



# An Act to amend the Plant Variety Rights Act 1987

1994, No. 52

ANALYSIS

Title

1. Short Title
2. Interpretation

[1 July 1994

BE IT ENACTED by the Parliament of New Zealand as follows:

## 1. Short Title—

This Act may be cited as the Plant Variety Rights Amendment Act 1994, and shall be read together with and deemed part of the Plant Variety Rights Act 1987 (hereinafter referred to as the principal Act).

## 2. Interpretation—

(1) Section 2 of the principal Act is hereby amended by repealing the definition of the term “plant”, and substituting the following definition:

“ ‘Plant’—

“(a) Includes a fungus; but

“(b) Does not include an alga or a bacterium.”

(2) Section 2 of the principal Act is hereby further amended by omitting the definition of the term “variety”, and substituting the following definition:

“ ‘Variety’ means a cultivar, or cultivated variety, of a plant, and includes any clone, hybrid, stock, or line, of a plant; but does not include a botanical variety of a plant.”

(3) Section 3 of, and the Schedule to, the principal Act are hereby consequentially repealed.

This Act is administered in the Ministry of Commerce.

(3) On the commencement of this Act, every person then holding office as Commissioner or Assistant Commissioner shall be deemed to have become an employee of the Ministry of Commerce.

(4) Section 41 of the principal Act is hereby repealed.

This Act is administered in the Ministry of Commerce.