
STATUTORY INSTRUMENTS

2002 No. 3198

**The Plant Varieties and Seeds Tribunal
(Amendment) (England and Wales) Rules 2002**

Amendment to the Plant Varieties and Seeds Tribunal Rules 1974

2.—(1) The Plant Varieties and Seeds Tribunal Rules 1974⁽¹⁾ (“The Tribunal Rules”) shall be amended in accordance with paragraphs (2) to (6).

(2) In rule 2(1)—

- (a) in the definition of “Part II regulations”; and
- (b) in sub-paragraph (a) of the definition of “respondent authority”,

for “the Forest Reproductive Material Regulations 1973” there shall be substituted “the Forest Reproductive Material (Great Britain) Regulations 2002”⁽²⁾.

(3) For “basic material” in rule 17(4), there shall be substituted “basic material or forest reproductive material”.

(4) For “basic material” in rule 18, there shall be substituted “basic material or forest reproductive material”.

(5) For references to “basic material” in the following forms in Schedule 1 there shall be substituted “basic material or forest reproductive material”:

- (a) Form 3, paragraphs 3 and 6;
- (b) Form 4, paragraph 3(d); and
- (c) Form 5, paragraph 1.

(6) In Form 8 of Schedule 1—

(a) for paragraph 1(c) there shall be substituted:

“(c) the decision of the Forestry Commissioners—

- (i) not to approve basic material;
- (ii) to approve basic material in the form of clones or clonal mixtures subject to qualifications as to duration of approval or level of production;
- (iii) to withdraw or amend approval of basic material;
- (iv) not to issue a Master Certificate;
- (v) not to enter a person’s name in the Register of Suppliers;
- (vi) to remove a supplier’s name from the Register of Suppliers or impose conditions upon his continued registration;
- (vii) not to grant a licence to market forest reproductive material;
- (viii) that testing techniques used to obtain assessments necessary to provide the information required under regulation 19(2) of the Forest Reproductive

(1) S.I.1974/1136.

(2) S.I. 2002/3026.

Material Regulations 2002 are not, to the Commissioners' satisfaction, internationally accepted techniques;

(ix) in respect of the following requirements of the Forest Reproductive Material Regulations 2002 in:

(aa) Schedule 4, paragraphs (1)(d) and 2(d) not to approve verification test methodology;

(bb) Schedule 5, paragraph 1(d)(ii) not to approve a statistical design, and

(cc) Schedule 5, paragraph 1(e)(i) not to approve a statistical methodology as being one that is internationally recognised.”; and

(b) in paragraph 3(d), for “(or basic material)”, substitute “(or basic material or forest reproductive material)”.

(7) For references to “basic material” in the following forms in Schedule 1, there shall be substituted “basic material or forest reproductive material”:

(a) Form 9, paragraph 3(c); and

(b) Form 10, paragraphs 4 and 5.

(8) In Schedule 2, at item 3, in the column headed “Description of Proceeding”, for “basic material” in paragraph (b), there shall be substituted “basic material or forest reproductive material”.

Changes to legislation:

There are currently no known outstanding effects for the The Plant Varieties and Seeds Tribunal (Amendment) (England and Wales) Rules 2002, Section 2.