

1971 No. 1093

PLANT BREEDERS' RIGHTS

**The Plant Breeders' Rights (Trees, Shrubs and Woody
Climbers) (Amendment) Scheme 1971**

<i>Made</i>	- - -	6th July 1971
<i>Laid before Parliament</i>		14th July 1971
<i>Coming into Operation</i>		15th July 1971

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for the Home Department (being the Secretary of State concerned with agriculture in Northern Ireland), acting jointly, in exercise of the powers conferred on them by sections 1, 3, 5 and 7 of, and paragraph 1 of Schedule 3 to, the Plant Varieties and Seeds Act 1964(a) (extended to Northern Ireland by the Plant Varieties and Seeds (Northern Ireland) Order 1964(b), and to the Isle of Man by the Plant Varieties and Seeds (Isle of Man) Order 1969(c)) and of all other powers enabling them in that behalf, after consultation with the Controller of Plant Variety Rights and with representatives of such interests as appear to them to be concerned, hereby make the following Scheme:—

Citation, Commencement and Interpretation

1.—(1) This Scheme may be cited as the Plant Breeders' Rights (Trees, Shrubs and Woody Climbers) (Amendment) Scheme 1971 and shall come into operation on 15th July 1971.

(2) The Interpretation Act 1889(d) shall apply to the interpretation of this Scheme as it applies to the interpretation of an Act of Parliament.

Amendment of Principal Scheme

2. The Plant Breeders' Rights (Trees, Shrubs and Woody Climbers) Scheme 1969(e) (hereinafter referred to as "the principal Scheme") is hereby amended by substituting for the several items relating to the genera *Prunus* L., *Pyrus* L., *Ribes* L., *Rubus* L. and *Vaccinium* L. set out in Columns 1 to 5, inclusive of the

(a) 1964 c. 14. (b) S.I. 1964/1574 (1964 III, p. 3543).
 (c) S.I. 1969/1829 (1969 III, p. 5701). (d) 1889 c. 63.
 (e) S.I. 1969/1024 (1969 II, p. 3011).

Schedule to the principal Scheme the following items (the headings of the respective columns being here included for reference only)—

Column 1 Genus or species	Column 2 Period of years for which rights are exercisable	Column 3 Classes of plant varieties prescribed for purposes of section 5(7)	Column 4 Period of years prescribed for purposes of section 7(2)	Column 5 Additional rights
<i>Prunus</i> L. (decorative varieties only) other than varieties of the <i>Prunus</i> species expressly referred to elsewhere in this Column.	25	<i>Prunus</i>	3	Included
<i>Pyrus</i> L. (decorative varieties only)	25	<i>Pyrus</i>	3	
<i>Ribes</i> L. (decorative varieties only)	15	<i>Ribes</i>	2	
<i>Rubus</i> L. (decorative varieties only)	15	<i>Rubus</i>	2	
<i>Vaccinium</i> L. (decorative varieties only)	25	<i>Vaccinium</i>	5	

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 28th June 1971.

(L.S.)

J. M. L. Prior,
Minister of Agriculture, Fisheries and Food.

2nd July 1971.

Gordon Campbell,
Secretary of State for Scotland.

6th July 1971.

R. Maudling,
Secretary of State for the Home Department.

EXPLANATORY NOTE

(*This Note is not part of the Scheme.*)

This Scheme amends the Plant Breeders' Rights (Trees, Shrubs and Woody Climbers) Scheme 1969 (S.I. 1969/1024) by restricting the inclusion in that Scheme of certain genera of plant varieties to decorative varieties of those genera.

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