
GOVERNMENT NOTICES

GOEWERMENSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

No. R. 770

4 August 2006

PLANT IMPROVEMENT ACT, 1976
(ACT No. 53 OF 1976)

REGULATIONS RELATING TO ESTABLISHMENTS, VARIETIES, PLANTS AND PROPAGATING MATERIAL: AMENDMENT

The Minister of Agriculture, acting under section 34 of the Plant Improvement Act, 1976 (Act No. 53 of 1976), has made the following regulations in the Schedule.

SCHEDULE

Definition

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R 1064 of 23 May 1980, as amended by Government Notices Nos. R. 1621 of 22 July 1983, R. 2173 of 28 September 1984, R. 1287 of 14 June 1985, (as corrected by Government Notice No. R. 1524 of 12 July 1985), R. 1522 of 12 July 1985, R. 256 of 14 February 1986, R. 1489 of 11 July 1986, R. 1903 of 12 September 1986, R. 1389 of 26 June 1987, R. 1700 of 7 August 1987, R. 86 of 22 January 1988, R. 2496 of 9 December 1988, R. 1518 of 14 July 1989, (as corrected by Government Notice No. R. 1976 of 15 September 1989), R. 2092 of 29 September 1989, R. 76 of 18 January 1991, R. 1638 of 12 July 1991, (as corrected by Government Notice No. R. 1971 of 16 August 1991), R. 2119 of 24 July 1992, R. 2618 of 18 September 1992, R. 891 of 28 May 1993, R. 1590 of 27 August 1993, R. 2057 of 29 October 1993, R. 513 of 18 March 1994, R. 1465 of 26 August 1994, R. 174 of 10 February 1995 (as corrected by Government Notice No. R. 319 of 3 March 1995), R. 1976 of 22 December 1995, R. 1177 of 19 July 1996, R. 97 of 24 January 1997, R. 1011 of 1 August 1997, R. 866 of 3 July 1998 (as corrected by Government Notice No. R. 949 of 24 July 1998), R. 1284 of 16 October 1998, R. 1015 of 27 August 1999, R. 232 of 17 March 2000, R. 919 of 15 September 2000, R. 1207 of 1 December 2000, R. 430 of 25 May 2001, R. 19 of 11 January 2002, R. 547 of 10 May 2002, R. 1 of 3 January 2003, R. 410 of 28 March 2003, R. 577 of 2 May 2003, R. 185 of 11 March 2005, R. 477 of 27 May 2005 and R. 849 of 2 September 2005 (as corrected by R. 928 of 30 September 2005), R. 131 of 17 February 2006 and R. 187 of 3 March 2006.

Amendment of regulation 12A of the Regulations

2. Regulation 12A of the Regulations is hereby amended –

- (a) by the substitution for subparagraph (ii)(B) of subregulation (1) with the following:

- “(B) the germination or viability expressed as a percentage by number or where applicable, expressed as the number of normal seedlings per weight (kg), and recorded in the manner specified in Part **F(1)** or **F(2)**, where applicable, of the form set out in Schedule **H**;”

Amendment of regulation 21 of the Regulations

3. Regulation 21 of the Regulations is hereby amended –

- (a) by the substitution of the number “12” with the number “13” in regulation 21.

Amendment of regulation 22 of the Regulations

4. Regulation 22 of the Regulations is hereby amended –

- (a) by the substitution for paragraph (b) of regulation 22 with the following paragraph:

- “(b) the percentage germination or viability; or number of normal seedlings per weight (kg), where applicable, of such seed is equal to or more than that specified in column 6, 7 or 8, where applicable, of the said Table opposite the name of the kind concerned;”

Amendment of regulation 25 of the Regulations

5. Regulation 25 of the Regulations is hereby amended –

- (a) by the substitution for paragraph (b) of regulation 25 with the following paragraph:

- “(b) the percentage germination or viability; or number of normal seedlings per weight (kg), where applicable, of such seed, or in the case of a mixture, of each of the kinds or varieties present therein, is equal to or more than that specified in column 6, 7 or 8, where applicable, of the said Table opposite the name of the kind concerned;

Amendment of regulation 27 of the Regulations

6. Regulation 27 of the Regulations is hereby amended –

- (a) by the substitution of the number “8” with the number “9” in regulation 27.

