



Plant Varieties Act 1997

CHAPTER 66

PLANT VARIETIES ACT 1997

PART I

PLANT VARIETIES

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- 11 Duration.
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Status: Point in time view as at 10/03/2022.

Changes to legislation: There are currently no known outstanding effects for the Plant Varieties Act 1997. (See end of Document for details)

Remedies for infringement

- 13 Remedies for infringement.
- 14 Presumptions in proceedings relating to harvested material.
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- 18 Selection and registration of names.
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- 31 False information.
- 32 False representations as to rights.

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- 41 Varieties of recent creation.

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44 Statutory jurisdiction: regulations.
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49 General interpretation.
50 Receipts.
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54 Short title and commencement.

SCHEDULES

SCHEDULE 1 — The Plant Variety Rights Office

Staff

- 1 The Ministers may appoint a deputy controller and such other...

Remuneration

- 2 There shall be paid to the Controller and any other...

Authority of officers

- 3 Any act or thing directed to be done by or...

Proof of documents

- 4 Prima facie evidence, or in Scotland sufficient evidence, of any...
5 Any document purporting to be certified in accordance with paragraph...

SCHEDULE 2 — Conditions for the grant of plant breeders' rights

Part I — CRITERIA FOR GRANT OF RIGHTS

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Distinctness

- 1 The variety shall be deemed to be distinct if it...

Uniformity

- 2 The variety shall be deemed to be uniform if, subject...

Stability

- 3 The variety shall be deemed to be stable if those...

Novelty

- 4 (1) The variety shall be deemed to be new if...
 Part II — PRIORITIES BETWEEN APPLICANTS FOR RIGHTS
 5 (1) If a variety is bred, or discovered and developed,...
 6 (1) If the following conditions are met, an application for...
 7 (1) Any priority which an application for the grant of...

SCHEDULE 3 — The Plant Varieties and Seeds Tribunal

Constitution of the Tribunal

- 1 In any case, the jurisdiction of the Tribunal shall be...

Chairman

- 2 (1) The Lord Chancellor shall appoint a person to be...
 3 (1) The Lord President of the Court of Session shall...
 4 (1) The Northern Ireland Judicial Appointments Commission shall appoint a...
 5 (1) Subject to sub-paragraph (2) below, a person's appointment under...
 6 (1) In the case of the temporary absence or inability...

The two panels

- 7 (1) The Ministers shall draw up and from time to...

Selection from the panels

- 8 (1) The members of the panels who are to deal...

Sittings of the Tribunal

- 9 The Tribunal may, for the purpose of hearing proceedings brought...

Decisions of the Tribunal

- 10 (1) Any decision of the Tribunal in exercise of their...

Costs

- 11 (1) In any proceedings brought before the Tribunal in England...
 12 In any proceedings brought before the Tribunal in Scotland under...

Rules

- 13 (1) The Lord Chancellor may make rules as to the...

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Remuneration of Tribunal members

14 The Ministers may pay to members of the Tribunal such...

Officers and servants

15 (1) The Ministers may appoint such officers and servants of...

Interpretation

16 In this Schedule— “appointing authority” means— in relation to an...

SCHEDULE 4 — Repeals

Status:

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Changes to legislation:

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