

Statutory Rules 1994 No. 352<sup>1</sup>

**Plant Breeder's Rights Regulations**

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

**Citation**

1. These Regulations may be cited as the Plant Breeder's Rights Regulations.

**Commencement**

2. These Regulations commence on the date of commencement of the *Plant Breeder's Rights Act 1994*.

**Interpretation**

3. (1) In these Regulations, unless the contrary intention appears:

“Act” means the Plant Breeder's Rights Act 1994.

- (2) In the Schedule, a reference to a section or subsection, is a reference to that section or subsection of the Act.

**Prescribed fees**

4. The fee payable under **subsection 80 (2)** of the Act for a matter set out in the Schedule is the fee specified in the Schedule for that matter.

**SCHEDULE**

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<sup>1</sup> Notified in the *Commonwealth of Australia Gazette* on 18 October 1994.

Regulation 4

FEES

Column 1 Item no.	Column 2 Act, service or occasion in respect of which fee is payable	Column 3 Fee
1	On making a request under <b>subsection 19 (4)</b> , whether or not the request includes a request under <b>subsection 19 (10)</b>	\$140
2	On making a request for a certificate under <b>subsection 19 (11)</b>	\$100
3	Amendment of the register on notification of assignment under <b>section 21</b>	\$140
4	On lodgment of an application under <b>section 26</b>	\$400
5	On making a request for a variation of an application under <b>subsection 31 (1)</b>	\$70
6	On lodgment of a detailed description in support of an application under <b>section 34</b>	\$1400
7	On lodgment of an objection under <b>section 35</b>	\$200
8	On making a request for a copy of an application, an objection or a detailed description under <b>subsection 36 (2)</b>	\$70
9	On lodgment of an application for a declaration of essential derivation under <b>subsection 40 (1)</b>	\$800
10	Grant of PBR in a plant variety under <b>section 44</b>	\$250
11	On lodgment of an application for: (a) revocation of a PBR under <b>subsection 50 (8)</b> ; or (b) revocation of a declaration of essential derivation under <b>subsection 50 (9)</b>	\$800 \$800
12	On making a request for a copy of an entry in the register under <b>subsection 62 (2)</b>	\$70
13	On making an annual subscription to the Plant Varieties Journal issued under <b>section 68</b>	\$30
14	On purchasing a single issue of the Plant Varieties Journal	\$8
15	For annual maintenance of a PBR—on each anniversary of the grant	\$ 250
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	\$70 per hour or part of an hour

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