

Changes to legislation: There are currently no known outstanding effects for the Plant Varieties Act 1997, Paragraph 5. (See end of Document for details)

SCHEDULES

SCHEDULE 3

THE PLANT VARIETIES AND SEEDS TRIBUNAL

Modifications etc. (not altering text)

- C1 Sch. 3 applied (1.12.2001) by S.I. 2001/3510, reg. 17(2)
- C1 Sch. 3 applied (in part) (31.12.2020) by The Seeds (Variety Lists) Regulations (Northern Ireland) 2020 (S.R. 2020/302), regs. 1, 18(2)

Chairman

- 5 (1) Subject to sub-paragraph (2) below, a person's appointment under paragraph 2, 3 or 4 above shall be for such term as the appointing authority may determine before the person's appointment.
- [^{F1}(1A) For an appointment under paragraph 4 above, the term mentioned in sub-paragraph (1) above is to be determined with the agreement of the [^{F2}Department of Justice].]
- (2) No appointment of a person under paragraph 2, 3 or 4 above shall be such as to extend beyond the day on which he attains the age of [^{F3}75].
- (3) A person who ceases to hold office under paragraph 2, 3 or 4 above shall be eligible for re-appointment.
- (4) A person may resign his appointment under paragraph 2, 3 or 4 above by notice in writing to the appointing authority.
- (5) The appointing authority may revoke a person's appointment under [^{F4}paragraph 2 or 3] above if satisfied that the person is unfit to continue in office or incapable of discharging his duties.
- [^{F5}(5A) Where the appointing authority is the Lord Chancellor, the power conferred by sub-paragraph (5) may be exercised only with the concurrence of the Lord Chief Justice of England and Wales.]
- ^{F6}(6)

Textual Amendments

- F1 Sch. 3 para. 5(1A) inserted (12.4.2010) by Northern Ireland Act 2009 (c. 3), s. 5(7), Sch. 4 para. 27(3)(with Sch. 5 para. 16); S.I. 2010/812, art. 2
- F2 Words in Sch. 3 para. 5(1A) substituted (N.I.) (12.4.2010) by Department of Justice Act (Northern Ireland) 2010 (c. 3), s. 3(2), Sch. para. 11; S.R. 2010/147, art. 2(2)

Changes to legislation: There are currently no known outstanding effects for the Plant Varieties Act 1997, Paragraph 5. (See end of Document for details)

- F3** Word in Sch. 3 para. 5(2) substituted (10.3.2022) by Public Service Pensions and Judicial Offices Act 2022 (c. 7), s. 131(1)(4)(a), **Sch. 1 para. 29(a)** (with Sch. 1 para. 43)
- F4** Words in Sch. 3 para. 5(5) substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 4 para. 269(3)(a)**; S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(v)
- F5** Sch. 3 para. 5(5A) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 148(1), **Sch. 4 para. 269(3)(b)**; S.I. 2006/1014, art. 2(a), Sch. 1 para. 11(v)
- F6** Sch. 3 para. 5(6) omitted (10.3.2022) by virtue of Public Service Pensions and Judicial Offices Act 2022 (c. 7), s. 131(1)(4)(a), **Sch. 1 para. 29(b)** (with Sch. 1 para. 43)

Changes to legislation:

There are currently no known outstanding effects for the Plant Varieties Act 1997, Paragraph 5.