

SCHEDULES

SCHEDULE 3

Registration of varieties

Interpretation

11. In this Schedule—

^{F1}
...

^{F2}
...

“Directive 2001/18/EC” means Directive 2001/18/EC of the European Parliament and of the Council on the deliberate release into the environment of genetically modified organisms and repealing Council Directive 90/220/EEC^{F3} as amended from time to time] ;

^{F4}“the GMO regulations” means—

- (a) in relation to Northern Ireland, the Genetically Modified Organisms (Deliberate Release) Regulations (Northern Ireland) 2003;
- (b) in relation to England, the Genetically Modified Organisms (Deliberate Release) Regulations 2002;
- (c) in relation to Scotland, the Genetically Modified Organisms (Deliberate Release) Regulations (Scotland) 2002;
- (d) in relation to Wales, the Genetically Modified Organisms (Deliberate Release) Regulations (Wales) 2002;]

“Regulation (EC) No 1829/2003” means Regulation (EC) No 1829/2003 of the European Parliament and of the Council on genetically modified food and feed ^{M1}^{F5} as amended from time to time] ;

“technical questionnaire” means the technical questionnaire set out in—

- (a) [^{F6}protocol or guidelines established or recognised by the Department in relation to distinctiveness, uniformity and stability tests for the particular genus or species concerned;]
- (b) ^{F7}... the relevant section for the relevant species contained within the ‘Guidelines for the conduct of tests for distinctness, uniformity and stability’ (UPOV test guidelines) of the International Union for the Protection of New Varieties of Plants (UPOV) and the Annex to the test guidelines concerned for the relevant species for which such guidelines have been published;

“UPOV” means the International Union for the Protection of New Varieties of Plants, being an intergovernmental organisation established by the International Convention for the Protection of New Varieties of Plants ^{M2};

“UPOV test guidelines” mean test guidelines for the conduct of tests for distinctness, uniformity and stability that have been produced for the relevant species by the UPOV that are applicable at the beginning of the growing trial.

Changes to legislation: There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017, Paragraph 11. (See end of Document for details)

- F1** Words in Sch. 3 para. 11 omitted (31.12.2020) by virtue of The Marketing of Seeds and Plant Propagating Material (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/211), regs. 1(1), **61(g)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Sch. 3 para. 11 omitted (31.12.2020) by virtue of The Marketing of Seeds and Plant Propagating Material (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/211), regs. 1(1), **61(g)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in Sch. 3 para. 11 inserted (28.3.2019) by The Plant Health and Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2019 (S.R. 2019/41), regs. 1(1), **5(3)(a)**
- F4** Words in Sch. 3 para. 11 inserted (31.12.2020) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/211), regs. 1(1), **61(g)(iii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Sch. 3 para. 11 inserted (28.3.2019) by The Plant Health and Seeds (Miscellaneous Amendments) Regulations (Northern Ireland) 2019 (S.R. 2019/41), regs. 1(1), **5(3)(b)**
- F6** Words in Sch. 3 para. 11 substituted (31.12.2020) by The Marketing of Seeds and Plant Propagating Material (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/211), regs. 1(1), **61(g)(iv)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in Sch. 3 para. 11 omitted (31.12.2020) by virtue of The Marketing of Seeds and Plant Propagating Material (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 (S.I. 2019/211), regs. 1(1), **61(g)(iv)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)

Marginal Citations

- M1** OJ L 268, 18.10.2003, p.1; last amended by Regulation (EC) No 298/2008 of the European Parliament and of the Council (OJ L 97.9.4.2008, p.64).
- M2** UPOV is located at 34, chemin des Colombettes, CH-1211 Geneve 20, Switzerland.

Changes to legislation:

There are currently no known outstanding effects for the The Marketing of Fruit Plant and Propagating Material Regulations (Northern Ireland) 2017, Paragraph 11.