



Plant Varieties Act 1997

1997 CHAPTER 66

PART I

PLANT VARIETIES

General

39 Application of Part I to the Crown

- (1) If—
 - (a) any servant or agent of the Crown infringes any plant breeders' rights or makes himself liable to civil proceedings under section 20 above, and
 - (b) the infringement or wrong is committed with the authority of the Crown, civil proceedings in respect of the infringement or wrong shall lie against the Crown.
- (2) Except as provided by subsection (1) above, no proceedings shall lie against the Crown by virtue of the Crown Proceedings Act 1947 in respect of the infringement of plant breeders' rights or any wrong under section 20 above.
- (3) This section shall have effect as if contained in Part I of the Crown Proceedings Act 1947.