

S.I. No. 31/1991 □ Plant Varieties (Proprietary Rights) (Amendment) Regulations, 1991

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PLANT VARIETIES (PROPRIETARY RIGHTS) (AMENDMENT) REGULATIONS,
1991

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1991

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), as adapted by the Agriculture (Alteration of Name of Department and Title of Minister) Order, 1987 (S.I. No. 97 of 1987), and after compliance with subsection (2) of the said section 26, hereby make the following Regulations:

1. (1) These Regulations may be cited as the Plant Varieties (Proprietary Rights) (Amendment) Regulations, 1991.
2. In these Regulations "the Act" means the Plant Varieties (Proprietary Rights) Act, 1980 (No. 24 of 1980).
3. (1) Each of the species specified in the Schedule to these Regulations is hereby specified for the purposes of section 4 of the Act.
(2) The period of 20 years is hereby prescribed as the maximum period for the purposes of subsection (12) (b) of the said section 4 in respect of a plant variety which is of a species specified in the said Schedule.
(3) The period of 4 years is hereby prescribed in respect of a plant variety of a species specified in the said Schedule for the purposes of paragraph 2 (d) (ii) of the First Schedule to the Act.
4. Each of the species specified in the said Schedule is hereby prescribed for the purposes of section 12 (5) (b) (i) of the Act.

SCHEDULE

Name	Species	Common Name
Malus Mill	Apple	
Rosa L.	Rose	

Fragaria L.

Strawberry

Betula L.

Birch

GIVEN under my Official Seal this 21st day of February, 1991.

MICHAEL O'KENNEDY,

Minister for Agriculture and Food.

EXPLANATORY NOTE.

These Regulations extend the list of plant species for which plant breeders' rights may be granted to include the species Malus Mill, Rosa L., Fragaria L. and Betula L.