
STATUTORY INSTRUMENTS

1990 No. 2633

PLANT BREEDERS' RIGHTS

**The Plant Breeders' Rights
(Amendment) (No. 2) Regulations 1990**

Made - - - - 21st December 1990
Laid before Parliament 27th December 1990
Coming into force - - 17th January 1991

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland, the Secretary of State for Wales and the Secretary of State for Northern Ireland, acting jointly, as respects the United Kingdom, in exercise of the powers conferred on them by sections 9(1) and (5), 36 and 38(1) of the Plant Varieties and Seeds Act 1964⁽¹⁾ as extended to Northern Ireland⁽²⁾ and the said Minister and the Secretary of State, acting jointly, as respects the Isle of Man, in exercise of the said powers as extended to the Isle of Man⁽³⁾, and in exercise of all other powers enabling them in that behalf, hereby make the following Regulations:

Title and commencement

1. These Regulations may be cited as the Plant Breeders' Rights (Amendment) (No. 2) Regulations 1990 and shall come into force on 17th January 1991.

Amendment of principal Regulations

2. Schedule 3 of the Plant Breeders' Rights Regulations 1978⁽⁴⁾ (reproductive and other plant material to be delivered to the Controller) shall be amended as follows—

In Part XII (decoratives), after item (25) insert the following item—

“(26) *Osteospermum*

Twenty young plants, of good commercial quality, not cut back, in peat blocks.”.

(1) 1964 c. 14; section 38(1) (as amended by S.I. 1978/272) contains a definition of Ministers relevant to the exercise of the statutory powers under which these Regulations are made.
(2) By section 39(3) of the Plant Varieties and Seeds Act 1964 and by the Plant Varieties and Seeds (Northern Ireland) Order 1964 (S.I. 1964/1574).
(3) By the Plant Varieties and Seeds (Isle of Man) Order 1969 (S.I. 1969/1829), to which there are amendments not relevant to these Regulations.
(4) S.I. 1978/294; relevant amending instruments are S.I. 1982/1101, 1985/1092, 1990/1592.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

John Selwyn Gummer
Minister of Agriculture, Fisheries and Food

12th December 1990

Strathclyde
Parliamentary Under Secretary of State, Scottish
Office

14th December 1990

David Hunt
Secretary of State for Wales

21st December 1990

Peter Brooke
Secretary of State for Northern Ireland

19th December 1990

Kenneth Baker
Secretary of State for the Home
Department (being the Secretary of State
concerned Home Office with matters relating to
the Isle of Man)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Plant Breeders' Rights Regulations 1978.

A Scheme has been made to enable plant breeders' rights to be granted in respect of *Osteospermum*. Part XII of Schedule 3 to the 1978 Regulations (which Schedule was inserted into the 1978 Regulations by the Plant Breeders' Rights (Amendment) Regulations 1982 and was last amended by [S.I. 1990/1592](#)) have been amended so as to specify the reproductive and other material which must be delivered to the Controller when an application is made for a grant of plant breeders' rights in respect of varieties of *Osteospermum* (regulation 2).