
STATUTORY INSTRUMENTS

2001 No. 3510

The Seeds (National Lists of Varieties) Regulations 2001

[^{F1}[^{F2}GB Variety Lists] of plant varieties and the Gazette

3.—(1) For the purposes referred to in paragraph (2) below the Secretary of State shall—

- (a) prepare the [^{F3}GB Variety Lists] of plant varieties of the species specified in Part I of Schedule 1 accepted on to the [^{F3}GB Variety Lists] by the [^{F4}appropriate authority]; and
- (b) publish these [^{F3}GB Variety Lists] in the Gazette.

(2) The [^{F4}appropriate authority] shall accept a plant variety on to a [^{F5}GB Variety List] in accordance with these Regulations—

- (a) for purposes in relation to the marketing of seed of the variety; and
- (b) in the case of a plant variety other than a B List vegetable variety, for purposes in relation to the certification of seed of the variety,

and the lists of vegetable plant varieties shall be subdivided into B list vegetable varieties and varieties whose seed may be certified as “pre-basic seed”, “basic seed” or “certified seed”, or may be controlled as “standard seed”, [^{F6}in accordance with, as respects England, Part 5 of Schedule 2 to the Seed Marketing Regulations 2011, as respects Wales, [^{F7}Part 5 of Schedule 2 to the Seed Marketing (Wales) Regulations 2012], as respects Scotland, the Vegetable Seeds Regulations 1993 ^{F8} ...].

(3) The [^{F3}GB Variety Lists] shall not include—

- (a) varieties intended for use solely as components of final varieties except to the extent that seeds belonging to such varieties are to be marketed under the names of those components; and
- (b) varieties the seed or propagating material of which are intended for export [^{F9}from the United Kingdom].

(4) In respect of each variety accepted on to a [^{F5}GB Variety List] the reference to the variety in the List shall include—

- (a) a reference to the name under which the variety is accepted; and
- (b) except in respect of any B List vegetable variety widely known on 1st January 1973, a reference to the maintainer of the variety.

(5) If any plant variety accepted on a [^{F5}GB Variety List] is a genetically modified variety the Secretary of State shall publish a clear indication of that fact in the List together with the reference number under which the variety has been accepted for marketing in accordance with [^{F10}the relevant legislation].

(6) The Secretary of State shall publish in the Gazette notice of any—

- (a) application made in accordance with these Regulations;
- (b) application so made which is withdrawn;
- (c) proposed relevant decision and the reasons for it;
- (d) relevant decision;

- (e) decision of the Tribunal made on an appeal brought in respect of a decision under these Regulations; and
- (f) other change made in accordance with these Regulations to a [^{F5}GB Variety List] or an application in respect of an [^{F5}GB Variety List],

together with, in respect of any notice containing information about a genetically modified variety, a clear indication of that fact.

[^{F11}(6A) Where an application for acceptance of a variety onto a [^{F5}GB Variety List] is yet to be determined, the Secretary of State shall not publish in the Gazette details of any proposed maintainer or proposed substitution or addition of a maintainer of that variety.]

(7) Where the [^{F4}appropriate authority] propose to make a relevant decision the Secretary of State, in addition to publishing in the Gazette notice of the proposed decision shall also publish in the Gazette—

- (a) a statement that written and oral representations may be made about the proposed relevant decision by persons who would be affected by it; and
- (b) a statement of the manner in which, and the period (not being less than 14 days) within which, written representations, and a request for oral representations, may be made.

(8) The [^{F4}appropriate authority] shall not make a relevant decision before the expiry of the period published in the Gazette as being the period within which written representations, and a request for oral representations, in respect of the proposal for the decision may be made.]

Textual Amendments

- F1** Regulations revoked (N.I.) (31.12.2020) by [The Seeds \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1294\)](#), regs. 1(2)(b), **5** (with savings and transitional provisions in S.R. 2020/302, reg. 25)
- F2** Words in reg. 3 heading substituted (E.W.S.) (31.12.2020) by [The Seeds \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1294\)](#), regs. 1(2)(b), **3(3)(b)**
- F3** Words in reg. 3 substituted (E.W.S.) (31.12.2020) by [The Seeds \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1294\)](#), regs. 1(2)(b), **3(3)(b)**
- F4** Words in regs. 3-7 substituted (E.W.S.) (31.12.2020) by [The Seeds \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1294\)](#), regs. 1(2)(b), **3(4)**
- F5** Words in reg. 3 substituted (E.W.S.) (31.12.2020) by [The Seeds \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1294\)](#), regs. 1(2)(b), **3(3)(a)**
- F6** Words in reg. 3(2) substituted (1.4.2011) by [The Seeds \(National Lists of Varieties\) \(Amendment\) Regulations 2011 \(S.I. 2011/464\)](#), regs. 1, **2(3)**
- F7** Words in reg. 3(2) substituted (17.9.2018) by [The Environment, Food and Rural Affairs \(Miscellaneous Amendments and Revocations\) Regulations 2018 \(S.I. 2018/942\)](#), regs. 1(2), **42(3)(a)**
- F8** Words in reg. 3(2) omitted (E.W.S.) (31.12.2020) by virtue of [The Seeds \(Amendment etc.\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1294\)](#), regs. 1(2)(b), **3(5)**
- F9** Words in reg. 3(3)(b) substituted (E.W.S.) (31.12.2020) by [The Marketing of Seeds and Plant Propagating Material \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/162\)](#), regs. 1(2)(b), **3(3)** (as amended by S.I. 2020/1294, regs. 1(2)(a), 4(2)); 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in reg. 3(5) substituted (10.12.2004) by [The Seeds \(National Lists of Varieties\) \(Amendment\) Regulations 2004 \(S.I. 2004/2949\)](#), regs. 1, **2(3)(b)**
- F11** Reg. 3(6A) inserted (10.12.2004) by [The Seeds \(National Lists of Varieties\) \(Amendment\) Regulations 2004 \(S.I. 2004/2949\)](#), regs. 1, **2(3)(c)**

Changes to legislation:

There are currently no known outstanding effects for the The Seeds (National Lists of Varieties) Regulations 2001, Section 3.