
STATUTORY INSTRUMENTS

2019 No. 204

**The Plant Breeders' Rights (Amendment
etc.) (EU Exit) Regulations 2019**

PART 3

Existing EU rights

Existing EU rights

3.—(1) For the purposes of these Regulations, an “existing EU right” is a Community plant variety right which, immediately before exit day, is contained in the register maintained under Article 87(2) of the Council Regulation.

(2) On and after exit day, an existing EU right is to be treated as if it were a plant breeders' right granted in accordance with the 1997 Act and as if the variety were registered in accordance with regulations under section 18(1)(c) of the 1997 Act.

(3) Accordingly, on and after exit day, the provisions of the 1997 Act (except sections 1(1), 3 to 5, 11 and 18(3) of, and Schedule 2 to, that Act), any regulations or orders made under that Act and any guidance given under that Act apply in relation to those existing EU rights.