

Administrative Department
 Secretary's Office to Ministers
 and
 Executive Council
 Canberra
 Commonwealth of Australia
 Office of Legislative Drafting, Attorney-General's
 Department



Statutory Rules 1994 No. *L*

352/

Plant Breeder's Rights Regulations

I, THE ADMINISTRATOR of the Government of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under section 4 of the *Acts Interpretation Act 1901*, make the following Regulations under the *Plant Breeder's Rights Act 1994*.

Dated *L* 1994.

11 October/

L *P. BENNETT/*
 Administrator

By His Excellency's Command,

L *BOB COLLINS/*
 Minister for Primary Industries and Energy

Citation

1. These Regulations may be cited as the Plant Breeder's Rights Regulations.

Commencement

2. These Regulations commence on the date of commencement of the *Plant Breeder's Rights Act 1994*.

Interpretation

3. (1) In these Regulations, unless the contrary intention appears:

“Act” means the *Plant Breeder's Rights Act 1994*.

(2) In the Schedule, a reference to a section or subsection, is a reference to that section or subsection of the Act.

Prescribed fees

4. The fee payable under subsection 80 (2) of the Act for a matter set out in the Schedule is the fee specified in the Schedule for that matter.

SCHEDULE

Regulation 4

FEES

Column 1 Item no.	Column 2 Act, service or occasion in respect of which fee is payable	Column 3 Fee
1	On making a request under subsection 19 (4), whether or not the request includes a request under subsection 19 (10)	\$140
2	On making a request for a certificate under subsection 19 (11)	\$100
3	Amendment of the register on notification of assignment under section 21	\$140

SCHEDULE—continued

Column 1 Item no.	Column 2 Act, service or occasion in respect of which fee is payable	Column 3 Fee
4	On lodgment of an application under section 26	\$400
5	On making a request for a variation of an application under subsection 31 (1)	\$70
6	On lodgment of a detailed description in support of an application under section 34	\$1400
7	On lodgment of an objection under section 35	\$200
8	On making a request for a copy of an application, an objection or a detailed description under subsection 36 (2)	\$70
9	On lodgment of an application for a declaration of essential derivation under subsection 40 (1)	\$800
10	Grant of PBR in a plant variety under section 44	\$250
11	On lodgment of an application for :	
	(a) revocation of a PBR under subsection 50 (8); or	\$800
	(b) revocation of a declaration of essential derivation under subsection 50 (9)	\$800

SCHEDULE—continued

Column 1 Item no.	Column 2 Act, service or occasion in respect of which fee is payable	Column 3 Fee
12	On making a request for a copy of an entry in the register under subsection 62 (2)	\$70
13	On making an annual subscription to the Plant Varieties Journal issued under section 68	\$30
14	On purchasing a single issue of the Plant Varieties Journal	\$8
15	For annual maintenance of a PBR— on each anniversary of the grant	\$ 250
16	For the undertaking, on request of a person, by the Secretary or the Registrar of any work required or authorised under the Act and for which a fee is not prescribed under any other item	\$70 per hour or part of an hour

NOTE

1. Notified in the *Commonwealth of Australia Gazette* on

L 1994. 18 October