

Version  
as at 24 January 2023



## Plant Variety Rights (Fees) Order 1999 (SR 1999/159)

Plant Variety Rights (Fees) Order 1999: revoked, on 24 January 2023, by section 158(2)(c) of the Plant Variety Rights Act 2022 (2022 No 61).

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.

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#### Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

**This order is administered by the Ministry of Business, Innovation, and Employment.**

**Schedule**  
**Fees payable under Plant Variety Rights Act 1987 (excluding GST)**

3

**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) Plant Variety Rights (Fees) Order 1991 (SR 1991/37):
- (b) Plant Variety Rights (Fees) Order 1991, Amendment No 1 (SR 1995/88).

**Schedule**  
**Fees payable under Plant Variety Rights Act 1987 (excluding GST)**

cl 2(1)

Schedule: substituted, on 1 January 2002, by clause 3 of the Plant Variety Rights (Fees) Amendment Order 2001 (SR 2001/360).

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)	600	300	230
Test trial by Plant Variety Rights Office—	—	500	450
grasses and white clover (per year)	3,200	—	—
wheat, barley, oats, forage brassicas, ryecorn, triticale, and peas (per year)	2,300	—	—
grass endophytes	1,500	—	—
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.

**Notes****1    *General***

This is a consolidation of the Plant Variety Rights (Fees) Order 1999 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

**2    *Legal status***

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

**3    *Editorial and format changes***

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

**4    *Amendments incorporated in this consolidation***

Plant Variety Rights Act 2022 (2022 No 61): section 158(2)(c)

Plant Variety Rights (Fees) Amendment Order 2001 (SR 2001/360)