

PLANT VARIETY RIGHTS REGULATIONS

**- In force under the Plant Variety Rights Act 1987
- Reprinted as at 30 June 1993 (#DATE 30:06:1993)**

1 The Plant Variety Rights Regulations (in force under the Plant Variety Rights Act 1987) as shown in this reprint comprise Statutory Rules 1988 No. 62 amended as indicated in the Tables below.

Table of Statutory Rules

Year and Number	Date of Notification in Gazette	Date of commencement	Application saving or transitional provisions
1988 No. 62	29 Apr 1988	Part II of Schedule 1: 1 July 1988 Remainder: 29 Apr 1988	
369	21 Dec 1988	1 Jan 1989	-
1989 No. 131	21 June 1989	1 July 1989	-
1990 No. 15	31 Jan 1990	Rr. 3, 5 and 6: 1 Mar 1990 R. 4: 1 Feb 1990 Remainder: 31 Jan 1990	
			-
201	29 June 1990	1 July 1990	-

Table of Amendments

ad=added or inserted am=amended rep=repealed rs=repealed and substituted

Provision affected	How affected
R. 3	am. 1989 No. 131; 1990 No. 15
R. 3A	ad. 1990 No. 15
R. 4	am. 1989 No. 131 rs. 1990 No. 15
R. 4A	ad. 1990 No. 15

R. 5	am. 1989 No. 131
R. 6	ad. 1989 No. 131
Schedule 1	am. 1988 No. 369; 1989 No. 131 rep. 1990 No. 15
Schedule 2	rs. 1989 No. 131; 1990 No. 201

PLANT VARIETY RIGHTS REGULATIONS - TABLE OF PROVISIONS

TABLE

TABLE OF PROVISIONS

Regulation

1. Citation
2. Commencement of Part II of Schedule 1
3. Interpretation
- 3A. Prescribed genera and species of plants: paragraph 12 (1) (e) of the Act
4. Declaration of genera and species of plants
- 4A. Prescribed purpose: subparagraph 22 (2) (b) (iii) of the Act
5. Prescribed fees
6. Notice - paragraph 35 (1) (b) of the Act

SCHEDULE 2

FEEES

PLANT VARIETY RIGHTS REGULATIONS - REG 1

Citation

1. These Regulations may be cited as the Plant Variety Rights Regulations.*1*

SEE NOTES TO FIRST ARTICLE OF THIS CHAPTER .

PLANT VARIETY RIGHTS REGULATIONS - REG 2

Commencement of Part II of Schedule 1

2. Part II of Schedule 1 commences on 1 July 1988.

PLANT VARIETY RIGHTS REGULATIONS - REG 3
Interpretation

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

Act" means the Plant Variety Rights Act 1987.

(2) In Schedule 2, a reference to a section or subsection, without an enactment being cited, is a reference to that section or subsection of the

Act.

PLANT VARIETY RIGHTS REGULATIONS - REG 3A
Prescribed genera and species of plants: paragraph 12
(1) (e) of
the Act

3A. Each genus or species of each plant is prescribed for the purposes of

paragraph 12 (1) (e) of the Act.

PLANT VARIETY RIGHTS REGULATIONS - REG 4
Declaration of genera and species of plants

4. For the purposes of subsection 13 (1) of the Act, each genus or species

of each plant is declared to be a genus or species to which the Act applies.

PLANT VARIETY RIGHTS REGULATIONS - REG 4A
Prescribed purpose: subparagraph 22 (2) (b) (iii) of

the Act

4A. For the purposes of subparagraph 22 (2) (b) (iii) of the Act, the purpose of market evaluation is prescribed.

**PLANT VARIETY RIGHTS REGULATIONS - REG 5
Prescribed fees**

5. The fee set out in item 11 of Schedule 2 is payable to the Commonwealth

by a grantee in respect of the occasions described in that item and fees as

set out in that Schedule are payable to the Commonwealth in respect of acts

and services specified in that Schedule.

**PLANT VARIETY RIGHTS REGULATIONS - REG 6
Notice - paragraph 35 (1) (b) of the Act**

6. For the purposes of paragraph 35 (1) (b) of the Act, notice shall be

given in writing.

PLANT VARIETY RIGHTS REGULATIONS - SCHEDULE 2

SCH

**SCHEDULE 2
FEES**

Regulation 5

Column 1 Item No.	Column 2 Act, service or occasion in respect of which
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fee is payable

Column 3

Fee

\$

1	On lodgment of an application under subsection 15 (1) for plant variety rights	400
2	On making a request under subsection 19 (1) to vary an application	70
3	On lodgment of an objection under subsection 20 (1)	200
4	Giving a copy under section 21 of an application or an objection	70
5	For consideration of an application that has been accepted under subsection 18 (1)	1,400
6	On grant of plant variety rights under section 26	250
7	Amendment of the Register under subsection 31 (1)	140
8	On making an application under subsection 35 (7) for the revocation of plant variety rights	800
9	On making a request under subsection 39 (4)	140
10	Giving a copy under section 49 of an entry in the Register	70
11	On each anniversary of the grant of plant variety rights to the grantee	250
12	On providing copies of a publication in relation to plant varieties	\$8.00 for the first 10 pages and 50c per page thereafter
13	For the undertaking, upon 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 thereof