

[ **BPI ADMINISTRATIVE ORDER NO. 12, S. 2005, April 20, 2005** ]

**FEES AND RELATED CHARGES OF THE PLANT VARIETY PROTECTION OFFICE**

WHEREAS Republic Act 9168, is An Act to Provide Protection to New Varieties, Establishing a National Plant Variety Protection Board and for Other Purposes ;

WHEREAS Republic Act 9168 is also known as the Plant Variety Protection Act of 2002;

WHEREAS, Department of Agriculture's Administrative Order No. 7, Series of 2003, Implementing Rules and Regulations (IRR) of the "Philippine Plant Variety Protection Act of 2002" , Chapter V, THE PLANT VARIETY PROTECTION OFFICE provide as follows:

*ARTICLE 1. The Plant Variety Protection Office. - There shall be established a Plant Variety Protection Office under the Department of Agriculture, which shall be headed by the Registrar.*

*ARTICLE 2. Functions of the PVP Office. - The PVP Office shall receive and conduct examination of applications for plant variety protection; receive petitions for compulsory license for transmittal to the Board; and maintain a systematic record of all Certificates of Plant Variety Protection, a database of existing plant varieties collected from both local and foreign sources, and samples of the propagating materials of the protected variety.*

WHEREAS, RA 9168 SECTION 68. Fees provide as follows - The Board shall prescribe a schedule of fees to be charged against any applicant/breeder in the course of the application for a Certificate of Plant Variety Protection or in the maintenance therefore;

WHEREAS Chapter XVI, Fees And Related Charges, Article 104. Fees and Related Charges, states that - Fees and other shall be paid by the applicant for the following services and actions: (a) Filing of the application, (b) Publication of the application, (c) Substantive Examination Search, (d) DUS Testing, (e) Publication of certificate, (f) Revival of an abandoned application, (g) Reproduction of records, drawings, certificates, exhibits or printed material (copy per page of material), (h) Authentication (each page), (i) Amendment of the Certificate of Plant Variety Registration, unless the mistake be on the part of the PVP Office, (j) Re-issuance of a certificate, (k) Additional fee for reconsideration, (l) Additional fee for late payment, (m) Appeal to Board, (n) Field inspections by a representative of the PVP Office made at the request of the applicant shall be reimbursable in full (including travel, per diem or subsistence) in accordance with standard government travel regulations, (o) Filing for extensions to comply with PVP Board requirements, (p) Any other service not covered above will be charged for at rates prescribed by the Registrar,

The schedule of fees shall be approved by the Board upon recommendation of the Registrar. It shall be reviewed, and may be adjusted, by the Board periodically every two years to take into account any increase or decrease in the cost of implementing the Act;

NOW, THEREFORE, I ARTHUR C. YAP, Secretary of the Department of Agriculture and Chair of the Plant Variety Protection Board, do hereby order the Bureau of Plant Industry-Plant Variety Protection Office to collect the fees and charges anent to the implementation of Republic Act 9168 otherwise known as the Plant Variety Protection Act of 2002.

*Section 1. Fees and Charges.* The following are the fees and charges to be collected.

Fees	Amount (P)
a. Filling of the application	1,200.00
Gene bank fee	5,100.00
b. Publication of the application	5,700.00
c. Substantive Examination	17,200.00
Issuance of Certificate per copy	200.00
d. Publication of certificate	5,700.00
e. Grow Out Testing	Actual production or grow-out test cost
f. Revive an abandoned application	3,700.00
g. Reproduction of records, drawings, certificates, exhibits or printed material (copy per page of material)	2.00- black and white 50.00- colored
h. Authentication (each page)	2.00
i. Amendment of the Certificate of Plant Variety Registration, unless the mistakes be on the part of the PVP Office	1,200.00
j. Re-issuance of a certificate	180.00
k. Additional fee for reconsideration	12,700
l. Additional fee for late payment	1% of fee first 5 days +One half of 1% of fee per day thereafter
m. Appeal to Board	6,700.00
n. Field inspections by a representative of the PVP Office made at the request of the applicant shall be reimbursable in full	