Amendment of regulation 36 of the Regulations

7. Regulation 36 of the Regulations is hereby amended –

- (a) by the insertion of the following expression in paragraph (d) of subregulation (1):

- “(i) 10 - 19 or 15 - 19 in the case of *Digitaria smutsii* Stent only;”

- (b) by the insertion of the following paragraph immediately after paragraph (d) in subregulation (1):

“(e) in the case of *Chloris gayana* Kunth where germination is alternatively determined by the weighed replicate method, germination shall be expressed as the number of normal seedlings per weight (kg); and”

Amendment of regulation 38 of the Regulations

8. Regulation 38 of the Regulations is hereby amended –

- (a) by the substitution of the numbers “10” and “11” with the numbers “11” and “12” respectively, in subregulation (1) .
- (b) by the substitution for subregulation 2 with the following :
- “(2) Subject to the provisions of subregulation (1) an indication relating to percentage germination, percentage viability, the actual percentage pure seed or the number of normal seedlings per weight (kg) may appear on a container in which prepacked seed is sold or on a label attached to such container: Provided that the date on which seed has been tested shall be marked in clearly legible letters on the container or on the label. “
- (c) by the substitution of the numbers “10” and “11” with the numbers “11” and “12” respectively, in subregulation (3) .

Amendment of regulation 41 of the Regulations

9. Regulation 41 of the Regulations is hereby amended –

- (a) by the substitution of paragraph (c) of regulation 41 with the following paragraph:
- “(c) shall at the time of the presentation thereof for examination and sampling in terms of section 26(4) of the Act, comply with the minimum percentage germination, minimum percentage viability or minimum number of normal seedlings per weight (kg) referred to in regulation 25. “

Substitution of Schedule H of the Regulations

10. The following Annexure A is hereby substituted for Schedule H of the Regulations.

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ANNEXURE A

"SCHEDULE H
REPORT OF TEST, EXAMINATION OR ANALYSIS OF SEED

A	IDENTIFICATION MARK ON LABEL OF SAMPLE:.....
B:	NAME OF ESTABLISHMENT OR OWNER OR CUSTODIAN OF SEED:.....
C.	REFERENCE NUMBER OF TEST, EXAMINATION OR ANALYSIS:.....
D.	* PARTICULARS OF SEED IN RESPECT OF KIND, VARIETY, POLLINATOR: Kind of seed:..... Variety:..... Percentage pollinator:
E.	PARTICULARS OF PHYSICAL PURITY: 1. Percentage pure seed (or in the case of coated seed, percentage pure units of coated seed):..... 2. Percentage other seed: 2.1 Percentage other crop seed:..... Specify:..... 2.2 Percentage weed seed:..... Specify:..... Total (2.1 + 2.2):..... 3. Percentage inert matter:..... 4. Percentage other material (Total of 2 and 3):..... 5. Number of prohibited weed seeds per mass:.....
F(1).	* PARTICULARS OF GERMINATION OF SEED: Percentage normally germinated:..... Percentage hard seeds:..... Percentage of healthy seeds not germinated:..... Percentage mouldy seeds:..... Percentage abnormal seeds:..... **Other (specify):.....
F(2)	PARTICULARS OF VIABILITY OF SEED: Percentage viable:..... Percentage negatively stained:..... Percentage unstained:.....

G.	PARTICULARS OF PLANTS: Percentage of kind:..... Percentage of variety:..... Percentage of deviation:..... Percentage hybrid plants:..... Percentage pollinator plants:..... Description of deviations:.....
H.	PARTICULARS OF OTHER ANALYSIS:..... Name of officer who did analysis:..... I hereby declare that – (a) a sample of seed which was identified as specified in paragraph A above was received by me; (b) such sample was tested, examined and analysed in accordance with the methods determined by the registrar; and (c) the result of the test, examination and analysis concerned has been recorded in the applicable spaces at paragraphs D, E, F, G and H above. <div style="display: flex; justify-content: space-between;"> Signature of officer Date </div>

* In the case of a mixture, the kinds and varieties present therein and the percentage contents of each, shall be specified.

** In the case of *Chloris gayana* Kunth where germination is alternatively determined by the weighed replicat method, germination shall be expressed as the number of normal seedlings per weight (kg)."

Substitution of Table 4 of the Regulations

11. The table in Annexure B is hereby substituted for Table 4 of the Regulations: