

S.I. No. 137/1984 — Plant Varieties (Proprietary Rights) (Amendment) Regulations 1984.

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PLANT VARIETIES (PROPRIETARY RIGHTS) (AMENDMENT) REGULATIONS
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I, AUSTIN DEASY, Minister for Agriculture, in exercise of the powers conferred on me by sections 4 , 12 and 26 of the Plant Varieties (Proprietary Rights) Act, 1980 (No. 24 of 1980), hereby make the following regulations:

1. (1) These Regulations may be cited as the Plant Varieties (Proprietary Rights) (Amendment) Regulations, 1984.

(2) The Plant Varieties (Proprietary Rights) Regulations 1981 (No. 23 of 1981) and these Regulations may be cited together as the Plant Varieties) Proprietary Rights) Regulations, 1981 and 1984.

2. (1) In these Regulations "the Act" means the Plant Varieties (Proprietary Rights) Act, 1980 (No. 24 of 1980).

(2) References in these Regulations to "UPOV" are references to the International Union for the Protection of New Varieties of Plants.

3. (1) Each of the species specified in the First Schedule to these Regulations is hereby specified for the purposes of section 4 of the Act.

(2) The maximum period to be specified in a grant of plant breeders' rights as being that in which the plant breeders' rights thereby granted are to be exercisable in respect of a plant variety which is of a species specified in column (1) of the First Schedule to these Regulations shall be the period of years specified in column (2) of that Schedule opposite the mention of that species.

(3) For the purposes of paragraph (d) of Article 2 of the First Schedule to the Plant

Varieties (Proprietary Rights) Act, 1980 (No. 24 of 1980), the period of four years is hereby prescribed in relation to every plant variety which is of a species specified in column (1) of the First Schedule to these Regulations.

4. For the purposes of section 12 of the Act two or more plant varieties shall be regarded as being within the same class if they are each a plant variety of—

- (a) the genus *Pisum sativum* L., or
- (b) any of the genera or species specified in column (2) of the Second Schedule to these Regulations opposite a particular UPOV class specified in column (1) of that Schedule.

FIRST SCHEDULE.

(1)		(2)
Species		Period of years for which rights are exercisable
Name	Common Name	
Brassica napus L. ssp. oleifera		
(Metzg) Sinsk—	Swede Rape	20
Dactylis glomerata L.—	Cocksfoot	20
Lolium multiflorum Lam.	Italian Ryegrass	20
—		
Lolium x hybridum	Hybrid Ryegrass	20
Hauskn.—		
Phleum pratense L.—	Timothy	20
Pisum sativum L. (partim)	Field Pea	20
—		
Vicia faba L. (partim)—	Field Bean	20

SECOND SCHEDULE.

- (1)
- (2)

UPOV	Genera or Species
Class	
Number	
6	Brassica napus, B. campestris, B. rapa. B. juncea, B. nigra, Sinapis.
9	Vicia faba L.

GIVEN under my Official Seal, this 31st day of May, 1984.

AUSTIN DEASY,

Minister for Agriculture.

EXPLANATORY NOTE.

These Regulations extend the list of plant species for which plant breeders' rights may be granted.

