

S.I. No. 393/1994 - Plant Varieties (Proprietary Rights) (Amendment) Regulations, 1994.

S.I. No. 393 of 1994.

PLANT VARIETIES (PROPRIETARY RIGHTS) (AMENDMENT) REGULATIONS, 1994.

I, JOE WALSH, Minister for Agriculture, Food and Forestry, 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 and Food (Alteration of Name of Department and Title of Minister) Order, 1987), and after compliance with subsection (2) of the said section 26, hereby make the following Regulations:

1. These Regulations may be cited as the Plant Varieties (Proprietary Rights) (Amendment) Regulations, 1994.
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 20 years mentioned in column (3) of that Schedule.

(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 is hereby prescribed for the purposes of section 12 (5) (b) (i) of the Act.

SCHEDULE

(1) Reference Number	(2) Genera or Species		(3) Period of years for which rights are exercisable
	Botanical Name	Common Name	
1	Helianthus tuberosus L.	Jerusalem artichoke	20
2	Spartium Junceum L.	Spanish broom	20
3	Cupressus	Cypress	20
4	Abelia R.Br.	—	20
5	Jasminum officinale L.	Common jasmine	20
6	Hypericum L.	—	20
7	Pelargonium L'Herit.	Geranium	20
8	Tagetes	Marigold	20

GIVEN under my Official Seal, this 29th day of November, 1994.

JOE WALSH,

Minister for Agriculture, Food and

Forestry.

EXPLANATORY NOTE.

These Regulations, amend existing Regulations by extending protection to an additional eight genera/species.