STATUTORY INSTRUMENTS

1965 No. 725

PLANT VARIETIES

The Plant Breeders' Rights (Roses) Scheme 1965

Made - - - -	31*st March* 1965
Laid before Parliament	7*th April* 1965
Coming into Operation	20*th April* 1965

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, and paragraph 1 of Schedule 3 to, the Plant Varieties and Seeds Act 1964(a) 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 Plant Breeders' Rights (Roses) Scheme 1965 and shall come into operation on 20th April 1965.

Interpretation

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

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

" the Controller " means the Controller of Plant Variety Rights;

" plant breeders' rights " mean 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(b) shall apply to the interpretation of this Scheme as it applies to the interpretation of an Act of Parliament.

Plant Varieties to which the Scheme Applies

3. There are prescribed for the purposes of this Scheme all varieties of roses which conform with the characteristics of the genus *Rosa*.

Period for which Rights are Exercisable

4. The prescribed 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) 52 & 53 Vict. c. 63.

Additional Rights

5. Plant breeders' rights exercisable in respect of the plant varieties referred to in paragraph 3 of this Scheme shall include the exclusive right to propagate and to authorise others to propagate any such variety for the purpose of selling cut blooms of that variety.

In witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto fixed on 29th March 1965.

(L.S.) *Frederick Peart,*
Minister of Agriculture, Fisheries and Food.

Given under the Seal of the Secretary of State for Scotland on 30th March 1965.

(L.S.) *William Ross,*
Secretary of State for Scotland.

Given under the hand of the Secretary of State for the Home Department on 31st March 1965.

Frank Soskice,
Secretary of State for the Home Department.

EXPLANATORY NOTE

(This Note is not part of the Scheme, but is intended to indicate its general purport.)

This Scheme, made under the Plant Varieties and Seeds Act 1964, prescribes the varieties of roses 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.

Plant breeders' rights in respect of any variety of roses to which the Scheme applies are extended to the propagation of the variety for the purpose of selling cut blooms.