

Statutory Instrument 1998 No. 1025

The Plant Breeders' Rights (Farm Saved Seed) (Specification of Species and Groups) Order 1998

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STATUTORY INSTRUMENTS

1998 No. 1025

PLANT BREEDERS' RIGHTS

The Plant Breeders' Rights (Farm Saved Seed) (Specification of Species and Groups) Order 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, the Secretary of State for Scotland, the Secretary of State for Wales and the Secretary of State for Northern Ireland, acting jointly, in exercise of the powers conferred on them by sections 9(2) and 48(1) of the Plant Varieties Act 1997[1], after consultation with such organisations as appear to them to be representative of persons likely to be substantially affected, hereby make the following Order: -

Title and commencement

1. This Order may be cited as the Plant Breeders' Rights (Farm Saved Seed) (Specification of Species and Groups) Order 1998 and shall come into force on 8th May 1998.

Specification of species and groups

2. The species and groups listed in the Schedule to this Order are specified for the purposes of section 9(2) of the Plant Varieties Act 1997.

Donoughue

Parliamentary Secretary, Ministry of Agriculture, Fisheries and Food

7th April 1998

Sewel

Parliamentary Under Secretary of State, Scottish Office

8th April 1998

Signed by authority of the Secretary of State for Wales

Win Griffiths

Parliamentary Under Secretary of State, Welsh Office

7th April 1998

Dubs

Parliamentary Under Secretary of State, Northern Ireland Office

8th April 1998

SCHEDULE

(article 2)

FARM SAVED SEED - SPECIES AND GROUPS

<i>Name</i>	<i>Common Name</i>
Fodder plants	
<i>Cicer arietinum</i> L.	Chickpea milkvetch
<i>Lupinus luteus</i> L.	Yellow lupin
<i>Medicago sativa</i> L.	Lucerne
<i>Pisum sativum</i> L. (partim)	Field pea
<i>Trifolium alexandrinum</i> L.	Berseem/Egyptian clover
<i>Trifolium resupinatum</i> L.	Persian clover
<i>Vicia faba</i>	Field bean
<i>Vicia sativa</i> L.	Common vetch
Cereals	

<i>Avena sativa</i>	Oats
<i>Hordeum vulgare</i> L.	Barley
<i>Oryza sativa</i> L.	Rice
<i>Phalaris canariensis</i> L.	Canary grass
<i>Secale cereale</i> L.	Rye
<i>X Triticosecale</i> Wittm.	Triticale
<i>Triticum aestivum</i> L. emend. Fiori et Paol. Wheat	
<i>Triticum durum</i> Desf.	Durum wheat
<i>Triticum spelta</i> L.	Spelt wheat
Potatoes	
<i>Solanum tuberosum</i>	Potatoes
Oil and fibre plants	
<i>Brassica napus</i> L. (partim)	Swede rape
<i>Brassica rapa</i> L. (partim)	Turnip rape
<i>Linum usitatissimum</i>	Linseed with the exclusion of flax

EXPLANATORY NOTE

(This note is not part of the Order)

The Order specifies species and groups for the purposes of section 9(2) of the Plant Varieties Act 1997 (article 2 and the Schedule).

Section 9(1) of the Act, which sets out the arrangements relating to farm saved seed, only applies to species and groups which have been specified for the purposes of section 9(2).

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] 1997 c.66; see section 49(1) for a definition of "the Ministers". [back](#)

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