

---

STATUTORY INSTRUMENTS

---

**2005 No. 2726**

**PLANT BREEDERS' RIGHTS, ENGLAND  
PLANT BREEDERS' RIGHTS,  
NORTHERN IRELAND**

**The Plant Breeders' Rights (Discontinuation  
of Prior Use Exemption) Order 2005**

*Made* - - - - *3rd October 2005*  
*Laid before Parliament* *5th October 2005*  
*Coming into force* - - *7th November 2005*

The Secretary of State for Environment, Food and Rural Affairs and the Secretary of State for Northern Ireland, acting jointly, in exercise of the powers conferred by section 9(6) of the Plant Varieties Act 1997<sup>(1)</sup> and now vested in them<sup>(2)</sup> after consultation with such organisations as appear to them to be representative of persons likely to be substantially affected, make the following Order:

---

(1) 1997 c. 66. *see* section 49(1) for a definition of “the Ministers”.

(2) Under the Transfer of Functions (Agriculture and Food) Order 1999 (S.I. 1999/3141) the functions of the Secretary of State for Scotland and the Secretary of State for Wales under the Plant Varieties Act 1997 were, so far as they are exercisable in relation to England, transferred to the Minister of Agriculture, Fisheries and Food and under the Ministry of Agriculture, Fisheries and Food (Dissolution) Order 2002 (S.I. 2002/794) the functions of the Minister of Agriculture, Fisheries and Food under the Plant Varieties Act 1997 were transferred to the Secretary of State for Environment, Food and Rural Affairs.

**Changes to legislation:**

There are currently no known outstanding effects for the The Plant Breeders' Rights (Discontinuation of Prior Use Exemption) Order 2005, Introductory Text.