and its qualifying progeny.
- (1B) In carrying out an assessment under subsection (1A) the welfare advisory body must consider (among other things) –
- (a) scientific expertise on the health and welfare of animals with similar traits (whether or not resulting from the application of modern biotechnology) to those of the animal in respect of which an application for a precision bred animal marketing authorisation has been made,
  - (b) the animal welfare declaration provided by the notifier under section 11(3), and
  - (c) the assessment, explanation and information provided under section 11(4).”

***Member's explanatory statement***

*This amendment clarifies that, when considering an application for a precision bred animal marketing authorisation which has been referred by the Secretary of State, the welfare advisory body must carry out its own assessment of the risks to the health and welfare of the animal and its progeny, rather than relying on information submitted by the applicant.*

LORD CAMERON OF DILLINGTON

35 Clause 12, page 8, line 38, after second “risks” insert “, including the potential quality of life on a farm or in a home for future generations of a relevant animal”

BARONESS PARMINTER  
BARONESS HAYMAN OF ULLOCK

36 Clause 12, page 8, line 40, at end insert –

- “(d) whether scientific research or practical experience with other animals that have similar traits indicates that risks, other than those identified by the notifier, could reasonably be expected to result from the precision bred traits to the health or welfare of the animal or its qualifying progeny.”

***Member's explanatory statement***

*This amendment would ensure that the welfare advisory body would consider not just the welfare risks that the notifier has chosen to focus on, but other risks that have been identified by the scientific literature or practical experience with other animals that have similar traits, for example as a result of selective breeding.*

## BARONESS HAYMAN OF ULLOCK

37 Clause 12, page 8, line 40, at end insert –

- “(2A) Where the purpose of the application of a precision bred trait includes –
- (a) accelerating an animal’s growth,
  - (b) increasing an animal’s yield, or
  - (c) otherwise increasing an animal’s productivity,
- the requirement in subsection (2B) applies.
- (2B) Where the welfare advisory body is carrying out an assessment under subsection (1A) and has grounds to believe one or more of the purposes in subsection (2A) applies, the report must, in addition to the assessment outlined in subsection (1A), include a determination of –
- (a) whether animals or their progeny with similar traits (whether or not resulting from the application of modern biotechnology) are known to have experienced pain, suffering or lasting harm as a result of the introduction of that trait, and
  - (b) whether the application of a similar, precision bred trait to an animal and its qualifying progeny is likely to result in pain, suffering or lasting harm.”

***Member's explanatory statement***

*This amendment would require the welfare advisory body, where the application of a precision bred trait to an animal is intended to accelerate its growth or increase its yield, to consider welfare issues experienced by animals with similar traits, and determine whether the application of a precision bred trait is likely to result in pain, suffering or lasting harm.*

## BARONESS HAYMAN OF ULLOCK

38 Clause 12, page 9, line 5, at end insert –

- “(5A) In carrying out an assessment under subsection (1A), the welfare advisory body must consider whether the precision bred traits may facilitate the keeping of the relevant animal or its qualifying progeny in conditions that may have an adverse effect on animal welfare.”

***Member's explanatory statement***

*This amendment is to probe whether the welfare advisory body will consider potential unintended consequences of a precision bred trait being applied to an animal. If a trait allows an animal to be kept at a higher density, for example, there could be a consequential impact on its wellbeing.*

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

*The above-named Lords give notice of their intention to oppose the Question that Clause 12 stand part of the Bill.*

***Member's explanatory statement***

*This is consequential on another amendment to remove animals from the scope of the Bill.*

**Clause 13**

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

39 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.*

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

*The above-named Lords give notice of their intention to oppose the Question that Clause 13 stand part of the Bill.*

***Member's explanatory statement***

*This is consequential on another amendment to remove animals from the scope of the Bill.*

**Clause 14**

LORD CAMERON OF DILLINGTON

40 Clause 14, page 9, line 34, at end insert –

- “(aa) to provide the Secretary of State with prescribed information about the potential quality of life on a farm or in a home for future generations of any animal within subsection (2);”

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

*The above-named Lords give notice of their intention to oppose the Question that Clause 14 stand part of the Bill.*

