

Statutory Rules 1994 No. 353¹

Plant Breeder's Rights Regulations² (Amendment)

I, THE ADMINISTRATOR of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under **section 4** of the *Acts Interpretation Act 1901*, make the following Regulations under the *Plant Breeder's Rights Act 1994*.

Dated 11 October 1994.

P. BENNETT

Administrator

By His Excellency's Command,

BOB COLLINS

Minister for Primary Industries and Energy

1. Commencement

1.1 These Regulations commence on 1 January 1995

2. Amendment

2.1 The Plant Breeder's Rights Regulations are amended as set out in these Regulations.

3. Schedule

3.1 Omit the Schedule, substitute:

SCHEDULE

Regulation 4

FEES

Column 1	Column 2	Column 3
Item no.	Act, service or occasion in respect of which fee is payable	Fee
1	On making a request under subsection 19 (4) , whether or not the request includes a request under subsection 19 (10)	\$500
2	On making a request for a certificate under subsection 19 (11)	\$100

¹ Notified in the *Commonwealth of Australia Gazette* on 18 October 1994.

² Statutory Rules 1994 No. 352.

3	Amendment of the register on notification of assignment under section 21	\$100
4	On lodgment of an application under section 26	\$300
5	On making a request for a variation of an application under subsection 31 (1)	\$100
6	On lodgment of a detailed description under section 34 for:	
	(a) a variety tested under section 37 to establish that the variety is distinct, uniform and stable	\$1400
	(b) a variety to which subsection 38 (3), (4) or (5) applies	\$1400
	(c) each of 2 or more varieties of the same plant species tested simultaneously at the same site in Australia under section 37 to establish that the varieties are distinct, uniform and stable, for which a complete application and detailed description are lodged on the same day by the same approved person or applicant or agent of the applicant under section 34	\$1200
7	On lodgment of an objection under section 35	\$100
8	On making a request for a copy of an application, an objection or a detailed description under subsection 36 (2)	\$50
9	On lodgment of an application for a declaration of essential derivation under subsection 40 (1)	\$800
10	Grant of PBR in a plant variety under section 44	\$300
11	On lodgment of an application for:	
	(a) revocation of a PBR under subsection 50 (8) ; or	\$500
	(b) revocation of a declaration of essential derivation under subsection 50 (9)	\$500
12	On making a request for a copy of an entry in the register under subsection 62 (2)	\$50
13	On making an annual subscription to the Plant Varieties Journal issued under section 68	\$40

14	On purchasing a single issue of the Plant Varieties Journal	\$14
15	For annual maintenance of a PBR—on each anniversary of the grant	\$300
16	For the undertaking, on request of a person, by the Secretary or the Registrar of any work required or authorised under the Act and for which a fee is not prescribed under any other item	\$75 per hour or part of an hour
