



PLANT VARIETY RIGHTS (FEES) ORDER 1999

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 31st day of May 1999

Present:

THE RIGHT HON JENNY SHIPLEY PRESIDING IN COUNCIL

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 order.

ANALYSIS

- 1. Title and commencement
 - 2. Fees
 - 3. Fees to be exclusive of GST
 - 4. Consequential revocations
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SCHEDULE

Fees Payable Under Plant Variety Rights Act 1987 (Excluding GST)

ORDER

1. Title and commencement—(1) This order may be cited as the Plant Variety Rights (Fees) Order 1999.

(2) This order comes into force on 1 July 1999.

2. Fees—(1) The fees specified in the Schedule must be paid in respect of the things referred to in that schedule.

(2) If, at the request of an applicant, the Commissioner arranges an overseas test trial of a variety, the applicant must pay to the Commissioner the costs incurred in relation to the trial.

(3) If the Commissioner or any other employee of the Plant Variety Rights Office undertakes any search or photocopying for a person, the person must pay to the Commissioner a fee for the time spent in doing so calculated at the rate of \$50 per hour.

3. Fees to be exclusive of GST—The fees prescribed by clause 2 are exclusive of goods and services tax (if any).

4. Consequential revocations—The following orders are revoked:

(a) The Plant Variety Rights (Fees) Order 1991*;

(b) The Plant Variety Rights (Fees) Order 1991, Amendment No. 1†.

*S.R. 1991/37

†S.R. 1995/88

C1. 2 (1)

SCHEDULE

FEES PAYABLE UNDER PLANT VARIETY RIGHTS ACT 1987 (EXCLUDING GST)

Item	Herbage, agricultural crops, vegetables, fungi	Fruit or nut plants	Other plants
	Fee (\$)	Fee (\$)	Fee (\$)
Application for grant	500	500	350
Examination of data (including any material) supplied by applicant	600	300	230
Test trial by Plant Variety Rights Office—	-	500	450
grasses, white clover (per year) ...	3,200	-	-
wheat, barley, oats, garden peas, forage brassicas (per year)	2,300	-	-
potatoes—			
first year	1,600	-	-
each later year	500	-	-
Annual grant fee	160	160	160
Request under section 21 (1) of the Act (compulsory licences and sales) ...	600	600	600

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 1 July 1999, prescribes a new and simpler set of fees payable under the Plant Variety Rights Act 1987. The new set of fees comprises increased fees, reduced fees, unchanged fees, and separate fees for things previously the subject of a single fee. The fees prescribed are exclusive of goods and services tax (if any).

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 3 June 1999.
This order is administered in the Ministry of Commerce.