1972 No. 85

PLANT BREEDERS' RIGHTS

The Plant Breeders' Rights (Pelargoniums) Scheme 1972

Made - - -	*27th January* 1972
Laid before Parliament	*4th February* 1972
Coming into Operation	*25th February* 1972

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for the Home Department (being the Secretary of State concerned with agriculture in Northern Ireland) acting jointly, in exercise of the powers conferred on them by sections 1 and 3 of the Plant Varieties and Seeds Act 1964(**a**) (extended to Northern Ireland by the Plant Varieties and Seeds (Northern Ireland) Order 1964(**b**) and to the Isle of Man by the Plant Varieties and Seeds (Isle of Man) Order 1969(**c**)) and of all other powers enabling them in that behalf, after consultation with the Controller of Plant Variety Rights and with representatives of such interests as appear to them to be concerned, hereby make the following Scheme:—

Citation and Commencement

1. This Scheme may be cited as the Plant Breeders' Rights (Pelargoniums) Scheme 1972 and shall come into operation on 25th February 1972.

Interpretation

2.—(1) In this Scheme, unless the context otherwise requires,—

"the Act" means the Plant Varieties and Seeds Act 1964;

"plant breeders' rights" means rights which may be granted in accordance with Part I of the Act;

"plant variety" means any clone, line, hybrid or genetic variant.

(2) The Interpretation Act 1889(**d**) shall apply to the interpretation of this Scheme as it applies to the interpretation of an Act of Parliament.

Plant Varieties for which Plant Breeders' Rights may be Granted

3. There are prescribed for the purposes of the grant of plant breeders' rights all plant varieties of pelargoniums which conform with the characteristics of cultivated plant varieties of the genus *Pelargonium*.

Period for which Rights are Exercisable

4. The period for which plant breeders' rights shall be exercisable in respect of the plant varieties referred to in the last preceding paragraph shall be 15 years.

(**a**) 1964 c. 14.
(**b**) S.I. 1964/1574 (1964 III, p. 3543).
(**c**) S.I. 1969/1829 (1969 III, p. 5701).
(**d**) 1889 c. 63.

In Witness whereof the official seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 19th January 1972.

(L.S.)

J. M. L. Prior,
Minister of Agriculture, Fisheries and Food.

24th January 1972.

Gordon Campbell,
Secretary of State for Scotland.

27th January 1972.

R. Maudling,
Secretary of State for the Home Department.

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

This Scheme, made under the Plant Varieties and Seeds Act 1964, prescribes the varieties of pelargoniums in respect of which grants of plant breeders' rights may be made and also prescribes the period of 15 years as that during which the rights may be exercised.

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