
STATUTORY INSTRUMENTS

2016 No. 758

PLANT BREEDERS' RIGHTS

The Plant Varieties and Seeds (Isle of Man) Order 2016

Made - - - - *13th July 2016*

Coming into force *1st August 2016*

THE PLANT VARIETIES AND SEEDS (ISLE OF MAN) ORDER 2016

1. Citation and commencement
 2. Extension of the Plant Varieties and Seeds Act 1964 to the Isle of Man
 3. Extension of the Plant Varieties Act 1997 to the Isle of Man
 4. Revocations
- Signature

SCHEDULE 1 — Exceptions, adaptations and modifications in the extension of Parts 2 to 4 of the Plant Varieties and Seeds Act 1964 to the Isle of Man

PART 1 — Exceptions, adaptations and modifications to Part 2

1. (1) Section 16 (seeds regulations) is modified as follows.
2. Omit section 17(6) (Scottish contracts for the sale of seeds)...
3. (1) Section 24 (official testing stations and certificates of test)...
4. (1) Section 25 (powers of entry) is modified as follows....
5. In section 26(6) (the summons and evidence regarding samples in...
6. In section 27(1) (the offence of tampering with samples) for...
7. (1) Section 28 (institution of criminal proceedings) is modified as...
8. (1) Section 29 (application of Part 2 to seed potatoes)...
9. In section 30(1) (definitions in Part 2), in the definition...
PART 2 — Exceptions, adaptations and modifications to Part 3
10. (1) Section 33 (measures to prevent injurious cross-pollination affecting crops...
11. In Schedule 7 (cross-pollination injuring protected crops) for “the Minister”...
12. Omit section 35(2) (which extends jurisdiction in criminal proceedings under...
PART 3 — Exceptions, adaptations and modifications to Part 4
13. (1) Section 36 (supplemental provision as to regulations) is modified...
14. In section 38(1) (definitions) immediately before the definition of “the...

Status: This is the original version (as it was originally made).

SCHEDULE 2 — Modifications in the extension of the Plant Varieties Act 1997 to the
Isle of Man

1. In section 6(6)(a) (the making of regulations about protected varieties)...
2. In section 9 (farm saved seed)— (a) omit subsections (5)...
3. In section 10(1)(a) (circumstances to which plant breeders' rights do...
4. In section 11(2) (regulations extending period of plant breeders' rights)...
5. In section 14(5) (regulations about presumptions in proceedings relating to...
6. In section 15(6) (regulations about presumptions in proceedings relating to...
7. In section 17 (compulsory licences) at the end add—
8. (1) Section 19 (duty to use registered name) is modified...
9. In section 31(1) (offence of giving false information) for “level...
10. In section 32(1) (offence of making false representation as to...
11. Omit section 36(2) (offences committed by Scottish partnerships).
12. Omit section 37 (jurisdiction in relation to offences in the...
13. (1) Section 41 (varieties of recent creation) is modified as...
14. (1) Section 43 (jurisdiction under arbitration agreements) is modified as...
15. (1) Section 48 (regulations and orders) is modified as follows...
16. In section 49(1) (definitions) after the definition of “the Controller”...
17. (1) Section 50 (receipts) is modified as follows.
18. Omit section 51 (consequential amendments).
19. For section 52 (repeals) substitute— Repeal The Seeds Act 1921 and the Seeds (Amendment) Act 1939...
20. Omit section 53 (extent).
21. In section 54 omit subsections (2) to (4) (the commencement...
22. In paragraph 4 of Schedule 1 (proof of documents in...
23. (1) Schedule 2 (conditions for the grant of plant breeders'...
24. (1) Schedule 3 (the Plant Varieties and Seeds Tribunal) applies...
25. Omit Schedule 4 (repeals).

Explanatory Note