

Extract from the Decree of the Minister for Agriculture and Food Economy of April 15, 1966 concerning some fees and remunerations applied in the seed industry

Pursuant to [Article 23 subparagraph 6](#), [Article 41 subparagraph 2](#) and [Article 62 subparagraph 3](#) of the Seed Industry Law of November 24, 1995 /Official Journal No 149, text 724/, the Minister decrees:

Article 1

1. The rates of the registration fees shall be established in [Annex I](#) to this Decree.
2. The protection fees for the varieties bred in Poland as well as for the varieties bred abroad of which the breeders have their representatives in the Polish Republic shall be paid in zlotys /PLN/ according to the rates determined in [Annex I](#) to this Decree.
3. The protection fees for the varieties bred abroad of which the breeders have not their representatives in the Polish Republic shall be paid in american dollars /USD/ according to the rates determined in [Annex II](#) to this Decree.

Article 2

1. The registration fees and the protection fees shall be paid by the breeder or by his representative on account indicated by the Research Center for Varieties of Cultivated Plants /Centralny Ośrodek Badania Odmian Roślin Uprawnych/ with a remark of which cultivated plant and variety as well as the period those fees concern.
2. The fees for application of the varieties to be entered into the Register or for the grant of the exclusive right shall be paid together with the application.
3. The fees for every year of the official examination of distinctness, uniformity and stability of the variety or for the official examination of the economic value of the variety shall be paid:
 - /1/ in the first year - in 30 days as from the date of receiving the announcement on the acceptance of the variety to the official examination;
 - /2/ in the second and subsequent years of the official examination of the variety:
 - /a/ in February - concerning varieties of cultivated plants to be sown or planted from February 1st to July 31th;
 - /b/ in August - concerning varieties of cultivated plants to be sown or planted from August 1st to January 31th.
4. The registration fees for the entry into the Register or into the Roll shall be paid in 30 days as from the date of receiving the decision on the entry of the variety into the Register or on the grant of the exclusive right.
5. The registration fees or the protection fees for the first year of the maintenance of the variety in the Register or in the Roll shall be paid in 30 days as from the date of receiving the decision on the entry of the variety into the Register or on the grant of the exclusive right.
6. The registration fees or the protection fees for every subsequent calendar year of the maintenance of the variety in the Register or in the Roll shall be paid in the first quarter of the second calendar year and the subsequent calendar years following the year in which the decision on the entry of the variety into the Register or on the grant of the exclusive right has been made.

Article 3

Only one fee in zlotys shall be paid, if the official examination of distinctness, uniformity and stability to be performed together for the purpose to be enter the variety into the Register and for the purpose of the grant of the exclusive right.

Article 4 and 5

/ to be not translated because they do not concern the registration and protection fees /

Article 6

The terms of payment of the registration and protection fees which should be paid in the year 1996 do not concern to the varieties applied for the entry into the Register or for the grant of the exclusive right to June 30, 1996. In such cases a breeder shall agree the terms of payment with the Research Center for Varieties of Cultivated Plants.

Article 7

This Decree enters into force after 14 days as from the day of its publication.

In agreement

The Minister for Finance

In substitution of

the Minister for Finance

The Secretary of the State,
the Deputy Minister for Finance

/-/ Dr Krzysztof Kalicki

The Minister for Agriculture and Food Economy

/-/ R. Jagieliński

Annexes to the Decree

of the Minister for Agriculture and Food Economy

of April 15, 1996 /text /

ANNEX I

The rates of registration fees and protection fees in zlotys

/PLN/

1. The rates of registration fees and protection fees applied to all cultivated plants are:

/1/ for the application of a variety into the Register or for the grant of the exclusive right - 300 zlotys;

/2/ for the enter of a variety into the Register - 100 zlotys;

/3/ for the grant of the exclusive right - 50 zlotys.

2. The rates of registration fees and protection fees applied to the groups of cultivated plants referred to in [paragraph 3](#) are:

No	Group of cultivated Kind of fees plants	I	II	III	IV	V
	For every year of the examination					

1	of distinctness, uniformity and stability of a variety before its enter into the Register or the grant of the exclusive right	700	650	600	550	500
2	For every year of the maintenance of a variety in the Roll: a/ during first 5 years b/ in the following years	140 280	130 260	120 240	110 220	100 200
3	For every year of the examination to the assessment of economic value of a variety before its enter into the Register	2000	1800	1600	1300	1000
4	For every year of the maintenance of a variety in the Register: a/ during first 5 years b/ in the following years	400 800	360 720	320 640	260 520	200 400

ANNEX II

The rates of protection fees in american dollars /USD/

1. The rates of protection fees applied to all cultivated plants are:

- /1/ for the application of a variety for the grant of the exclusive right - 120 USD;
- /2/ for the grant of the exclusive right - 20 USD.

2. The rates of protection fees applied to the groups of cultivated plants referred to in [paragraph 3 of Annex I](#) are:

No	Group of cultivated Kind of fees plants For every year of the examination	I	II	III	IV	V
1	of distinctness, uniformity and stability of a variety before the grant of the exclusive right	280	260	240	220	200
2	For every year of the maintenance of a variety in the Roll: a/ during first 5 years b/ in the following years	55 110	50 100	45 90	45 90	40 80

3. The provision of [paragraph 4 of the Annex I](#) shall be applied mutatis mutandis.

3. The groups of cultivated plants:

I group encompasses:

spring barley, winter bread wheat, spring bread wheat, winter triticale, sugar beet, potato, winter oilseed rape, oats, winter rye;

II group encompasses:

- 1/ fodder maize, pea /edible varieties/, red clover, perennial ryegrass, italian ryegrass;
- 2/ onion, cucumber /outdoor varieties/, white cabbage, carrot /edible varieties/, tomato /outdoor varieties/;
- 3/ apple /fruit varieties/, plum /fruit varieties/, sour cherry, strawberry;

III group encompasses:

- 1/ winter barley, field bean, pea /fodder varieties/, fodder yellow lupin, white clover, hybrid lucerne, lucerne, meadow fescue, cocksfoot, meadow timothy, fodder beet, flax, common tobacco;
- 2/ cauliflower, red beet, celeriac, dwarf French bean, garden pea, cultivated mushroom;
- 3/ pear /rootstock varieties/, plum /rootstock varieties/, apple /rootstock varieties/;
- 4/ black currant;

IV group encompasses:

- 1/ spring triticale, blue lupin, smooth stalked meadow-grass, westerwold ryegrass;
- 2/ leek, brussels sprouts, tomato /varieties grown under cover/, root parsley, head lettuce, spinach;
- 3/ rose /varieties grown under cover/, gerbera, carnation, chrysanthemum;
- 4/ raspberry, red currant;

V group encompasses the cultivated plants of which the varieties are subject to entry into the Register and not listed in the [groups I - IV](#).

4. The registration fees and the protection fees in the part concerning the official examination of varieties of two- and multiyear cultivated plants shall be payable in the whole assessment for the years in which the examination of distinctness, uniformity and stability or the assessment of the economic value of a variety has been made. For every year of sowing or planting of a variety the fees shall be paid in the amount at 30 per cent of the suitable registration or protection fees.

5. The rates of registration fees for varieties created in Poland or partly abroad or also discovered in Poland shall amount 50 per cent of the rates determined in [paragraphs 1, 2 and 4](#).
