
GOVERNMENT **NOTICES** GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

No. R. 128

17 February 2006

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

REGULATIONS RELATING TO PLANT BREEDERS RIGHTS: AMENDMENT

The Minister of Agriculture, acting under section 44 of the Plant Breeders' Rights Act, 1976 (Act No. 15 of 1976), has made the regulations 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 28 October 1999, R. 302 of 20 April 2000, R. 690 of 14 July 2000, R. 1078 of 3 November 2000, R. 387 of 18 May 2001, R. 867 of 27 July 2001, R. 548 of 10 May 2002, R. 409 of 28 March 2003, R. 465 of 8 April 2004 and R. 511 of 3 June 2005.

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 2006:

"TABLE 2/TABEL 2**FEES PAYABLE/GELDE BETAALBAAR**

No.	Purpose/Doel	Amount/Bedrag
1.	An application for the grant of a plant breeder's right/ 'n Aansoek om die toestaan van 'n planttelersreg [Reg. 3(2)(f)]	R1100,00 each/elk
2.	A claim to give priority in terms of section 8(2) of the Act to an application for the grant of a plant breeder's right/ 'n Aansoek om in gevolge artikel 8(2) van die Wet voorrang te verleen aan 'n aansoek om die toestaan van 'n planttelersreg [Reg. 4(2)(c)]	R650,00 each/elk
3.	An objection to the grant of a plant breeder's right/ 'n Beswaar teen die toestaan van 'n planttelersreg [Reg. 8(1)(e)]	R4 300,00 each/elk
4.	Examination fee for a plant breeder's 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)]	R1 800, 00 each/elk
5.	Examination fee for a plant breeder's 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)]	R2 400,00 each/elk
6.	Provision of results of tests and trials undertaken by the registrar, to the appropriate authority in a convention country or an agreement country/ Voorsiening van resultate van toetse en proewe deur die registrateur onderneem aan die toepaslike gesag in 'n konvensieland of 'n ooreenkomsland [Reg. 9(3)]	Tariff to fluctuate with exchange rate.
7.	Annual fee for a plant breeder's right/ Jaargeld vir 'n planttelersreg [Reg. 10(1)]	R215,00 each/elk
8.	An application for the issue of a compulsory licence in respect of a plant breeder's right/ 'n Aansoek om die uitreiking van 'n verpligte lisensie ten opsigte van 'n planttelersreg [Reg. 13(1)(d)]	R3 600,00 each/elk
9.	Notice of the transfer of a plant breeder's right/ Kennisgewing van die oordrag van 'n planttelersreg [Reg. 14(2)(b)]	R650,00 each/elk
10.	An application for the alteration or supplementation of the denomination	R1300.00 each/elk

No.	Purpose/Doel	Amount/Bedrag
11.	An objection against the intended approval of an alteration or supplementation of the denomination approved for a variety/ 'n Beswaarteen die beoogde goedkeuring van 'n wysiging of aanvulling van die benaminggoedgekeur vir 'n variëteit [Reg. 15(3)(e)]	R650,00 each/elk
12.	An objection against the intended termination of a plant breeder's right/ 'n Beswaarteen die voorgename beëindiging van 'n planttelersreg [Reg. 16(1)(f)]	R650,00 each/elk
13.	A notice of the voluntary surrender of a plant breeder's right/ 'n Kennisgewing van die vrywillige afstanddoening van 'n planttelersreg [Reg. 17(1)(b)(i)]	Free/Gratis
14.	Inspection of the register of plant breeders' rights/ Insae in die register van planttelersregte [Reg. 20(2)]	Free/Gratis
15.	Inspection of a document submitted to the registrar in connection with an application for the grant of a plant breeder's right/ Insae in 'n dokument by die registrateur ingedien in verband met 'n aansoek om die toestaan van 'n planttelersreg [Reg. 21(2)]	R350,00 per occasion/ Geleentheid
16.	A certificate of any particulars in the register or of any document in connection with an application for the grant of a plant breeder's right/ 'n Sertifikaat van enige besonderhede in die register of van enige dokument in verband met 'n aansoek om die toestaan van 'n planttelersreg [Reg. 21(2)].	R350,00 per certificate/sertifikaat
17.	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 breeder's right/ 'n Afskrif van enige besonderhede in die register of van 'n dokument by die registrateur ingedien in verband met 'n aansoek om die toestaan van 'n planttelersreg [Reg. 21(2)]	R8,00 per application plus R 1,00c per photocopy / R8,00 per aansoek plus R 1,00c per fotokopie
18.	Submission of appeal against any decision or action taken by the registrar in terms of the Act/ Voorlegging van appél teen enige beslissing van of stappe gedoen deur die registrateur ingevolge die Wet [Reg. 22(1)(d)]	R3 600,00 each/elk.