

S.I. No. 122 of 2004  
European Communities (Characteristics and Minimum Conditions for Examining  
Agriculture Plant Species) Regulations 2004

I, Joe Walsh, Minister for Agriculture and Food, in exercise of the powers conferred on me by section 3 of the European Communities Act, 1972 (No. 27 of 1972) and for the purpose of giving effect to Commission Directive 2003/90/EC of 6 October 2003<sup>1</sup> hereby make the following regulations –

**Citation and commencement**

1. These Regulations may be cited as the European Communities (Minimum Conditions for Examining Agriculture Plant Species) Regulations 2004 and shall come into operation on 31 March 2004.

**Interpretation**

2. In these Regulations “Directive” means Commission Directive 2003/90/EC of 6 October 2003<sup>1</sup>.

**Minimum conditions**

3. For the purposes of Regulation 5 of the European Communities (National Catalogue of Agricultural Plant Varieties) Regulations 2002 (S.I. No. 525 of 2002) the minimum conditions for acceptance by the Minister shall be –

- (a) for the purposes of distinctness, stability and uniformity, satisfaction of the conditions set out in Article 1(2) of the Directive,
- (b) for the purposes of value for cultivation or use, satisfaction of the conditions set out in Article 1(3) of the Directive, or
- (c) a variety to which the provisions of Article 6 apply.

**Revocation**

4. The European Communities (Characteristics and Minimum Conditions for Examining Agriculture Varieties) Regulations 2002 (S.I. No. 423 of 2002) are revoked.

**GIVEN** under my Official Seal,  
This the 11<sup>th</sup> of March 2004

2004

L.S.

Joe Walsh  
Minister for Agriculture and Food

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<sup>1</sup> OJ No. L254, 8.10.2003, p.7.

## **EXPLANATORY NOTE**

*(This note is not part of the instrument and does not purport to be a legal interpretation)*

These Regulations give effect to Council Directive 2003/90/EC setting out the minimum conditions for examining certain varieties of agriculture plant species.

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