

SCHEDULES

SCHEDULE 3

Registration of varieties

Registration

1.—(1) Subject to paragraphs 6 and 7, the Department may register a variety with an official description if satisfied that the variety is distinct, uniform and stable (within the meaning of paragraphs 8 to 10).

(2) The Department must base acceptance that a variety is distinct, uniform and stable on the results of official measures, particularly growing trials, carried out in respect of the variety by or on behalf of—

(a) the Department;

(b) a responsible authority elsewhere in the United Kingdom; ^{F1}...

(c) a responsible authority in [^{F2}a member State; or]

[^{F3}(d) a competent authority outside the United Kingdom if the Department is satisfied that those growing trials are of equivalent standards to those carried out by, or on behalf of, the Department.]

(3) The Department may register a variety that has been marketed within the European Union prior to September 2012 with an officially recognised description.

Textual Amendments

- F1** Word in Sch. 3 para. 1(2)(b) omitted (31.12.2020) by virtue of [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/211\)](#), regs. 1(1), **61(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Sch. 3 para. 1(2)(c) substituted (31.12.2020) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/211\)](#), regs. 1(1), **61(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Sch. 3 para. 1(2)(d) inserted (31.12.2020) by [The Marketing of Seeds and Plant Propagating Material \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2019 \(S.I. 2019/211\)](#), regs. 1(1), **61(a)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017, Paragraph 1.