STATUTORY INSTRUMENTS

2026 No. 160

RETAINED EU LAW REFORM

PLANT BREEDERS' RIGHTS

The Plant Varieties Act (Amendment) Regulations 2026

Sift requirements satisfied	*24th February 2026*
Made - - - -	*24th February 2026*
Laid before Parliament	*25th February 2026*
Coming into force in accordance with regulation 1(2)	

The Secretary of State makes these Regulations in exercise of the powers conferred by section 14(2) of the Retained EU Law (Revocation and Reform) Act 2023 ("the 2023 Act")(**a**).

The Secretary of State is a relevant national authority(**b**) for the purposes of section 14(2) of the 2023 Act.

The requirements of paragraph 6(2) of Schedule 5 to the 2023 Act (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Plant Varieties Act (Amendment) Regulations 2026.

(2) These Regulations come into force on the 21st day after the day on which they are made.

(3) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendments to the Plant Varieties Act 1997

2.—(1) The Plant Varieties Act 1997(**c**) is amended as follows.

(2) In section 9(10)(b) (farm saved seed)(**d**)—

(a) for "variety", in the first place it occurs, substitute "varieties";

(b) for "that variety" substitute "those varieties".

(**a**) 2023 c. 28.
(**b**) The term "relevant national authority" is defined in section 21(1) of the Retained EU Law (Revocation and Reform) Act 2023.
(**c**) 1997 c. 66.
(**d**) Section 9(10)(b) of the Plant Varieties Act 1997 was substituted by regulation 15(2)(c) of S.I. 2019/204.

Hayman of Ullock
Parliamentary Under Secretary of State
24th February 2026 Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace parts of section 9(10)(b) of the Plant Varieties Act 1997 (c. 66) to clarify the definition of 'small farmer' in relation to farm saved seed. These amendments are made to secondary assimilated law within the meaning of section 11(2) (as read with section 14(10)) of the Retained EU Law (Revocation and Reform) Act 2023 (c. 28).

Regulation 2(2) of this instrument substitutes "varieties" for "variety" in both places it occurs in section 9(10)(b) of the Plant Varieties Act 1997.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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