***Member's explanatory statement***

*This is consequential on another amendment to remove animals from the scope of the Bill.*

**Clause 15**

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

*The above-named Lords give notice of their intention to oppose the Question that Clause 15 stand part of the Bill.*

***Member's explanatory statement***

*This is consequential on another amendment to remove animals from the scope of the Bill.*

**Clause 16**

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

41 Clause 16, page 11, line 22, leave out paragraphs (c) and (d)

***Member's explanatory statement***

*This amendment is consequential on another amendment to remove animals from the scope of the Bill.*

**Clause 17**

LORD ROOKER

42 Clause 17, page 11, line 35, leave out “may” and insert “must”

***Member's explanatory statement***

*This amendment is to ensure the Secretary of State is required to make regulations in line with similar provision on risk assessments in section 108 of the Environmental Protection Act 1990.*

**Clause 18**

LORD ROOKER

43 Clause 18, page 12, line 26, leave out subsection (1)

***Member's explanatory statement***

*This subsection allows Ministers to decide what information the register must contain.*



BARONESS PARMINTER  
BARONESS HAYMAN OF ULLOCK

- 44 Clause 18, page 12, line 28, at end insert –
- “(aa) records of clinical outcomes, and adverse effects and outcomes, of the precision bred animals and their qualifying progeny (see section 4(1)(a)(ia));”

BARONESS PARMINTER  
BARONESS HAYMAN OF ULLOCK

- 45 Clause 18, page 13, line 14, after “is” insert –
- “(a) kept up to date, comprehensive and accurate, and  
(b) ”

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

- 46 Clause 18, page 13, line 17, leave out “negative” and insert “affirmative”

***Member's explanatory statement***

*This amendment would mean regulations made under Clause 18 are subject to the affirmative procedure.*

**Clause 19**

LORD WINSTON

- 47 Clause 19, page 13, line 20, leave out “may” and insert “must”

**Clause 20**

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

- 48 Clause 20, page 14, line 19, leave out sub-paragraph (ii)

***Member's explanatory statement***

*This amendment is consequential on another amendment to remove animals from the scope of the Bill.*

**Clause 21**

LORD BENYON

- 49 Clause 21, page 14, line 38, leave out “relevant” and insert “Part 2”

**Member's explanatory statement**

*This amendment makes clear that the reference to a relevant obligation in Clause 21(3)(a) is to a Part 2 obligation.*

**Clause 22**

BARONESS PARMINTER  
BARONESS JONES OF WHITCHURCH

- 50 Clause 22, page 15, line 10, leave out from second “to” to end of line 17 and insert “a Committee consisting of not more than 12 members, including—
- (a) a Chair appointed by the Minister;
  - (b) such other members as are appointed by the Secretary of State in consultation with the Chair; and
  - (c) such other members as are co-opted by the Committee for a temporary period to contribute expertise.
- (3A) The Secretary of State must, in making appointments under this section, have regard to the competency of the Committee in possessing knowledge and experience in the following areas—
- (a) animal behavioural science;
  - (b) veterinary science;
  - (c) animal welfare science;
  - (d) the commercial use of animals;
  - (e) ethics;
  - (f) animal welfare advocacy;
  - (g) ecology;
  - (h) law; and
  - (i) any other area the Secretary of State considers relevant.
- (3B) The Committee must include at least one lay member.
- (3C) In this section “lay member” means a member of the public who is not an expert in the field or employed in an official capacity to perform a function or role covered by the areas that the Secretary of State must have regard to in looking for members.
- (3D) Members must be appointed with regard to their expertise and not as representatives of any profession, employer or interest group.
- (3E) The Secretary of State must provide and maintain a secretariat sufficient to support the work of the Committee.
- (3F) The Secretary of State must request that the Committee undertakes a review when a policy is developed that is likely to have a significant impact on the welfare of precision bred animals.
- (3G) In exercising its functions, the Committee may—
- (a) gather and request information;

- (b) carry out research and analysis;
  - (c) consult;
  - (d) commission others to carry out such activities;
  - (e) carry out other activities appropriate for the purpose of carrying out its functions; and
  - (f) publish the results of such activities carried out by the Committee or others.
- (3H) The Secretary of State must provide the Committee with information that is relevant to the performance of its functions.
- (3I) The Committee must have regard to the desirability of involving the public in the exercise of its functions.”

