

**Plant Varieties Protection Act
(CHAPTER 232A)**

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Legislative Source Key

Legislative History

PLANT VARIETIES PROTECTION ACT

(CHAPTER 232A)

(Original Enactment: Act 22 of 2004)

REVISED EDITION 2006

(31st January 2006)

An Act to provide for the protection of plant varieties.

[1st July 2004]

PART I

PRELIMINARY

Short title

1. This Act may be cited as the Plant Varieties Protection Act.

Interpretation

2. In this Act, unless the context otherwise requires —

“applicant”, in relation to any application, means the person by whom or on whose behalf the application is made;

“application” means an application for a grant of protection;

“breeder”, in relation to any plant variety, means —

- (a) subject to paragraph (b), a person who bred, or discovered and developed, the plant variety;
- (b) if the plant variety was bred, or discovered and developed, by a person in the course of performing his duties or functions as an employee of another person, that other person; or
- (c) the successor in title to the person in paragraph (a) or (b), as the case may be;

“Convention” means the international agreement called the International Convention for the Protection of New Varieties of Plants of 2nd December 1961, as revised or amended from time to time;

“Court” means the High Court;

“denomination” means the distinguishing name or identification for a plant variety;

“grant of protection” means a grant of protection made by the Registrar under section 21;

“grantee” means the holder of a grant of protection;

“harvested material” means any harvested material to which the rights of a grantee