



# Plant Varieties Act 1997

## 1997 CHAPTER 66

### PART I

#### PLANT VARIETIES

##### *Proceedings before the Controller*

#### **26 Appeals to the Tribunal**

- (1) An appeal shall lie to the Tribunal against the following decisions of the Controller—
  - (a) a decision to allow or refuse an application for the grant of plant breeders' rights,
  - (b) any decision preliminary to the determination of such an application as to the conditions laid down in section 4 above,
  - (c) a decision to allow or refuse an application under section 17(1) or (9) above,
  - (d) any decision under section 21 or 22(1)(a), (b) or (c) above,
  - (e) a decision to refuse an application under section 22(1)(d) above, and
  - (f) a decision to allow or refuse an application under section 23(1) or (2) above.
- (2) The Ministers may by regulations confer a right of appeal to the Tribunal against—
  - (a) a decision of the Controller to refuse an application under section 25(3)(a) above, or
  - (b) any decision of the Controller under regulations made under section 18 above or section 28 or 29 below.