



# Plant Varieties Act 1997

## 1997 CHAPTER 66

### PART I

#### PLANT VARIETIES

##### *False information and representations as to rights*

#### **31 False information**

- (1) If any information to which this section applies is false in a material particular and the person giving the information knows that it is false or gives it recklessly, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (2) The information to which this section applies is—
  - (a) information given in an application to the Controller for a decision against which an appeal lies to the Tribunal,
  - (b) information given by or on behalf of the applicant in connection with such an application, and
  - (c) information given in pursuance of a request under section 16(2) above.

#### **32 False representations as to rights**

- (1) If, in relation to any variety, a person falsely represents that he is entitled to exercise plant breeders' rights, or any rights derived from such rights, and he knows that the representation is false, or makes it recklessly, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (2) It is immaterial for the purposes of subsection (1) above whether or not the variety to which the representation relates is the subject of plant breeders' rights.