



Plant Varieties and Seeds Act 1964

1964 CHAPTER 14

PART I

PLANT BREEDERS' RIGHTS

6 Maintenance of reproductive material.

- (1) The provisions of this section shall apply in relation to all plant varieties except such as fall within any species or group which is excluded from this section by a scheme under this Part of this Act.
- (2) Every holder of plant breeders' rights shall ensure that, throughout the period for which the rights are exercisable, he is in a position to produce to the Controller reproductive material which is capable of producing the variety to which the rights relate with the morphological and physiological and other characteristics taken into account when the rights were granted in respect of the variety.
- (3) It shall also be the duty of every holder of plant breeders' rights to afford to the Controller all such information and facilities as he may request for the purpose of satisfying himself that the holder of the plant breeders' rights is fulfilling his duty under subsection (2) of this section, including facilities for the inspection by or on behalf of the Controller of the measures taken for the preservation of the plant variety; and if he is satisfied that the holder of the rights has failed to comply with any request under this subsection he may if he thinks fit at any time terminate the period for which the plant breeders' rights are exercisable.
- (4) If at any time it appears to the Controller that any holder of plant breeders' rights is no longer in a position to provide the Controller with the reproductive material mentioned in subsection (2) of this section, he shall terminate the period for which the rights are exercisable.
- (5) An appeal shall lie to the Tribunal against any decision of the Controller under this section to terminate the period for which any rights are exercisable.

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Plant Varieties and Seeds Act 1964, Section 6.