

SCHEDULE 1

Regulations 5, 6 and 7

MATTERS TO BE PUBLISHED IN THE GAZETTE BY THE
CONTROLLER AND PERSONS ENTITLED TO MAKE REPRESENTATION

PART A

| <i>(1)</i> | <i>(2)</i> |
|---|---|
| Receipt of an application for the grant of plant breeders' rights | <p>(a) (a) the applicant;</p> <p>(b) any person who has a substantial interest in the decision to grant or refuse the grant of plant breeders' rights; and</p> <p>(c) any person who is able to provide evidence which is material in the decision to grant or refuse the grant of plant breeders' rights</p> |

PART B

| <i>(1)</i> | <i>(2)</i> | <i>(3)</i> |
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| 1. | Proposed decision preliminary to the determination of an application for the grant of plant breeders' rights as to the conditions laid down in section 4 | <p>(a) (a) the applicant;</p> <p>(b) any person who has a substantial interest in the decision to grant or refuse the grant of plant breeders' rights; and</p> <p>(c) any person who is able to provide evidence which is material in the decision to grant or refuse the grant of plant breeders' rights.</p> |
| 2. | Proposed decision to allow or refuse an application for the grant of plant breeders' rights | <p>(a) (a) the applicant;</p> <p>(b) any person who has a substantial interest in the decision to grant or refuse the grant of plant breeders' rights;</p> <p>(c) any person who is able to provide evidence which</p> |

* See also section 25(3) which allows certain organisations and persons to make representations and be heard.

Status: This is the original version (as it was originally made).

| (1) | (2) | (3) |
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| | | is material in the decision to grant or refuse the grant of plant breeders' rights. |
| 3. | Receipt of an application under section 17(1) (grant of a compulsory licence) or section 17(9) (extension, limitation or variation of a compulsory licence) | <ul style="list-style-type: none"> (a) (a) the applicant; (b) the holder of rights; (c) any plant breeders' rights licensee* ; and (d) any person whose financial interests are likely to be affected by the decision. |
| 4. | Proposed decision to refuse an application under section 25(3) (a) (organisation or person applying to the Controller for an opportunity of making representations concerning an application for the grant of compulsory licence) | <ul style="list-style-type: none"> (a) (a) the applicant under section 25(3); (b) the holder of rights; and (c) the applicant for the grant of the compulsory licence. |
| 5. | Proposed decision to allow or refuse an application under section 23(1) (suspension of plant breeders' rights) or section 23(2) (termination of suspension of plant breeders' rights) | <ul style="list-style-type: none"> (a) (a) the holder of rights; (b) the holder of the compulsory licence who applied to the Controller under section 23(1); and (c) any person who was a person concerned in relation to the application for the grant of the compulsory licence referred to in the preceding sub-paragraph. |
| 6. | Proposed decision under section 21(1) (to declare the grant of plant breeders' rights null and void) | <ul style="list-style-type: none"> (a) (a) the holder of rights; (b) any plant breeders' rights licensee; and (c) any person whose financial interests are likely to be affected by the decision. |

* See also section 25(3) which allows certain organisations and persons to make representations and be heard.

| <i>(1)</i> | <i>(2)</i> | <i>(3)</i> |
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| 7. | Proposed decision under section 22(1)(a), (b) or (c) (to terminate other than on application to surrender by the holder of rights) | <ul style="list-style-type: none"> (a) (a) the holder of rights; (b) any plant breeders' rights licensee; and (c) any person whose financial interests are likely to be affected by the decision. |
| 8. | Proposed decision to refuse an application under section 22(1) (d) (to terminate on application to surrender by the holder of rights) | <ul style="list-style-type: none"> (a) (a) the holder of rights; (b) any plant breeders' rights licensee; and (c) any person whose financial interests are likely to be affected by the decision. |

* See also section 25(3) which allows certain organisations and persons to make representations and be heard.

PART C

| <i>(1)</i> | <i>(2)</i> |
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| 1. | Withdrawal of application for the grant of plant breeders' rights. |
| 2. | Decisions of the Tribunal |
| 3. | Termination of plant breeders' rights following an application to surrender |