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

51 Clause 22, page 15, line 18, leave out subsection (5)

***Member's explanatory statement***

*This amendment is consequential on another amendment to remove animals from the scope of the Bill.*

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

52 Clause 22, page 15, line 27, leave out “negative” and insert “affirmative”

***Member's explanatory statement***

*This amendment would mean regulations made under Clause 22 are subject to the affirmative procedure.*

**Clause 23**

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

53 Clause 23, page 16, line 2, leave out from “committee)” to end of line 4

***Member's explanatory statement***

*This amendment is consequential on another amendment to remove animals from the scope of the Bill.*

**Clause 25**

LORD ROOKER

54 Clause 25, page 16, line 21, leave out subsection (1)

**Member's explanatory statement**

*This amendment is to probe what “adversely affected” means in relation to the health of the animal affected by a precision bred trait.*

BARONESS PARMINTER

55 Clause 25, page 16, line 26, at end insert –

- “(1A) In making regulations under this section the Secretary of State must consider and evaluate (among other things) the possible direct or indirect adverse impact of precision bred traits on the –
- (a) respiratory system,
  - (b) cardiovascular system,
  - (c) immune system,
  - (d) bone strength,
  - (e) mobility, and
  - (f) ability to exhibit normal behaviour patterns,
- of precision bred animals and their qualifying progeny.”

**Member's explanatory statement**

*This amendment specifies the key factors that must be considered when making regulations under Clause 25. The factors proposed are those that are commonly adversely affected by selective breeding. The amendment does not limit the scope of the factors that may be included in the regulations as it states that these factors are to be considered “among other things”.*

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

*The above-named Lords give notice of their intention to oppose the Question that Clause 25 stand part of the Bill.*

**Member's explanatory statement**

*This is consequential on another amendment to remove animals from the scope of the Bill.*

**After Clause 25**

BARONESS HAYMAN OF ULLOCK  
BARONESS JONES OF WHITCHURCH

56 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.*

**Clause 26**

BARONESS BENNETT OF MANOR CASTLE  
BARONESS PARMINTER  
BARONESS HAYMAN OF ULLOCK

57 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 regulate the placing on the market in England of food and feed produced from precision bred organisms.*

BARONESS BENNETT OF MANOR CASTLE  
BARONESS PARMINTER  
BARONESS HAYMAN OF ULLOCK

58 Clause 26, page 16, line 33, 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.*

BARONESS BENNETT OF MANOR CASTLE

59 Clause 26, page 17, line 44, at end insert “including of risks arising from the genetic modification process, target traits, and unintended traits”

***Member's explanatory statement***

*This amendment requires that risk assessments consider any unintended consequences or risks arising from the genetic modification process itself.*

## BARONESS JONES OF WHITCHURCH

60 Clause 26, page 18, line 14, at end insert –

“(8A) Regulations under this section may not confer functions on the Food Standards Agency unless a Minister of the Crown has laid before both Houses of Parliament a statement confirming that, in the Minister’s opinion, the Food Standards Agency has the resource and expertise required to undertake those functions.”

*Member's explanatory statement*

*This amendment is designed to probe whether the FSA has sufficient resource and expertise to undertake the additional responsibilities envisaged in this Bill.*

## LORD ROOKER

*Lord Rooker gives notice of his intention to oppose the Question that Clause 26 stand part of the Bill.*

*Member's explanatory statement*

*The Delegated Powers and Regulatory Reform Committee has described Clauses 26 to 28 as skeleton Clauses and said that “the provision on the face of the Bill is so insubstantial that the real operation of Part 3 would be entirely by the regulations made under it”.*

