

**Council for Trade-Related Aspects  
of Intellectual Property Rights**

Original: English/  
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inglés

**MAIN DEDICATED INTELLECTUAL PROPERTY LAWS AND REGULATIONS  
NOTIFIED UNDER ARTICLE 63.2 OF THE AGREEMENT**

**New Zealand**

The present document reproduces<sup>1</sup> the text of the Plant Variety Rights Amendment Act 1996, as notified by New Zealand under Article 63.2 of the Agreement (see document IP/N/1/NZL/2)

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**Conseil des aspects des droits de propriété  
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET REGLEMENTATIONS CONSACREES  
A LA PROPRIETE INTELLECTUELLE NOTIFIEES  
AU TITRE DE L'ARTICLE 63.2 DE L'ACCORD**

**Nouvelle-Zélande**

Le présent document contient le texte de la Loi de 1996 portant modification de la Loi sur les droits relatifs aux variétés végétales<sup>1</sup>, notifiée par la Nouvelle-Zélande au titre de l'article 63.2 de l'Accord (voir le document IP/N/1/NZL/2)

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**Consejo de los Aspectos de los Derechos de Propiedad  
Intellectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA  
PROPIEDAD INTELECTUAL NOTIFICADOS EN VIRTUD  
DEL PÁRRAFO 2 DEL ARTÍCULO 63 DEL ACUERDO**

**Nueva Zelandia**

En el presente documento se reproduce<sup>1</sup> el texto de la Ley de Modificación de la Ley de Derechos sobre las Variedades Vegetales, de 1996, notificada por Nueva Zelandia en virtud de lo dispuesto en el párrafo 2 del artículo 63 del Acuerdo (véase el documento IP/N/1/NZL/2).

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<sup>1</sup>English only/anglais seulement/inglés solamente



ANALYSIS

Title  
1. Short Title

2. Applications  
3. Inspection of applications  
4. Cancellation of grants

1996, No. 141

**An Act to amend the Plant Variety Rights Act 1987**

[2 September 1996]

BE IT ENACTED by the Parliament of New Zealand as follows:

**1. Short Title**—This Act may be cited as the Plant Variety Rights Amendment Act 1996, and shall be read together with and deemed part of the Plant Variety Rights Act 1987 (hereinafter referred to as the principal Act).

**2. Applications**—(1) Section 5 of the principal Act is hereby amended by repealing subsection (1), and substituting the following subsection:

“(1) Every application shall be made on a form approved by the Commissioner; and shall—

“(a) Be accompanied by—

“(i) The quantity of seed (if any) prescribed in respect of varieties of the kind concerned; and

“(ii) A technical questionnaire, supplied by the Commissioner and completed by the applicant, in respect of the botanical taxon to which the subject of the application belongs; and

“(iii) Where required by regulations made under section 38 of this Act, colour photographs of material of the variety to which the application relates; and

*Plant Variety Rights Amendment*

1996, No. 141

“(b) Be completed and signed by or on behalf of the applicant; and

“(c) Nominate an address for service in relation to that application (being an address within New Zealand); and

“(d) Be accompanied by the prescribed application fee.”

(2) Section 5 of the principal Act is hereby further amended by omitting from subsection (2)(a) the word “In”, and substituting the words “If required by the Commissioner, and in”.

**3. Inspection of applications**—The principal Act is hereby amended by repealing section 8, and substituting the following section:

“8. After an application is made, the Commissioner shall hold it and any document, instrument, or photograph accompanying it and any document or instrument supplied subsequently pursuant to subsection (2) or subsection (3) of section 5 of this Act (or a copy of that document, instrument, or photograph, certified by the Commissioner to be a true copy) available for public inspection during ordinary business hours of the Office.”

**4. Cancellation of grants**—Section 16 (2) of the principal Act is hereby amended by repealing paragraph (h).

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This Act is administered in the Ministry of Commerce.