

# □ S.I. No. 46/1988 □ Plant Varieties (Proprietary Rights) (Amendment) Regulations, 1988.

S.I. No. 46/1988:

PLANT VARIETIES (PROPRIETARY RIGHTS) (AMENDMENT) REGULATIONS,  
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1988.

I, MICHAEL O'KENNEDY, Minister for Agriculture and Food, in exercise of the powers conferred on me by sections 4, 12 and 26 of the Plant Varieties (Proprietary Rights) Act, 1980 (No. 24 of 1980), hereby make the following Regulations:

1. (1) These Regulations may be cited as the Plant Varieties (Proprietary Rights) (Amendment) Regulations, 1988.  
(2) The Plant Varieties (Proprietary Rights) Regulations, 1981 to 1986 and these Regulations may be cited together as the Plant Varieties (Proprietary Rights) Regulations, 1981 to 1988.
2. In these Regulations "the Act" means the Plant Varieties (Proprietary Rights) Act, 1980 (No. 24 of 1980).
3. (1) The species specified in the Schedule to these Regulations is hereby specified for the purpose of section 4 of the Act.  
(2) The maximum period to be specified in a grant of plant breeders' rights as being that in which the rights thereby granted are to be exercisable in respect of a plant variety which is of the species specified in the said Schedule shall be a period of 20 years.  
(3) For the purpose of paragraph (d) (ii) of Article 2 of the First Schedule to the Act, the period of four years is hereby prescribed in relation to every plant variety which is of a species specified in the said Schedule.
4. For the purposes of section 12 of the Act all plant varieties shall be regarded as being within the same class if they are each a plant variety of any species of the genus *potentilla*.

## SCHEDULE

Name	Species	Common Name
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Potentilla fruticosa L.

Shrubby Cinquefoil

GIVEN under my Official Seal this 24th day of March, 1988.

MICHAEL O'KENNEDY,

Minister for Agriculture and Food.

EXPLANATORY NOTE.

These Regulations extend the list of plant species for which plant breeder's rights may be granted to include the species *Potentilla fruticosa* L.