

Decree on the amount of annual fee for varieties, entered in the catalogue of varieties of agricultural plants, and on fees and costs for the protection of varieties of plants (OJ RS, No 27/05 and 111/08) (*unofficial consolidated text*)

► **B**

DECREE

**on the amount of annual fee for varieties,
entered in the catalogue of varieties of agricultural plants,
and on fees and costs for the protection of varieties of plants**

(OJ RS, No 27/05, 17. March 2005, p. 2521-2522)

Amended by:

► **M 1** **Decree amending the Decree on the amount of annual fee for varieties, entered in the catalogue of varieties of agricultural plants, and on fees and costs for the protection of varieties of plants** (*OJ RS, No 111/08, 25. November 2008, p. 14535*)

▼ **B**

On the basis of the fourth paragraph of Article 48 of the Agricultural seeds and propagating material act (Official Gazette RS, no. 58/02, 45/04 – ZdZPKG and 86/04) and the second paragraph of Article 23 of the Protection of new varieties of plants act (Official Gazette RS, no. 86/98 and 52/02 – ZDU-1) the Government of the Republic of Slovenia hereby issues

D E C R E E

on the amount of annual fee for varieties, entered in the catalogue of varieties of agricultural plants, and on fees and costs for the protection of varieties of plants

I. GENERAL PROVISIONS

Article 1

This Decree provides for the amount of annual fee for varieties, entered in the catalogue of varieties of agricultural plants, and of fees for the plant variety protection and costs of testing of distinctness, uniformity and stability of varieties (furtheron as: DUS testing) or of obtaining a report on the DUS testing for the plant variety protection.

► **M 1**

Article 2 (deleted)

▼ **B**

II. ANNUAL FEE FOR VARIETIES, ENTERED IN THE CATALOGUE OF VARIETIES

Article 3

(1) Varieties of agricultural plants which are entered in the national catalogue of varieties of agricultural plants in the Republic of Slovenia, shall be subject to annual fee in compliance with the table in Annex 1, which is a constituent part of this Decree.

(2) Payment of the annual fee shall not apply to conservation varieties of any group of agricultural plants.

Article 4

Annual fee specified in the previous article shall be paid at the beginning of a calendar year for the current year of the entry of a variety in the catalogue of varieties, however until 31 January at the latest.

III. FEES AND COSTS FOR THE PLANT VARIETY PROTECTION

Article 5

(1) Fees shall be paid for the conduction of the proceeding for the protection of new varieties of plants and for the maintenance of breeding right, in compliance with table in Annex 2, which is a constituent part of this Decree.

▼B

(2) Annual fee laid down in ►**M 1** point 4◀ of Annex 2 of this Decree shall be paid at the beginning of a calendar year for the current variety's protection year, until 31 January at the latest.

Article 6

(1) Costs of DUS testing are provided for in table in Annex 3, which is a constituent part of this Decree.

(2) Actual costs incurred in DUS testing in a trial field and in a laboratory, data processing and the preparation of an official description of a variety shall be paid by the applicant to the person performing the DUS testing.

Article 7

Fees and costs provided for with this Decree shall be ordered in the budget of the Republic of Slovenia, acc.no. 01100-1008303490 – fees and costs for varieties of plants, model 11 23213-7111185.

IV. TRANSITIONAL AND FINAL PROVISIONS

Article 8

Irrespective of the provision of the second paragraph of Article 2 of this Decree, the value of one point for the year 2005 shall be 1,000.00 SIT.

Article 9

Irrespective of the provision of Article 4 of this Decree, the annual fee provided for in Article 3 of this Decree for the year 2005 shall be paid until 1 July 2005 at the latest.

Article 10

With the effective date of this Decree, the following shall cease to apply:

- Decree on the fees of the office for the protection and registration of species of plants of the Republic of Slovenia (Official Gazette RS, no. 29/99) and
- Decree on the costs for obtaining the results of testing of distinctness, uniformity and stability of varieties (Official Gazette RS, no. 29/99).

Article 11

This Decree shall take effect on the day following its publication in the Official Gazette of the Republic of Slovenia.

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Annex 1

▼M1

Groups of agricultural plants			Fee per variety (EUR)
1.	A	– cereals and potatoes	39
2.	B	– beet, fodder plants, oil and fibre plants, vegetables: French bean, pea, cucumber, pepper, tomato, lettuce	24
3.	C	– vegetables other than those referred to in Group B, and hops	14

Annex 2

▼M1

Fee		Fee per variety (EUR)
1.	application fee, including publishing the application in the official gazette	96
2.	fee for filing objection against application	34
3.	request for <i>restitutio in integrum</i>	48
4.	annual fee for the maintenance and rest of a plant variety right:	
	A	
	maintenance of a plant breeder's right	96
	rest of a plant breeder's right	48
	B	
	maintenance of a plant breeder's right	72
	rest of a plant breeder's right	36
	C	
	maintenance of a plant breeder's right	48
	rest of a plant breeder's right	24

Groups of plants referred to in point 7 of the table are:

- A) cereals, potatoes and beet;
- B) all other agricultural crops, including grasses, of vegetables: French bean, pea, cucumber, pepper, tomato, lettuce, and of ornamentals: *Begonia*, *Chrysanthemum*, *Dianthus*, *Pelargonium*, *Petunia* and *Rosa*;
- C) all other species, other than those referred to in Groups A and B.

Annex 3

▼M1

Costs		Fee per variety (EUR)
1.	checking DUS testing carried out by the applicant	242
2.	obtaining the report on the DUS testing from the office competent for variety protection in another country, which is a party to treaties and conventions, which have been signed or acceded to also by the Republic of Slovenia	300