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PLANT VARIETIES PROTECTION ACT (CHAPTER 232A)

PLANT VARIETIES PROTECTION (AMENDMENT) RULES 2020

In exercise of the powers conferred by section 54 of the Plant Varieties Protection Act, the Minister for Law makes the following Rules:

Citation and commencement

1. These Rules are the Plant Varieties Protection (Amendment) Rules 2020 and come into operation on 5 June 2020.

Amendment of rule 4

2. Rule 4 of the Plant Varieties Protection Rules (R 1) (called in these Rules the principal Rules) is amended by deleting paragraph (2) and substituting the following paragraph:

“(2) The Registrar may modify any form in any particular case or class of cases.”.

Amendment of rule 5

3. Rule 5 of the principal Rules is amended —

- (a) by inserting the word “and” at the end of paragraph (2)(a);
- (b) by deleting sub-paragraphs (b) and (c) of paragraph (2) and substituting the following sub-paragraph:

“(b) be filed in accordance with the requirements relating to its size, durability, legibility or format specified in any practice direction issued by the Registrar.”; and

- (c) by deleting the words “may return the document with” in paragraph (3) and substituting the words “must give the person that filed the document”.

Deletion and substitution of rule 7

4. Rule 7 of the principal Rules is deleted and the following rule substituted therefor:

“Service of documents

7.—(1) Where the Act or these Rules authorise or require any document to be given or sent to, filed with or served on the Registrar, the document —

- (a) may be sent to the Registrar by post; or
- (b) may be delivered to the Registrar by hand.

(2) Where the Act or these Rules authorise or require a party to give or send a document to, or serve a document on, another party (other than the Registrar), the giving, sending or service may be effected —

- (a) by post;
- (b) by hand;
- (c) by courier; or
- (d) subject to paragraph (5), by sending an electronic communication of the document by any electronic means.

(3) Where the Act or these Rules authorise or require any notice or other document to be given or sent to or served on any party by the Registrar, the Registrar may send the notice or other document to that party —

- (a) by post;
- (b) by hand;
- (c) by courier; or