



# Plant Varieties Act 1997

## 1997 CHAPTER 66

### PART I

#### PLANT VARIETIES

##### *General*

#### **39 Application of Part I to the Crown.**

- (1) If—
  - (a) any servant or agent of the Crown infringes any plant breeders' rights or makes himself liable to civil proceedings under section 20 above, and
  - (b) the infringement or wrong is committed with the authority of the Crown, civil proceedings in respect of the infringement or wrong shall lie against the Crown.
- (2) Except as provided by subsection (1) above, no proceedings shall lie against the Crown by virtue of the <sup>M1</sup>Crown Proceedings Act 1947 in respect of the infringement of plant breeders' rights or any wrong under section 20 above.
- (3) This section shall have effect as if contained in Part I of the Crown Proceedings Act 1947.

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#### **Marginal Citations**

**M1** 1947 c. 44.

**Changes to legislation:**

There are currently no known outstanding effects for the Plant Varieties Act 1997, Section 39.