
STATUTORY INSTRUMENTS

2023 No. 676

**The Seed Marketing (Heterogeneous Material)
(Temporary Experiment) (England) Regulations 2023**

PART 2

Licence to participate in the experiment

Application for a licence to participate in the experiment

5.—(1) An application for a licence under regulation 21A of the 2011 Regulations to participate in the experiment must be made in writing to the Secretary of State and include the information specified in paragraph (2).

(2) The information to be included in the application is—

- (a) the name, address and email address of the applicant and, where the applicant is not an individual, the name of the individual who is to be responsible for participation in the experiment;
- (b) the objectives of the breeding programme which is to form part of the experiment;
- (c) the species and the varieties of plants which have been or are to be used in the breeding programme to create a population;
- (d) a description of the type of technique which has been or is to be used to generate a population, including the breeding scheme;
- (e) the region or proposed region of production;
- (f) where a population has been developed, a description of its characteristics, including—
 - (i) the degree of heterogeneity;
 - (ii) whether it is self-pollinating;
 - (iii) yield, yield stability and quality;
 - (iv) performance;
 - (v) usability in low-input agriculture;
 - (vi) disease resistance;
 - (vii) taste or colour; and
 - (viii) any other characteristic which the applicant regards as relevant;
- (g) the results of any experimental trials concerning the characteristics specified in subparagraph (f); and
- (h) where a population has been developed and the Secretary of State has approved a name for the population in accordance with regulation 14, that name, or, if the Secretary of State has not yet approved a name for the population, the name which the applicant proposes to use for provisional identification of the population.

(3) The Secretary of State may include conditions in a licence such as—

- (a) controls on the production and marketing of seed from populations, including, but not limited to—
 - (i) specifying a maximum quantity of seed from a population which may be marketed by or on behalf of the participant during the period of participation in the experiment;
 - (ii) requirements in relation to the skill or qualifications of the persons who are to maintain a population;
 - (b) requirements in relation to the characteristics or quality of a population;
 - (c) any other conditions that the Secretary of State considers to be appropriate.
- (4) A participant must comply with any conditions specified in the licence.