**After Clause 26**

BARONESS BENNETT OF MANOR CASTLE  
BARONESS JONES OF WHITCHURCH  
BARONESS PARMINTER

61 After Clause 26, insert the following new Clause –

**“Labelling of food or feed produced from 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.*

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

**62** After Clause 26, insert the following new Clause –

**“Labelling**

- (1) A person must not –
- (a) market a precision bred organism, or
  - (b) place food and feed produced from precision bred organisms on the market,
- unless labelled in accordance with regulations made by the Secretary of State under this section.
- (2) Regulations under this section must ensure that the labelling referred to in subsection (1) provides sufficient information to support informed consumer choice, having regard in particular to –
- (a) nutritional content,
  - (b) the potential presence of allergens or other substances which may cause adverse human health impacts, and
  - (c) the environmental impact of the product.
- (3) Before making regulations under this section, the Secretary of State must –
- (a) consult representatives of –
    - (i) consumers,
    - (ii) food producers,
    - (iii) suppliers,
    - (iv) retailers,
    - (v) growers and farmers,
    - (vi) the organic sector,
    - (vii) other persons likely to be affected by the regulations, and
    - (viii) 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.
- (4) Section 30 (interpretation of Part 3) has effect for the purposes of this section as it has effect for the purposes of Part 3.
- (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.*

**Clause 27**

BARONESS HAYMAN OF ULLOCK

63 Clause 27, page 18, line 29, at end insert—

“(3A) A Minister of the Crown may not lay regulations under subsection (1) unless they have laid before both Houses of Parliament a report of a public consultation on a food and feed register.”

***Member's explanatory statement***

*This amendment is designed to probe what preparatory work has been undertaken on the planned food and feed register, and whether there will be any further formal consultation on it.*

LORD ROOKER

*Lord Rooker gives notice of his intention to oppose the Question that Clause 27 stand part of the Bill.*

***Member's explanatory statement***

*The Delegated Powers and Regulatory Reform Committee has described Clauses 26 to 28 as skeleton Clauses and said that “the provision on the face of the Bill is so insubstantial that the real operation of Part 3 would be entirely by the regulations made under it”.*

**Clause 28**

LORD ROOKER

*Lord Rooker gives notice of his intention to oppose the Question that Clause 28 stand part of the Bill.*

***Member's explanatory statement***

*The Delegated Powers and Regulatory Reform Committee has described Clauses 26 to 28 as skeleton Clauses and said that “the provision on the face of the Bill is so insubstantial that the real operation of Part 3 would be entirely by the regulations made under it”.*



**Clause 29**

LORD BENYON

64 Clause 29, page 20, line 6, leave out “relevant” and insert “Part 3”

***Member's explanatory statement***

*This amendment makes clear that the reference to a relevant obligation in Clause 29(4)(a) is to a Part 3 obligation.*

LORD ROOKER

*Lord Rooker gives notice of his intention to oppose the Question that Clause 29 stand part of the Bill.*

***Member's explanatory statement***

*The Delegated Powers and Regulatory Reform Committee has described Clauses 26 to 28 as skeleton Clauses and said that “the provision on the face of the Bill is so insubstantial that the real operation of Part 3 would be entirely by the regulations made under it”.*

**Clause 32**

LORD ROOKER

65 Clause 32, page 21, line 26, leave out “may” and insert “must”

***Member's explanatory statement***

*This amendment is to ensure the Secretary of State is required to make regulations for enforcement measures.*

LORD ROOKER

66 Clause 32, page 21, line 33, leave out “may” and insert “must”

***Member's explanatory statement***

*This amendment is to ensure the Secretary of State is required to make regulations for enforcement measures.*

**After Clause 38**

BARONESS JONES OF WHITCHURCH

67 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—

- 5
- (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 BENNETT OF MANOR CASTLE

*As an amendment to Amendment 67*

68 After subsection (2), insert –

“(2A) Members of the Authority must have expertise in the areas of environment, sustainability, ethics, social sciences, consumer protection, civil society, social justice, and various methods of organic and non-organic farming and food growing.”

BARONESS JONES OF WHITCHURCH

69 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

70 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

71 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

72 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.”

