
STATUTORY INSTRUMENTS

1998 No. 1027

The Plant Breeders' Rights Regulations 1998

Appeal to the Tribunal

9.—(1) The hearing of an appeal by the Tribunal under the provisions of Part II of the Act or of these Regulations shall take place in such part of the United Kingdom as shall be determined by the Chairman of the Tribunal who shall have regard to the matters referred to in regulation 8(2) as well as to the convenience of the members of the Tribunal and, if he proposes to appear at the hearing of the appeal, of the Controller.

(2) The persons concerned or persons appointed by them for the purpose of the proceedings in respect of which the decision was given be entitled to appear and be heard as a party to any appeal against the decision of the Controller.

(3) Where an appeal is brought against a decision given in accordance with the relevant legislation the operation of such decision shall be suspended pending the final determination of the appeal.

(4) The Controller shall publish in the gazette a notice of the appeal, of any suspension of the operation of his decision in accordance with the previous paragraph and of any withdrawal of the appeal.

(5) The Controller shall take such steps as may be necessary to give effect to any decision given on the final determination of an appeal and such other steps as he would be required by these Regulations to take if such decision were his own.

Modifications etc. (not altering text)

- C1** [Reg. 9](#) applied (with modifications) (1.12.2001) by [The Seeds \(National Lists of Varieties\) Regulations 2001 \(S.I. 2001/3510\)](#), regs. 1, **17(3)**
- C2** [Reg. 9](#) applied (with modifications) (N.I.) (31.12.2020) by [The Seeds \(Variety Lists\) Regulations \(Northern Ireland\) 2020 \(S.R. 2020/302\)](#), regs. 1, **18(3)**
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Commencement Information

- I1** [Reg. 9](#) in force at 8.5.1998, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Plant Breeders' Rights Regulations 1998, Section 9.