

Plant Variety Rights Amendment Regulations 1999

PURSUANT to section 38 of the Plant Variety Rights Act 1987, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

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1 Title and commencement

- (1) These regulations may be cited as the Plant Variety Rights Amendment Regulations 1999, and are part of the Plant Variety Rights Regulations 1988¹ (“the principal regulations”).
- (2) These regulations come into force on 1 July 1999.

¹ SR 1988/101

Amendment No 1: SR 1989/227

Amendment No 2: SR 1993/146

Amendment 1997: SR 1997/067

2 Quantities of seed to be provided with applications

Regulation 5 of the principal regulations is amended by revoking subclause (1), and substituting the following subclause:

- “(1) An application for a variety of a kind described in column 1 of the First Schedule of these regulations must be accompanied by—
- “(a) The quantity of seed specified (opposite the description) in column 2 of the Schedule, together with the quantity, if any, of seed in ears specified (opposite the description) in column 5 of the Schedule: or
 - “(b) If no quantity is specified in column 2 of the Schedule,—
 - “(i) The quantity, if any, of nucleus seed specified (opposite the description) in column 3 of the Schedule; and
 - “(ii) The quantity, if any, of seed of a generation of plants either grown from nucleus seed or descended from plants grown from nucleus seed specified (opposite the description) in column 4 of the Schedule.”

3 New Schedule 1 substituted

The principal regulations are amended by revoking Schedule 1, and substituting the schedule set out in the Schedule of these regulations.

4 Consequential revocations

The following regulations are revoked:

- (a) The Plant Variety Rights Regulations 1989, Amendment No 1²;
- (b) The Plant Variety Rights Regulations 1993, Amendment No 2³.

² SR 1989/227

³ SR 1993/146

Reg 3

Schedule
New Schedule 1 of principal regulations

Reg 5(1)

First Schedule

Quantities of Seed to Accompany Applications

<i>Description of Variety</i>	<i>Seed of any Generation</i>	<i>Nucleus Seed</i>	<i>Lower Generation Seed</i>	<i>Seed in Ears</i>
	g	g	g	ears

Arable crops and vegetables

Broad Beans, French Beans, Haricot Beans, Runner Beans, Soya Beans, Tick Beans, Lupins, Peas, and Maize.....	6000	—	—	—
Barley, Oats, and Wheat.....	5000	—	—	1000
Other Cereals, and Lentils.....	5000	—	—	—
Sunflower.....	2500	—	—	—
Cucurbits.....	1250	—	—	—
Beets, Borage, and Linseed.....	1000	—	—	—
Asparagus.....	250	—	—	—
Allium, Amaranthus, Brassicas (except Forage Brassicas), Capsicum, Chicory, Phacelia, and Radish ..	100	—	—	—

These regulations which come into force on 1 July 1999,—

- (a) Modify the quantities of seed required to be supplied with applications for grants of plant variety rights in respect of plants of certain varieties; and
- (b) Add a requirement that applicants supply as well 100 ears of seed with applications for varieties of barley, oats, and wheat.

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