LORD WINSTON

**72A★** After Clause 38, insert the following new Clause—

**“Personal, project and establishment licences: precision bred animals**

- (1) A person must not undertake any regulated procedure in connection with the precision breeding of an animal unless—
- (a) the person holds a personal licence qualifying them to apply a regulated procedure of that description to an animal of that description,
  - (b) the procedure is applied as part of a programme of work specified in a project licence authorising the application, as part of that programme, of a regulated procedure of that description to an animal of that description, and
  - (c) the place where the procedure is carried out is a place specified in the project licence.
- (2) A person undertaking a regulated procedure in connection with the precision breeding of an animal must comply with the code of practice issued by the Secretary of State under section 21 of the Animals (Scientific Procedures) Act 1986, and have regard to any guidance published under that section, in particular in relation to—
- (a) rules on archiving,
  - (b) genotyping of precision bred animals,
  - (c) minimising the number of animals used for research to identify appropriate means of producing healthy transgenic animals, and
  - (d) sharing information required to reduce animal suffering.
- (3) In this section “regulated procedure” has the meaning given by section 2 of the Animals (Scientific Procedures) Act 1986.”

**After Clause 40**

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

**73** After Clause 40, insert the following new Clause—

**“Guidance: relationship with the Animals (Scientific Procedures) Act 1986**

Within three months of the day on which this Act is passed, and before the Secretary of State makes any regulations relating to precision bred animals under Part 2 of this Act, the Secretary of State must publish guidance outlining how precision breeding interacts with the provisions of the Animals (Scientific Procedures) Act 1986.”

**Member's explanatory statement**

*This amendment seeks to probe what relationship (if any) exists between the new precision breeding regime and the welfare protections contained in the Animals (Scientific Procedures) Act 1986.*

LORD KREBS  
BARONESS HAYMAN OF ULLOCK  
LORD PATEL

74 After Clause 40, insert the following new Clause –

**“Consultation: intellectual property**

Within three months of the day on which this Act is passed, and before the Secretary of State makes any regulations under Parts 2 to 4 of this Act, the Secretary of State must review and publish guidance on the implications of this Act for the law of intellectual property.”

BARONESS BENNETT OF MANOR CASTLE  
BARONESS HAYMAN OF ULLOCK

75 After Clause 40, insert the following new Clause –

**“Five-year review**

- (1) Within the period of 5 years beginning with the day on which this Act is passed, the Secretary of State must review the effectiveness of this Act and its implementation.
- (2) The Secretary of State must publish and lay before both Houses of Parliament a report following the review.”

**Clause 42**

BARONESS BENNETT OF MANOR CASTLE  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

*The above-named Lords give notice of their intention to oppose the Question that Clause 42 stand part of the Bill.*

**Member's explanatory statement**

*This removes a ‘Henry VIII clause’ which allows Ministers to further change the law on genetically modified organisms.*

**Clause 43**

BARONESS BENNETT OF MANOR CASTLE  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

76 Clause 43, page 28, line 16, at end insert –

- “(7) When making any regulations under this Act, the Secretary of State must have regard to the impacts on British exports of –
- (a) potential or perceived conflict with foreign regulations relating to genetically modified organisms; and
  - (b) changes in consumer preferences for British products resulting from perceptions of genetically modified organisms.”

***Member's explanatory statement***

*This amendment probes the impact on British exports where GMOs may conflict with foreign regulations or consumer preferences.*

BARONESS BENNETT OF MANOR CASTLE  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

77 Clause 43, page 28, line 16, at end insert –

- “(7) When making any regulations under this Act, the Secretary of State must have regard to the desirability of aligning with European Union regulations to the extent required to allow the export of relevant United Kingdom products to the European Union market.”

***Member's explanatory statement***

*This amendment probes the impact of this Bill on UK exports to the EU.*

BARONESS BENNETT OF MANOR CASTLE  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE  
BARONESS HAYMAN OF ULLOCK

78 Clause 43, page 28, line 16, at end insert –

- “(7) When making any regulations under this Act, the Secretary of State must have regard to their impacts on –
- (a) small and medium enterprises;
  - (b) market dynamics; and
  - (c) competition.”

