



ANALYSIS

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3. Certain grants of plant selector's rights
deemed to be made in name of Her
Majesty

1987, No. 55

**An Act to amend the Scientific and Industrial Research
Act 1974**

[30 March 1987

BE IT ENACTED by the Parliament of New Zealand as follows:

1. Short Title—This Act may be cited as the Scientific and Industrial Research Amendment Act 1987, and shall be read together with and deemed part of the Scientific and Industrial Research Act 1974 (hereinafter referred to as the principal Act).

2. Inventions, etc., by employees—Section 12 of the principal Act (as substituted by section 3 of the Scientific and Industrial Research Amendment Act 1985) is hereby amended by repealing subsections (3) and (4), and substituting the following subsections:

“(3) All intellectual property belonging to the Crown under this section may be made available for use (whether by way of assignment or licence or otherwise) on such conditions (including the payment of royalties or other money) as the Minister may from time to time agree.

“(4) Without limiting the provisions of subsection (3) of this section, where intellectual property belonging to the Crown under this section was devised or developed wholly or partly through the use of resources other than public money or public stores as defined in section 2 (1) of the Public Finance Act 1977, the Minister may assign that intellectual property or any interest in it to the person or persons who provided those resources upon such terms and conditions as may be agreed.”

3. Certain grants of plant selector's rights deemed to be made in name of Her Majesty—(1) Every grant of plant selector's rights before the commencement of this Act made in the name of the Department or a division of the Department shall be deemed to have been made in the name of Her Majesty the Queen.

(2) The Registrar of Plant Varieties shall do all such things, and make all such entries in registers, as are necessary to give effect to subsection (1) of this section.”

This Act is administered in the Department of Scientific and Industrial Research.
