



PLANT VARIETY RIGHTS AMENDMENT REGULATIONS 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 regulations.

ANALYSIS

1. Title and commencement
 2. Quantities of seed to be provided with applications
 3. New First Schedule substituted
 4. Consequential revocations
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SCHEDULE

New First Schedule of Principal Regulations

REGULATIONS

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 1988* (“the principal regulations”).

(2) These regulations come into force on 1 July 1999.

*S.R. 1988/101

Amendment No. 1: S.R. 1989/227

Amendment No. 2: S.R. 1993/146

Amendment 1997: S.R. 1997/67

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 First Schedule substituted—The principal regulations are amended by revoking the First Schedule, 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. 1*:

(b) The Plant Variety Rights Regulations 1993, Amendment No. 2†.

*S.R. 1989/227

†S.R. 1993/146

Reg. 3

SCHEDULE

NEW FIRST SCHEDULE 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> g	<i>Nucleus Seed</i> g	<i>Lower Generation Seed</i> g	<i>Seed in Ears</i> ears
<i>Arable crops and vegetables</i>				
Broad Beans, French Beans, Haricot Beans, Runner Beans, Soya Beans, Tick Beans, Lupins, Peas, and Maize	6000	-	-	-
Barley, Oats, and Wheat ...	5000	-	-	100
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	-	-	-
Carrot, Lettuce, and Parsnip ...	70	-	-	-
Tomato	50	-	-	-
Evening Primrose	25	-	-	-
Forage Brassicas	-	10	30	-
<i>Grasses</i>				
Brome, Ryegrass	-	50	500	-
Bents, Crested Dogstail, Cocksfoot, Fescue, Koeleria, Paspalum, Phalaris, and Yorkshire Fog ...	-	5	10	-
<i>Other pasture plants</i>				
Serradella, and Sulla	100	-	-	-
Lucerne, Lotus, Plantain, and Red Clover	50	-	-	-
White Clover	-	5	10	-
Yarrow	25	-	-	-"

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

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.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 3 June 1999.

These regulations are administered in the Ministry of Commerce.