



# Plant Varieties Act 1997

## 1997 CHAPTER 66

### PART I

#### PLANT VARIETIES

##### *Miscellaneous*

#### **33 Exclusion from Restrictive Trade Practices Act 1976**

The Restrictive Trade Practices Act 1976 shall not apply—

- (a) to any licence granted by the holder of plant breeders' rights or by any other person authorised to grant a licence in respect of such rights,
- (b) to any assignment of plant breeders' rights or of the title to apply for the grant of such rights, or
- (c) to any agreement for such a licence or assignment,

being a licence, assignment or agreement under which no such restrictions as are described in section 6(1) of that Act are accepted, except in respect of goods which are plants or parts of plants of a variety to which the plant breeders' rights relate, or a variety to which those rights will relate if they are granted.

#### **34 Disclosure of information obtained under section 14 or 15**

- (1) If the holder of plant breeders' rights obtains information pursuant to a notice given for the purposes of section 14 or 15 above, he shall owe an obligation of confidence in respect of the information to the person who supplied it.
- (2) Subsection (1) above shall not have effect to restrict disclosure of information—
  - (a) for the purposes of, or in connection with, establishing whether plant breeders' rights have been infringed, or
  - (b) for the purposes of, or in connection with, any proceedings for the infringement of plant breeders' rights.

### **35 Reference collections of plant material**

- (1) The Controller may establish and maintain reference collections of plant material.
- (2) The Controller may by means of grants of such amounts as he may determine defray or contribute towards the expenses incurred by any other person in maintaining any reference collection of plant material.