

THE SEEDS AND PLANT VARIETIES ACT

(Cap. 326)

IN EXERCISE of the powers conferred by sections 17 and 21 of the Seeds and Plant Varieties Act, the Minister for Agriculture, after consultation with representatives of organizations deemed to have substantial interest in the matter to be regulated and such other interests as appear to the Minister to be concerned, makes the following Regulations—

THE SEEDS AND PLANT VARIETIES (PLANT BREEDER'S RIGHTS) (PASTURE PLANTS AND GRASSES SCHEME) REGULATIONS, 2001

- | | |
|--|---|
| 1. These Regulations may be cited as the Seeds and Plant Varieties (Plant Breeder's Rights) (Pasture Plants and Grasses Scheme) Regulations, 2001. | Citation. |
| 2. In these Regulations, unless the context otherwise requires—
“authorized officer” means the Managing Director of the Kenya Plant Health Inspectorate Service;
“plant variety” includes any clone, line, hybrid or genetic variant. | Interpretation. |
| 3. There is hereby made a scheme to be called the Pasture Plants and Grasses Scheme, which shall apply to all plant varieties of pasture plants and grasses which conform with the characteristics of cultivated plant varieties of any of the genera or species specified in the first column of the Schedule hereto. | Plant varieties to which Scheme applies. |
| 4. The prescribed period for which plant breeder's rights shall be exercisable in respect of any of the plant varieties referred to in regulation 3 shall be the period of years specified in the second column of the Schedule. | Period for which rights are exercisable. |
| 5. In relation to the plant varieties referred to in regulation 3, the class of plant varieties prescribed for the purposes of section 21 of the Act shall consist of all plant varieties of the genus or species specified in the third column of the Schedule. | Class of plant varieties. |
| 6. In relation to the plant varieties referred to in regulation 3, the period prescribed for the purposes of section 23 (4) of the Act shall be the period of years specified in the fourth column of the Schedule. | Periods prescribed before compulsory licensing. |
| 7. A person who infringes the plant breeder's rights in the registered name of a variety of pasture plant or grass covered by the Pasture Plants and Grasses Scheme commits an offence and is liable to a fine of three thousand shillings or to imprisonment for a term of three months or to both. | Offences. |

SCHEDULE

<i>Species</i>		<i>Classes of plant varieties prescribed for the purpose of section 21 of the Act</i>	<i>Period of years for which rights are exercisable</i>	<i>Period of years prescribed to the purposes of section 23 (4) of the Act</i>
<i>Botanical Name</i>	<i>Common name</i>			
<i>Andropogon sp.</i>	Bluc Stcm grass	Andropogon	15	2
<i>Brachiaria ruziziensis</i>	Congo Signal grass	Brachiaria	15	2
<i>Calliandra sp.</i>	Calliandra	Calliandra sp.	20	3
<i>Cenchrus ciliaris L.</i>	Buffel grass	Cenchrus	15	2
<i>Chloris gayana</i>	Rhodes grass	Chloris	15	2
<i>Cynodon dactylon</i>	Bermuda grass	Cynodon	15	2
<i>Clitoria ternatea</i>	Butterfly pcn	Clitoria	15	2
<i>Centrosema pubescens</i>	Centro	Centrosema	15	2
<i>Dactylis glomerata L.</i>	Cocksfootgrass	Dactylis	15	2
<i>Desmodium intortum</i>	Greenleaf	Desmodium	15	2
<i>Desmodium uncinatum</i>	Silver leaf	Desmodium	15	2
<i>Eragrotis sp.</i>	Love grass	Eragrotis	15	2
<i>Gliricidia</i>	Gliricidia	Gliricidia	20	3
<i>Lolium sp.</i>	Ryc grass	Lolium	15	2
<i>Leucaena laucocephala</i>	Leucaena	Leucaena	20	3
<i>Lupinus sp.</i>	Lupins	Lupinus	15	3
<i>Medicago sativa L.</i>	Lucerne	Medicago	15	2
<i>Macroptilium atropurpureum</i>	Siratro	Macroptilium	15	2
<i>Pennisetum purpureum</i>	Napier grass	Pennisetum	15	2
<i>Poa annua L.</i>	Creeping bluc grass	Poa	15	2
<i>Panicum coloratum</i>	Coloured guinea grass	Panicum	15	2
<i>Paspalum gayanus</i>	Paspalum grass	Paspalum	15	3
<i>Prosopis</i>	Prosopis	Prosopis	20	3
<i>Sesbania</i>	Sesbania	Sesbania	20	2
<i>Sorghum sudanense</i>	Sudan grass	Sorghum	15	2
<i>Sorghum almum</i>	Colombus grass	Sorghum	15	2
<i>Setaria anceps</i>	Setaria grass	Setaria	15	2
<i>Stylosanthes guianensis</i>	Stylo	Stylosanthes	15	2
<i>Trifolium sp.</i>	Clover	Trifolium	15	2

Made on the 2nd May, 2001.

C. M. OBURE,
Minister for Agriculture.