

STATUTORY INSTRUMENTS

1998 No. 1024

The Plant Breeders' Rights (Information Notices) Regulations 1998

PROSPECTIVE

Title and commencement

1. These Regulations may be cited as the Plant Breeders' Rights (Information Notices) Regulations 1998 and shall come into force on 8th May 1998.

Commencement Information

I1 Reg. 1 in force at 8.5.1998, see [reg. 1](#)

Interpretation

2.—(1) In these Regulations—

“the Act” means the Plant Varieties Act 1997; and

“the holder of rights” in relation to a variety means the holder of plant breeders' rights in that variety.

(2) Unless the context otherwise requires, any reference in these Regulations in a regulation to a numbered paragraph is to the paragraph in that regulation bearing that number.

Commencement Information

I2 Reg. 2 in force at 8.5.1998, see [reg. 1](#)

Information notice as to harvested material

3.—(1) An information notice for the purposes of section 14(4) of the Act (harvested material)

- (a) shall be in the form set out in the Schedule to these Regulations;
- (b) shall contain the particulars set out in paragraph (2); and
- (c) shall contain a request for the information set out in paragraph (3).

(2) The particulars referred to in paragraph (1)(b) are—

- (a) the registered name of the variety;
- (b) the species of the variety;
- (c) the date on which plant breeders' rights were granted in the variety;
- (d) confirmation that the rights were granted under the Act;

Status: This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Plant Breeders' Rights (Information Notices) Regulations 1998. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (e) the name and address of the holder of rights;
 - (f) the name and address of the agent of the holder of rights, if one has been appointed; and
 - (g) the date on which the information notice was served.
- (3) The information referred to in paragraph (1)(c) is—
- (a) the name and address of the recipient of the information notice;
 - (b) the name and address of the person from whom the recipient of the information notice acquired possession of the material specified in the information notice;
 - (c) the date on which the recipient of the information notice acquired possession of the material specified in the information notice; and
 - (d) the size of the consignment of which the material specified in the information notice formed part.

Commencement Information

I3 Reg. 3 in force at 8.5.1998, see [reg. 1](#)

Prescribed time

4. The prescribed time for the purposes of section 14(2)(b) of the Act (presumptions in proceedings relating to harvested material) is 21 days.

Commencement Information

I4 Reg. 4 in force at 8.5.1998, see [reg. 1](#)

7th April 1998

Donoghue
Parliamentary Secretary, Ministry of
Agriculture, Fisheries and Food

8th April 1998

Sewel
Parliamentary Under Secretary of State,
Scottish Office

Signed by authority of the Secretary of State for Wales

7th April 1998

Win Griffiths
Parliamentary Under Secretary of State, Welsh
Office

8th April 1998

Dubs
Parliamentary Under Secretary of State,
Northern Ireland Office

Status:

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Changes to legislation:

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Changes and effects yet to be applied to :

- Sch. Pt. 1 coming into force by [S.I. 1998/1024 reg. 1](#)
- Sch. Pt. 2 coming into force by [S.I. 1998/1024 reg. 1](#)
- Sch. Pt. 3 coming into force by [S.I. 1998/1024 reg. 1](#)
- Sch. Pt. 1 para. 4 amendment to earlier affecting provision S.I. 2019/204, reg. 18 by [S.I. 2019/1220 reg. 8\(6\)](#)
- Sch. Pt. 1 para. 4 amendment to earlier affecting provision S.I. 2019/204, reg. 18 by [S.I. 2020/769 reg. 2\(2\)](#)
- Sch. Pt. 1 para. 4 modified by [S.I. 2019/204 reg. 18](#)
- reg. 1 coming into force by [S.I. 1998/1024 reg. 1](#)
- reg. 2 coming into force by [S.I. 1998/1024 reg. 1](#)
- reg. 3 coming into force by [S.I. 1998/1024 reg. 1](#)
- reg.3(2)(d) amended by [S.I. 1998/1023 reg.2\(2\)\(a\)](#)
- reg. 3(2)(d) amendment to earlier affecting provision S.I. 2019/204, reg. 18 by [S.I. 2019/1220 reg. 8\(6\)](#)
- reg. 3(2)(d) amendment to earlier affecting provision S.I. 2019/204, reg. 18 by [S.I. 2020/769 reg. 2\(2\)](#)
- reg. 3(2)(d) modified by [S.I. 2019/204 reg. 18](#)
- reg. 4 coming into force by [S.I. 1998/1024 reg. 1](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. Pt.I para.4 amended by [S.I. 1998/1023 reg.2\(2\)\(b\)](#)