



GUERNSEY STATUTORY INSTRUMENT

2015 No. 82

The Registered Plant Breeders' Rights (Farm Saved Seed)
(Prescribed Species and Groups) (Bailiwick of Guernsey)
Regulations, 2015

Made 22nd October, 2015
Coming into operation 23rd October, 2015
Laid before the States , 2015

THE COMMERCE AND EMPLOYMENT DEPARTMENT, in exercise of the powers conferred on it by sections 18(2) and 43 of the Registered Plant Breeders' Rights (Bailiwick of Guernsey) Ordinance, 2007a and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Specification of species and groups.

1. The following species and groups are prescribed for the purposes of section 18(2) of the Ordinance -

Table with 2 columns: Name, Common Name. Rows include Fodder plants (Cicer arietinum L., Lupinus luteus L., Medicago sativa L., Pisum sativum L. (partim), Trifolium alexandrinum L., Trifolium resupinatum L., Vicia faba, Vicia sativa L.) and Cereals (Avena sativa).

a Ordinance No. IV of 2005; as amended by Order in Council No. XIV of 2012.

<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.. <i>emend.</i> <i>Fiori et Paol. Wheat</i>	
<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

Interpretation.

2. (1) In these Regulations, unless the context requires otherwise –

"**enactment**" means any Law, Ordinance or subordinate legislation,

"**the Ordinance**" means the Registered Plant Breeders' Rights (Bailiwick of Guernsey) Ordinance, 2007,

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect,

and other expressions have the same meanings as in the Intellectual Property (Enabling Provisions) (Bailiwick of Guernsey) Law, 2004^b and in the Ordinance.

(2) The Interpretation (Guernsey) Law, 1948^c applies to the interpretation of these Regulations.

(3) Any reference in these Regulations to an enactment is a

^b Order in Council No. XIV of 2004; as amended by Ordinance No. XXXIII of 2003 and No. XX of 2015.

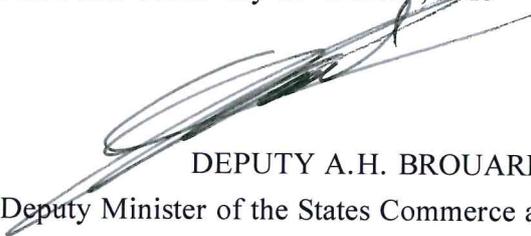
^c Ordres en Conseil Vol. XIII, p. 355.

reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation and commencement.

3. These Regulations may be cited as the Registered Plant Breeders' Rights (Farm Saved Seed) (Prescribed Species and Groups) (Bailiwick of Guernsey) Regulations, 2015 and shall come into force on the 23rd October, 2015.

Dated this 22nd day of October, 2015



DEPUTY A.H. BROUARD

Deputy Minister of the States Commerce and Employment
Department

For and on behalf of the Department

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 18(1) of the Registered Plant Breeders' Rights (Bailiwick of Guernsey) Ordinance, 2007 provides that plant breeders' rights do not extend to the use by farmers of prescribed varieties of material for propagating purposes in certain circumstances. These Regulations prescribe the varieties in relation to which this exemption applies.

These Regulations come into force on the 23rd day of October, 2015.

