

In the Name of Allah the Most Gracious,  
the Most Merciful

Arab Republic of  
Egypt  
Ministry of Agriculture and  
Land Reclamation  
Minister's Office

### **Ministerial Decree No. (804) of 2005**

The Minister of Agriculture and Land Reclamation

- After reviewing the Law on Agriculture No. (53) of 1966, and the amending laws thereto;
- Ministerial Decree No. (82) of 1998 on the Registration of Agricultural Crops;
- Law No. (82) of 2002 on Intellectual property Rights Protection;
- The Executive Regulations of Law No. (82) of 2002 enacted by virtue of Prime Ministerial Decree No. (1366) of 2003;
- Ministerial Decree No. (1035) of 2002 on determining the authority that shall conduct the DUS tests;
- Prime Ministerial Decree No. (492) of 2003 on the establishment of the Plant Variety Protection Office;
- Ministerial Decree No. (4333) of 2003 on the affiliation of the Plant Variety Protection Office to the Central Administration for Seed Certification; and
- Upon the recommendation of the Head of the Agricultural Services and Follow-up Sector.

#### **Has Decreed**

**Article (1):** The distinction, uniformity and stability (DUS) tests shall be conducted in accordance with the technical rules set by the Central Administration for Seed Certification at the Ministry of Agriculture and Land Reclamation.

**Article (2):** If the variety for which an application for protection has been filed was previously registered for the purpose of circulation in the Arab Republic of Egypt, the results of the DUS tests which were conducted when registering the variety concerned shall be deemed reliable.

The Plant Variety Protection Office may, in respect of the variety for which an application for protection has been filed, use the DUS tests conducted by a foreign responsible authority approved by the official authority in the country with which such authority that conducted the said tests is affiliated, provided that the Advisory Council of the Office, and that such country is a Member State of the International Union for the Protection of New Varieties of Plants (UPOV).

**Article (3):** In case of being difficult to conduct DUS tests for technical reasons in the Arab Republic of Egypt, the Plant Variety Protection Office may, upon the approval of the Advisory Council, approve conducting such tests abroad in a specialized authority approved in a UPOV Member State at the expense of the applicant.

**Article (4):** This Decree shall be published in the Waqa' Al-Mesria and shall come into force as of the date of publication.

Issued on: June 27<sup>th</sup>, 2005

Minister of Agriculture and  
Land Reclamation

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