
STATUTORY INSTRUMENTS

2001 No. 3630

PLANT BREEDERS' RIGHTS

**The Plant Breeders' Rights (Fees)
(Amendment) Regulations 2001**

Made - - - - *8th November 2001*
Laid before Parliament *9th November 2001*
Coming into force - - *1st December 2001*

The Minister of Agriculture, Fisheries and Food, the National Assembly for Wales and the Secretary of State for Northern Ireland, acting jointly, in exercise of the powers conferred on them by sections 29(1) and (2) and 48(1) of the Plant Varieties Act 1997⁽¹⁾, and now vested in them⁽²⁾, and with the consent of the Scottish Ministers⁽³⁾, after consultation with such organisations as appear to them to be representative of persons likely to be substantially affected, hereby make the following Regulations:

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

(2) In respect of the National Assembly for Wales, by virtue of article 2 as read with Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), which transferred the functions of the Secretary of State for Wales to the National Assembly for Wales.

(3) By article 3 of, and paragraph 3 of Schedule 8 to, the Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc.) Order 1999 (S.I. 1999/1747), it was provided, in respect of, *inter alia*, the function exercisable under sections 29 and 48 of the Plant Varieties Act 1997 (c. 66) by a Minister of the Crown of making regulations as respects the charging of fees by the Controller of Plant Variety Rights, that the Secretary of State for Scotland should cease to be among those who may exercise the function and that any such function should instead be exercisable with the consent of the Scottish Ministers. Under the Scotland Act 1998 (Cross-Border Public Authorities) (Specification) Order 1999 (S.I. 1999/1319), the Controller of Plant Variety Rights was specified as a cross-border public authority for the purposes of that Act.

Changes to legislation:

There are currently no known outstanding effects for the The Plant Breeders' Rights (Fees) (Amendment) Regulations 2001, Introductory Text.