

S.I. No. 369/1992 - Plant Varieties (Proprietary Rights) (Amendment) (No. 2) Regulations, 1992.

S.I. No. 369 of 1992.

PLANT VARIETIES (PROPRIETARY RIGHTS) (AMENDMENT) (NO. 2) REGULATIONS, 1992.

I, JOE WALSH, 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) (No. 2) Regulations, 1992.

2. In these Regulations "the Act" means the [Plant Varieties \(Proprietary Rights\) Act, 1980](#) (No. 24 of 1980).

3. (1) Each of the genera and species mentioned in column (2) of the Schedule to these Regulations at any reference number is hereby specified for the purposes of section 4 of the Act.

(2) The maximum period for which plant breeders' rights are exercisable in respect of a plant variety which is of a genus or species mentioned in column (2) of the said Schedule at any reference number shall be the period of years mentioned in column (3) of that Schedule at that reference number.

(3) The period of 4 years is hereby prescribed for the purposes of paragraph 2 (d) (ii) of the First Schedule to the Act in respect of a plant variety of a genus or species mentioned in the said Schedule.

4. Each of the genera and species mentioned in column (2) of the said Schedule at any reference number (other than at reference numbers 7 and 8) is hereby prescribed for the purposes of section 12 (5) (b) (i) of the Act.

SCHEDULE

(1)	(2)	(3)
Reference Number	Botanical Name	Common Name
	Genera or Species	Period of years for which rights are exercisable
1	Acer platanoides L.	Norway Maple
2	Dendranthema (DC) Desmoul.	Chrysanthemum
3	X Cupressocyparis leylandii (Dallimore and Jackson) Dallimore	Leyland Cypress
4	Helipterum anthemoides (Spreng.) DC	Paper Daisy
5	Houttuynia cordata Thunb	—
6	Osteospermum L.	—
7	Zea mays L.	Maize
8	Helianthus annuus L.	Sunflower

GIVEN under my Official Seal, this 4th day of December, 1992.

JOE WALSH,

Minister for Agriculture and Food.

EXPLANATORY NOTE.

These Regulations extend the list of plants for which plant breeders' rights may be granted, to include the genera *Acer platanoides* L, *Dendranthema* (DC) Desmoul, *X Cupressocyparis leylandii* (Dallimore and Jackson) Dallimore, *Helipterum anthemoides* (Spreng.) DC, *Houttuynia cordata* Thunb, *Osteospermum* L, *Zea mays* L and *Helianthus annuus* L.