***Member's explanatory statement***

*This amendment probes the impact of GMO technology on small businesses, market dynamics, and competition.*

BARONESS HAYMAN OF ULLOCK  
BARONESS PARMINTER

79 Clause 43, page 28, line 16, 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 (policy statement on environmental principles: process), and
  - (b) section 19 of the Environment Act 2021 (policy statement on environmental principles: effect) 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 (policy statement on environmental principles), 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.*

**Clause 44**

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

80 Clause 44, page 28, leave out line 22

***Member's explanatory statement***

*This amendment is consequential on another amendment to remove animals from the scope of the Bill.*

LORD BENYON

81 Clause 44, page 29, line 2, at end insert “(but see section 11(9))”

***Member's explanatory statement***

*This amendment inserts a reminder into the definition of “notifier” (which is defined in relation to a marketing notice) that where a different person applies for a precision bred animal marketing authorisation, the meaning can be modified by regulations under Clause 11(9) in relation to the application and the authorisation.*

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

82 Clause 44, page 29, line 3, leave out “or animal”

***Member's explanatory statement***

*This amendment is consequential on another amendment to remove animals from the scope of the Bill.*

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

83 Clause 44, page 29, leave out lines 8 and 9

***Member's explanatory statement***

*This amendment is consequential on another amendment to remove animals from the scope of the Bill.*

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

84 Clause 44, page 29, leave out lines 12 to 14

***Member's explanatory statement***

*This amendment is consequential on another amendment to remove animals from the scope of the Bill.*

BARONESS HAYMAN OF ULLOCK  
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

85 Clause 44, page 29, leave out line 26

***Member's explanatory statement***

*This amendment is consequential on another amendment to remove animals from the scope of the Bill.*

**Clause 48**

BARONESS BENNETT OF MANOR CASTLE

86 Clause 48, page 30, line 20, leave out “Precision Breeding” and insert “Genome Editing”



BARONESS HAYMAN OF ULLOCK  
BARONESS JONES OF WHITCHURCH

87 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.”

***Member's explanatory statement***

*This amendment would prevent Clauses 11 to 15 of the Bill being brought into force unless the Secretary of State has, in regulations, created a suitable process pertaining to the welfare of precision bred animals and their qualifying progeny, and the welfare advisory body has confirmed that it is content with that process.*

BARONESS JONES OF WHITCHURCH

88 Clause 48, page 30, line 27, at end insert “, but may not be brought into force unless the Secretary of State has laid before both Houses of Parliament a statement outlining whether, in consequence of this Act –

- (a) the Genetically Modified Organisms (Deliberate Release) Regulations 2002, or
- (b) the Environmental Protection Act 1990,

require further amendment, to facilitate the release and marketing of precision bred plants and animals.”

***Member's explanatory statement***

*This amendment is designed to probe whether the coming into force of Clause 41, which excludes precision bred organisms from certain measures in the Environmental Protection Act 1990, is likely to require any further review of that Act, or the associated GMO Regulations of 2002.*

BARONESS HAYMAN OF ULLOCK

89 Clause 48, page 30, line 27, at end insert –

“(4A) Regulations may not bring Parts 2 to 4 or sections 39 to 41 into force –  
(a) in relation to plants, prior to 1 January 2026,  
(b) in relation to farm animals, prior to 1 January 2029, and  
(c) in relation to other animals, prior to 1 January 2032.”

***Member's explanatory statement***

*This amendment is designed to probe the Government's proposed sequencing for the application of precision breeding technologies to plants and animals. At Second Reading, the Minister said the department would adopt “a step-by-step approach”.*

**After Clause 48**

BARONESS JONES OF WHITCHURCH

90 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”.

**Title**

BARONESS PARMINTER

- 91 In the Title, line 2, after first “and” insert “farmed”

***Member's explanatory statement***

*This amendment is consequential on other amendments in the name of Baroness Parminter, which reflect the limiting of the scope of the Bill to farmed animals.*

BARONESS PARMINTER

- 92 In the Title, line 3, after first “and” insert “farmed”

***Member's explanatory statement***

*This amendment is consequential on other amendments in the name of Baroness Parminter, which reflect the limiting of the scope of the Bill to farmed animals.*



# Genetic Technology (Precision Breeding) Bill

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SECOND MARSHALLED  
LIST OF AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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*12 December 2022*

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