

SCHEDULE

Amendments to the Plant Varieties and Seeds (Isle of Man) Order 2016

2. In paragraph 2—

(1) before paragraph (a) insert—

“(za) in subsection (3), after “liable”, insert “(subject to any contractual agreement entered into between the farmer and the holder of the plant breeders’ rights)”;

(zb) in subsection (4), for the words from “considered to be” to the end substitute “a small farmer for the purposes of this section”;

(2) after paragraph (a) insert—

“(aa) for subsection (10) substitute—

“(10) In this section, “small farmer” means—

(a) in a case where the material referred to in subsection (3) is used for propagating potatoes, a farmer who grows potatoes in an area no bigger than that which would be needed to produce 185 tonnes of potatoes per harvest, and

(b) in a case where material referred to in subsection (3) is used for propagating any other variety specified for the purpose of subsection (1), a farmer who grows that variety in an area no bigger than that which would be needed to produce 92 tonnes of cereals per harvest.”;

(ab) omit subsection (12);”.