



# Plant Varieties and Seeds Act 1964

## 1964 CHAPTER 14

### PART II

#### SEEDS AND SEED POTATOES

##### *Supplemental*

#### **29 Application of Part II to seed potatoes [<sup>F1</sup>, other propagating material and planting material].**

- (1) This Part of this Act applies to seed potatoes [<sup>F2</sup>[<sup>F3</sup>and any other vegetative propagating material, to vegetative planting material] and to silvicultural planting material] as it applies to seeds, and accordingly, except where the context otherwise requires, references in this Part of this Act to seeds include references to seed potatoes [<sup>F2</sup>[<sup>F3</sup>and any other vegetative propagating material, to vegetative planting material] and to silvicultural planting material].
- [<sup>F4</sup>(2) [<sup>F5</sup>The [<sup>F6</sup>appropriate authority] may establish and maintain an official seed testing station for silvicultural propagating and planting material, and seeds regulations may confer on [<sup>F7</sup>the appropriate authority] any functions the regulations may confer on a Minister, and [<sup>F8</sup>the appropriate authority] may charge or authorise the charging of fees for services given at any such station or in connection with any such functions; and accordingly—
- (a) references in this part of the Act to an authorised officer shall include an officer of [<sup>F7</sup>the appropriate authority]; and
  - (b) in section 25 above the references in subsections (3), (4) and (6) to a person duly authorised by the Minister shall include a person duly authorised by [<sup>F8</sup>the appropriate authority].]

[<sup>F9</sup>Any expenses incurred or fees received by the Commissioners by virtue of this subsection shall be defrayed, or as the case may be treated, in accordance with section 41 of the Forestry Act 1967.]

*Changes to legislation: There are currently no known outstanding effects for the Plant Varieties and Seeds Act 1964, Section 29. (See end of Document for details)*

(3) In relation to matters concerning silvicultural propagating or planting material or concerning the [<sup>F10</sup>appropriate authority], “the Minister” shall in this Part of this Act mean, in relation to Wales and Monmouthshire, the Secretary of State, and the reference in section 16(8) to the Ministers shall be construed accordingly.]

[<sup>F11</sup>(4) [<sup>F12</sup>In this section “appropriate authority” means—

- (a) in relation to Wales, the Welsh Ministers;
- (b) in all other respects, the Forestry Commissioners.]]

#### Textual Amendments

- F1** Words in s. 29 heading inserted (13.12.2022) by [The Animals and Animal Health, Feed and Food, Plants and Plant Health \(Amendment\) Regulations 2022 \(S.I. 2022/1315\)](#), regs. 1(1), **20(2)**
- F2** Words inserted by [European Communities Act 1972 \(c. 68\)](#), s. 4, **Sch. 4 para. 5(4)**
- F3** Words in s. 29(1) substituted (13.12.2022) by [The Animals and Animal Health, Feed and Food, Plants and Plant Health \(Amendment\) Regulations 2022 \(S.I. 2022/1315\)](#), regs. 1(1), **20(3)**
- F4** S. 29(2)(3) added by [European Communities Act 1972 \(c. 68\)](#), s. 4, **Sch. 4 para. 5(4)**
- F5** S. 29(2) repealed (S.) (1.4.2019) by [Forestry and Land Management \(Scotland\) Act 2018 \(asp 8\)](#), **ss. 9, 85(2)** (with s. 83); [S.S.I. 2019/47](#), reg. 2 (with regs. 3-22)
- F6** Words in s. 29(2) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 29(2)(a)** (with Sch. 7)
- F7** Words in s. 29(2) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 29(2)(b)** (with Sch. 7)
- F8** Words in s. 29(2) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 29(2)(c)** (with Sch. 7)
- F9** Words in s. 29(2) substituted (16.3.2000) by [S.I. 2000/746](#), art. 2, **Sch. para. 2**
- F10** Words in s. 29(3) substituted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 29(3)** (with Sch. 7)
- F11** S. 29(4) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(No. 755\)](#), art. 1(2), **Sch. 2 para. 29(4)** (with Sch. 7)
- F12** S. 29(4) repealed (S.) (1.4.2019) by [Forestry and Land Management \(Scotland\) Act 2018 \(asp 8\)](#), **ss. 9, 85(2)** (with s. 83); [S.S.I. 2019/47](#), reg. 2 (with regs. 3-22)

#### Modifications etc. (not altering text)

- C1** Ss. 24-30 extended (with modifications) (1.8.2016) by [The Plant Varieties and Seeds \(Isle of Man\) Order 2016 \(S.I. 2016/758\)](#), arts. 1, 2(2)(a), **Sch. 1**
- C2** S. 29(1) applied (with modifications) (1.12.2001) by 2001/3510, reg. 21(1)
- C3** S. 29(2) amended (1.7.1999) by [S.I. 1999/1797](#), art. 3, **Sch. 12 Pt. II para. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Plant Varieties and Seeds Act 1964, Section 29.