

Version
as at 24 January 2023



Plant Variety Rights (Grantees' Rights) Order 1997
(SR 1997/358)

Plant Variety Rights (Grantees' Rights) Order 1997: revoked, on 24 January 2023, by section 158(2)(b) of the Plant Variety Rights Act 2022 (2022 No 61).

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 15th day of December 1997

Present:

His Excellency the Governor-General in Council

Pursuant to section 17(1)(b) of the Plant Variety Rights Act 1987, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following order.

Contents

	Page
1 Title and commencement	2
2 Exclusive right to propagate for commercial production	2
3 Consequential revocation	2

Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This order is administered by the Ministry of Business, Innovation, and Employment.

Order

1 Title and commencement

- (1) This order may be cited as the Plant Variety Rights (Grantees' Rights) Order 1997.
- (2) This order comes into force on the 28th day after the date of its notification in the *Gazette*.

2 Exclusive right to propagate for commercial production

Plants of the following types are specified for the purposes of section 17(1)(b) of the Plant Variety Rights Act 1987:

- (a) vegetatively propagated fruit-producing plants:
- (b) vegetatively propagated ornamental plants:
- (c) vegetatively propagated vegetable-producing plants.

3 Consequential revocation

The Plant Variety Rights (Grantees' Rights) Order 1988 is revoked.

Marie Shroff,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

Section 17(1)(b) of the Plant Variety Rights Act 1987 gives the holder of a grant of plant variety rights in respect of any variety exclusive rights to propagate the variety for commercial production only if it is a variety of a type specified by Order in Council for the purpose.

This order, which comes into force 28 days after notification in the *Gazette*, replaces the Plant Variety Rights (Grantees' Rights) Order 1988 (which specified vegetatively propagated fruit-producing plants, and vegetatively propagated ornamental plants), and specifies vegetatively propagated fruit-producing plants, vegetatively propagated ornamental plants, and vegetatively propagated vegetable-producing plants.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 18 December 1997.

Notes

1 *General*

This is a consolidation of the Plant Variety Rights (Grantees' Rights) Order 1997 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Plant Variety Rights Act 2022 (2022 No 61): section 158(2)(b)