

Regulation (EC) No 1610/96 of the European Parliament and
of the Council of 23 July 1996 concerning the creation of a
supplementary protection certificate for plant protection products

Article 3

Conditions for obtaining a certificate

1 A certificate shall be granted if, in the Member State in which the application referred to in Article 7 is submitted, at the date of that application:

- a the product is protected by a basic patent in force;
- b a valid authorization to place the product on the market as a plant protection product has been granted in accordance with Article 4 of Directive 91/414/EEC or an equivalent provision of national law;
- c the product has not already been the subject of a certificate;
- d the authorization referred to in (b) is the first authorization to place the product on the market as a plant protection product.

2 The holder of more than one patent for the same product shall not be granted more than one certificate for that product. However, where two or more applications concerning the same product and emanating from two or more holders of different patents are pending, one certificate for this product may be issued to each of these holders.

Changes to legislation:

There are outstanding changes not yet made to Regulation (EC) No 1610/96 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

View outstanding changes

Changes and effects yet to be applied to :

- Art. 3(1) substituted by [S.I. 2019/801 reg. 23](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2019/801 reg. 36](#)
- Art. 1(1)(c) words omitted by [S.I. 2019/801 reg. 20\(2\)](#)
- Art. 1(11)-(15) inserted by [S.I. 2019/801 reg. 20\(3\)](#)
- Art. 1(12) substituted in earlier amending provision S.I. 2019/801, reg. 20(3) by [S.I. 2020/1050 reg. 31](#)
- Art. 1(15)-(17) inserted by [S.I. 2020/1471 Sch. para. 2](#)
- Art. 1(15) omitted in earlier amending provision S.I. 2019/801, reg. 20(3) by [S.I. 2020/1471 reg. 2\(3\)](#)
- Art. 1A inserted by [S.I. 2019/801 reg. 21](#) (This amendment not applied to legislation.gov.uk. Reg. 21 omitted immediately before IP completion day by virtue S.I. 2020/1050, regs. 1(2), 32)
- Art. 2(b) words substituted in earlier amending provision S.I. 2019/801, reg. 22 by [S.I. 2020/1471 reg. 2\(4\)](#)
- Art. 3(1)(b) words substituted in earlier amending provision S.I. 2019/801, reg. 23 by [S.I. 2020/1471 reg. 2\(5\)\(a\)](#)
- Art. 3(1)(d) word omitted in earlier amending provision S.I. 2019/801, reg. 23 by [S.I. 2020/1471 reg. 2\(5\)\(b\)\(i\)](#)
- Art. 3(1)(d) words inserted in earlier amending provision S.I. 2019/801, reg. 23 by [S.I. 2020/1471 reg. 2\(5\)\(b\)\(ii\)](#)
- Art. 5(1) Art. 5 renumbered as Art. 5(1) by [S.I. 2020/1471 Sch. para. 4\(a\)](#)
- Art. 5(1) words inserted by [S.I. 2020/1471 Sch. para. 4\(b\)](#)
- Art. 5(2)(3) inserted by [S.I. 2020/1471 Sch. para. 4\(c\)](#)
- Art. 8(1)(a)(v) words inserted in earlier amending provision S.I. 2019/801, reg. 24(2) by [S.I. 2020/1471 reg. 2\(6\)\(b\)\(ii\)](#)
- Art. 8(1)(a)(v) words substituted in earlier amending provision S.I. 2019/801, reg. 24(2) by [S.I. 2020/1471 reg. 2\(6\)\(b\)\(i\)](#)
- Art. 8(1)(a)(iv)(v) substituted for Art. 8(1)(a)(iv) by [S.I. 2019/801 reg. 24\(2\)](#)
- Art. 8(1)(a)(iv) words inserted in earlier amending provision S.I. 2019/801, reg. 24(2) by [S.I. 2020/1471 reg. 2\(6\)\(a\)\(ii\)](#)
- Art. 8(1)(a)(iv) words substituted in earlier amending provision S.I. 2019/801, reg. 24(2) by [S.I. 2020/1471 reg. 2\(6\)\(a\)\(i\)](#)
- Art. 8(1)(b)(c) substituted by [S.I. 2019/801 reg. 24\(3\)](#)
- Art. 8(1)(b) words inserted in earlier amending provision S.I. 2019/801, reg. 24(3) by [S.I. 2020/1471 reg. 2\(7\)\(a\)\(ii\)](#)
- Art. 8(1)(b) words substituted in earlier amending provision S.I. 2019/801, reg. 24(3) by [S.I. 2020/1050 reg. 33](#)
- Art. 8(1)(b) words substituted in earlier amending provision S.I. 2019/801, reg. 24(3) by [S.I. 2020/1471 reg. 2\(7\)\(a\)\(i\)](#)
- Art. 8(1)(c) words inserted in earlier amending provision S.I. 2019/801, reg. 24(3) by [S.I. 2020/1471 reg. 2\(7\)\(b\)\(ii\)](#)
- Art. 8(1)(c) words substituted in earlier amending provision S.I. 2019/801, reg. 24(3) by [S.I. 2020/1471 reg. 2\(7\)\(b\)\(i\)](#)
- Art. 9(2)(d)(e) substituted by [S.I. 2019/801 reg. 25\(4\)](#)

- Art. 9(2)(d) substituted in earlier amending provision S.I. 2019/801, reg. 25(4) by [S.I. 2020/1471 reg. 2\(8\)\(a\)](#)
- Art. 9(2)(e) words substituted in earlier amending provision S.I. 2019/801, reg. 25(4) by [S.I. 2020/1471 reg. 2\(8\)\(b\)](#)
- Art. 10(6) inserted by [S.I. 2019/801 reg. 26\(6\)](#)
- Art. 10(6) omitted in earlier amending provision S.I. 2019/801, reg. 26(6) by [S.I. 2020/1471 reg. 2\(9\)](#)
- Art. 11(d) substituted by [S.I. 2020/1471 Sch. para. 6](#)
- Art. 11(1)(d) word inserted by [S.I. 2019/801 reg. 27\(3\)\(a\)](#)
- Art. 11(1)(e) substituted by [S.I. 2019/801 reg. 27\(3\)\(b\)](#)
- Art. 11(1)(e) words substituted in earlier amending provision S.I. 2019/801, reg. 27(3)(b) by [S.I. 2020/1471 reg. 2\(11\)](#)
- Art. 13A inserted by [S.I. 2020/1471 Sch. para. 7](#)
- Art. 14(1) Art. 14 renumbered as Art. 14(1) by [S.I. 2019/801 reg. 30\(2\)](#)
- Art. 14(1)(c)(d) substituted by [S.I. 2019/801 reg. 30\(3\)](#)
- Art. 14(1)(c) word inserted in earlier amending provision S.I. 2019/801, reg. 30(3) by [S.I. 2020/1471 reg. 2\(12\)\(a\)](#)
- Art. 14(1)(d) word substituted in earlier amending provision S.I. 2019/801, reg. 30(3) by [S.I. 2020/1471 reg. 2\(12\)\(b\)](#)
- Art. 14(2) inserted by [S.I. 2019/801 reg. 30\(4\)](#)
- Art. 14(2)-(4) inserted by [S.I. 2020/1471 Sch. para. 8](#)