

SCHEDULES

SCHEDULE 3

Registration of varieties

Removal from register

- 5.—(1) The Department must revoke the registration of a variety if—
- (a) it is no longer distinct, uniform or stable;
 - (b) there is no longer available any material of that variety that is sufficiently uniform or which corresponds to the description of the variety at the time of registration;
 - (c) false or misleading information material to registration was provided to the Department in connection with the application for registration;
 - (d) in the case of a genetically modified variety, the genetically modified organism of which the variety consists ^{F1}—
 - (i) ceases to be authorised pursuant to Regulation (EC) No 1829/2003 or the GMO regulations; or
 - (ii) has, before the day on which exit day falls, been authorised for cultivation pursuant to Directive 2001/18/EC, and ceases to be authorised.]
- (2) But sub-paragraphs (1)(a) to (c) do not apply if the Department is satisfied that the variety should remain on the register in the interests of preserving the genetic diversity of varieties.

F1 Words in Sch. 3 para. 5(1)(d) 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(e); 2020 c. 1, Sch. 5 para. 1(1)

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 5.