

No. R. 90**14 February 2014**

PLANT BREEDERS' RIGHTS ACT, 1976 (ACT No. 15 OF 1976)

REGULATIONS RELATING TO PLANT BREEDERS' RIGHTS: AMENDMENT

The Minister of Agriculture, Forestry and Fisheries acting under section 44 of the Plant Breeders' Rights Act, 1976 (Act No. 15 of 1976), has made the regulations set out in the Schedule.

SCHEDULE

Definition

1. In this Schedule 'the Regulations' means the regulations published by Government Notice No. R. 1186 of 12 September 1997, as amended by Government Notices Nos. R. 1582 of 28 November 1997, R. 867 of 3 July 1998, R. 1285 of 16 October 1998, R. 323 of 19 March 1999, R. 604 of 14 May 1999, R. 1271 of 29 October 1999, R. 392 of 20 April 2000, R. 690 of 14 July 2000, R. 1078 of 3 November 2000, R. 387 of 18 May 2001, R. 667 of 27 July 2001, R. 512 of 3 June 2005, R. 545 of 15 June 2006, R. 1272 of 25 November 2008, R. 287 of 13 March 2009, R.103 of 19 February 2010; R.517 of 17 June 2011 and R.100 of 28 December 2012..

Substitution of Table 2 of the Regulations

2. The following table is hereby substituted for Table 2 of the Regulations with effect from 1 April 2014.

TABLE 2/TABEL 2

FEES PAYABLE W.R.T. PLANT BREEDERS' RIGHTS: 1 APRIL 2014
GELDE BETAALBAAR M.B.T. PLANTTELEERSREGTE: 1 APRIL 2014

No.	Purpose/ Doel	Amount/ Bedrag
1.	An application for the Plant Breeders' Right/ 'n Aansoek om die planttelersreg [Reg. 3(2)(f)]	R1 994,00 each/elk
2.	Examination fee for a plant breeders' right: Category A (agronomic, vegetable and pasture crops and annual ornamentals)/ Ondersoekgeld vir 'n planttelersreg: Kategorie A (akkerbou-, groente- en weidingsgewasse en eenjarige sierplante) [Reg. 3(2)(g) and /en (9)(1)]	R3 271,00 each/elk
3.a	Examination fee for a plant breeders' right: Category B (fruit, vines, citrus and perennial ornamentals)/ Ondersoekgeld vir 'n planttelersreg: Kategorie B (vrugte, rankplante, sitrus en meerjarige sierplante) [Reg. 3(2)(g) and /en (9)(1)]	R4 431,00 each/elk
3.b	Examination fee for a plant breeders' right: Category B (white and yellow maize)/ Ondersoekgeld vir 'n planttelersreg: Kategorie B (wit en geel mielies) [Reg. 3(2)(g) and /en (9)(1)]	R3 735,00 each/elk
4.	A claim to give priority in terms of section 8(2) of the Act to an application for the grant of the plant breeders' right/ 'n Aansoek om ingevolge artikel 8(2) van die Wet voorrang te verleen aan 'n aansoek om die toestaan van 'n planttelreg [Reg. 4(2)(c)]	R1 034,00 each/elk
5.	An objection to the grant of a plant breeders' right/ 'n Beswaar teen die toestaan van 'n planttelersreg [Reg. 8(1)(e)]	R6 436,00 each/elk
6.	Provision of results of tests and trials undertaken by the registrar, to the appropriate in a convention country or an agreement country/ Voorsiening van resulte van toetse en proewe deur die registrateur onderneem aan die toepaslike gesag in 'n konvensieland of 'n ooreenkomland [Reg. 9(3)]	Tariff to fluctuate with exchange rate. 350 CHF
7.	Obtaining of results of tests and trials in the event that such test and trials are undertaken by another appropriate authority in another country [Reg. 9(3)]	Tariff to fluctuate with exchange rate. 350 CHF
8.	Annual fee for a plant breeders' right/ Jaargeld vir 'n planttelersreg [Reg. 13(1)(d)]	R317,00 each/elk
9.	An application for the issue of a compulsory licence in respect of a plant breeders' right/ 'n Aansoek om die uitreiking van 'n verpligte lisensie ten opsigte van 'n planttelersreg [Reg. 13(1)(d)]	R5 201,00 each/elk

No.	Purpose/ Doel	Amount/ Bedrag
10.	Notice of the transfer of a plant breeders' right/ Kennisgewing van die oordrag van 'n planttelersreg [Reg. 14(2)(b)]	R865,00 each/elk
11.	An application for the alteration or supplementation of the denomination approved for a variety/ 'n Aansoek om die wysiging of aanvulling van die benaming goedgekeur vir 'n variëteit [Reg. 15(1)(b)]	2 099,00 each/elk
12.	An objection against the intended approval of an alteration or supplementation of the denomination approved for a variety/ 'n Beswaar teen die beoogde goedkeuring van 'n wysiging of aanvulling van die goedkeuring vir 'n variëteit [Reg. 15(3)(e)]	R865,00 each/elk
13.	An objection against the intended termination of a plant breeders' right/ n Beswaar teen die voorgename beëindiging van 'n planttelersreg [Reg. 16(1)(f)]	R865,00 per right
14.	A notice of the voluntary surrender of plant breeders' right/ 'n kennisgewing van die vrywillige afstanddoening van 'n planttelersreg [Reg. 17(1)(b)(i)]	Free/ Gratis
15.	Inspection of the register of plant breeders' right/ Insae in die register van planttelersregte [Reg. 20(2)]	Free/ Gratis
16.	Inspection of a document submitted to the registrar in connection with an application for the grant of a plant breeders' right / Insae in 'n document by die restrateur ingedien in verband met 'n aansoek om die toestaan van 'n planttelersreg [Reg. 21(2)]	R528,00 per occasion/geleenth eid
17.	A certificate of any particulars in the register or of any document in connection with an application for the grant of a plant breeders' right/ 'n Sertifikaat van enige besonderhede in die register of van enige dokume nt in verband met 'n aansoek om die toestaan van 'n planttelersreg [Reg. 21(2)]	R370,00 per occasion/geleenth eid
18.	A copy of any particulars in the register or of a document submitted to the registrar in connection with an application for the grant of a plant breeders' right/ 'n Afskrif van enige besonderhede in die register of van 'n document by die registrateur ingedien in verband met 'n aansoek om die toestaan van 'n planttelersreg [Reg. 21(2)]	R9,50 per application plus R1,40 per photocopy/ R9,50 per aansoek plus R1,40 per fotokopie
19.	Submission of appeal against any decision or action taken by the registrar in terms of the Act/ Voorlegging van appel teen enige beslissing van of stappe gedoen deur die registrateur ingevolge die Wet [Reg. 21(2)]	R4 452,00 each/elk
20.	Examination of sample to determine varietal purity/ Ondersoek van monster om variëteitsegtheid te bepaal	R3 271,00 (cat./kat. A) R4 431,00 (cat/kat. B) R3 735,00 (cat/kat. B maize/mielie)