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 ceases to be authorised for cultivation pursuant to Directive 2001/18/EC or Regulation (EC) No 1829/2003.

(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.