

Statutory Instrument 1998 No. 1023

The Plant Breeders' Rights (Information Notices) (Extension to European Community Plant Variety Rights) Regulations 1998

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STATUTORY INSTRUMENTS

1998 No. 1023

PLANT BREEDERS' RIGHTS

The Plant Breeders' Rights (Information Notices) (Extension to European Community Plant Variety Rights) Regulations 1998

<i>Made</i>	<i>8th April 1998</i>
<i>Laid before Parliament</i>	<i>9th April 1998</i>
<i>Coming into force</i>	<i>8th May 1998</i>

The Minister of Agriculture, Fisheries and Food, and the Secretary of State, being Ministers designated[1] for the purposes of section 2(2) of the European Communities Act 1972[2] in relation to measures relating to Community plant variety rights, acting jointly, in exercise of the powers conferred on them by the said section 2(2) hereby make the following Regulations:

Title and commencement

1. These Regulations may be cited as the Plant Breeders' Rights (Information Notices) (Extension to European Community Plant Variety Rights) Regulations 1998 and shall come into force on 8th May 1998.

Extension of Regulations to Community plant variety rights

2. - (1) The Plant Breeders' Rights (Information Notices) Regulations 1998[3] ("the Regulations") shall apply to plant breeders' rights granted under Council Regulation (EC) No. 2100/94 on Community plant variety rights[4] as they apply to plant breeders' rights granted under the Plant Varieties Act 1997[5], subject to the modifications in paragraph (2) below.

(2) In their application to Community plant variety rights, the Regulations shall be modified as follows -

(a) in regulation 3(2)(d), for the words "confirmation that the rights were granted under the Act;" there shall be substituted the words "confirmation that the rights were granted under Council Regulation (EC) No. 2100/94 on Community plant variety rights;"; and

(b) in paragraph 4 of Part 1 of the Schedule, for the words "confirmation that the plant breeders' rights were granted under the Plant Varieties Act 1997" there shall be substituted the words "confirmation that the plant breeders' rights were granted under Council Regulation (EC) No. 2100/94 on Community plant variety rights."

Donoghue

Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food

7th April 1998

Sewel

Parliamentary Under Secretary of State, Scottish Office

8th April 1998

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply the provisions of the Plant Breeders' Rights (Information Notices) Regulations 1998 to plant breeders' rights granted under Council Regulation (EC) No. 2100/94 (OJ No. L227, 1.9.94, p.1.) and thereby implement article 107 of that Regulation in relation to information notices.

A Regulatory Appraisal has been prepared and a copy has been placed in the library of both Houses of Parliament. Copies can be obtained from the Plant Variety Rights Office and Seeds Division of the Ministry of Agriculture, Fisheries and Food, White House Lane, Huntingdon Road, Cambridge CB3 0LF.

Notes:

[1] S.I. 1995/751.[back](#)

[2] 1972 c.68.[back](#)

[3] S.I. 1998/1024.back

[4] OJ No. L.227, 1.9.94, p.1.back

[5] 1997 c.66.back

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