

No. R. 545

15 June 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 set out 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 29 October 1999, R. 392 of 20 April 2000, R. 690 of 14 July 2000, R. 1078 of 3 November 2000, R. 387 of 18 May 2000, R. 667 of 27 July 2001 and R. 512 of 3 June 2005.

## Amendment of Table 1 of the Regulations

2. Table 1 of the Regulations is hereby amended by the insertion of the entry in Annexure A in the alphabetically correct position.

## ANNEXURE A / AANHANGSEL A

TABLE 1 / TABEL 1  
KINDS OF PLANTS AND PERIOD OF RIGHTS /  
SOORTE PLANTE EN TERMYNE VAN REGTE  
[Reg. 11; 11(A)]

| 1  |                              | 2                       | 3  | 4   |
|--|------------------------------|-------------------------|--|---|
| Kind of Plant / Soort Plant                    |                              | Category /<br>Kategorie | Period of Plant<br>Breeder's Right<br>(years) /<br>Termyn van<br>Plantteieleersreg<br>(jare) | Period of sole<br>Right<br>(years) /<br>Termyn van<br>Alleenreg<br>(jare) |
| Botanical Name /<br>Botaniese Naam             | Common Naam /<br>Gewone Naam |                         |  |   |
| <i>Agathosma</i> spp                           | Agathosma                    | A                       | 20   | 5   |
| <i>Angelonia</i> spp                           | Angelonia                    | A                       | 20   | 5   |
| <i>Adenanthos</i> Labill.                      | Adenanthos                   | A                       | 20   | 5   |
| <i>Ajuga</i> L.                                | Bugleweed                    | A                       | 20   | 5   |
| <i>Bouvardia</i> Salisb.                       | Bouvardia                    | A                       | 20   | 5   |
| <i>Brunfelsia latifolia</i> (Pohl) Benth.      | Brunfelsia                   | A                       | 25   | 5   |
| <i>Ceanothus dentatus</i> Torr. & A. Gray      | Red Root                     | A                       | 20   | 5   |
| <i>Chlorophytum</i> Ker-Gawl.                  | St Bernard's Lily            | A                       | 20   | 5   |
| <i>Cuphea hyssopifolia</i> HBK                 | False Heather                | A                       | 20   | 5   |
| <i>Dianella</i> spp                            | Dianella                     | A                       | 20   | 5   |
| <i>Eriocephalus</i>                            | Eriocephalus                 | A                       | 20   | 5   |
| <i>Iris</i> L.                                 | Iris                         | A                       | 20   | 5   |
| <i>Lespedeza cuneata</i> (Dum. Cours.) G. Don  | Lespedeza                    | A                       | 20   | 5   |
| <i>Limonium</i> Mill.                          | Statice                      | A                       | 20   | 5   |
| <i>Merwillia</i> Speta                         | Merwillia                    | A                       | 20   | 5   |
| <i>Murraya paniculatum</i> (L.) Jack           | Orange Jasmine               | A                       | 20   | 5   |
| <i>Sambucus</i> L.                             | Elderberry                   | A                       | 20   | 5   |
| <i>Stenotaphrum secundatum</i> (Walt.) O.Kunze | Buffalo Grass                | A                       | 20   | 5   |
| <i>Symphoricarpos albus</i> (L.) S.F.Blake     | Waxberry, Snowberry          | A                       | 20   | 5   |
| <i>Watsonia</i> Mill.                          | Bugle Lily                   | A                       | 20   | 5   |
| <i>Weinmannia</i> L.                           | Weinmannia                   | A                       | 20   | 5   |
| <i>Zizyphus jujube</i> Mill.                   | Jujube                       | A                       | 20   | 5   |

ANNEXURE A/AANHANGSEL A  
 TABLE 1/TABEL 1  
 KINDS OF PLANTS AND PERIOD OF RIGHTS  
 SOORTE PLANTE EN TERMYNE VAN REGTE  
 [Reg. 11; 11(A)]

| 1<br>Kind of Plant<br>Soort Plant   |   | 2<br>Category<br>Kategorie | 3<br>Period of Plant<br>Breeders' Right<br>(years)<br>Termyn van<br>Planttealersreg<br>(jare) | 4<br>Period of sole<br>Right<br>(years)<br>Termyn van<br>Alleenreg<br>(jare) |
|---|---|----------------------------|---|--|
| Botanical Name<br>Botaniese Naam  | Common Naam<br>Gewone Naam  |                            |   |  |
| <i>Allium porrum</i> L.   | Leek/Prel   | A                          | 20  | 5  |
| <i>Asparagus officinalis</i> L.   | Aparagus/Aspersie   | A                          | 20  | 5  |
| <i>Beta vulgaris</i> L.   | Beetroot, Fodder Beet/Beet, Voerbeet  | A                          | 20  | 5  |
| <i>Brassica juncea</i> (L.) Czern.  | Indian Mustard/Indiese Mosterd  | A                          | 20  | 5  |
| <i>Brassica oleracea</i> L.   | Fodder Kale, Kohlrabi, Curly kale,<br>Cauliflower, Broccoli, Cabbage, Savoy<br>Cabbage, Brussels Sprouts/Beeskool,<br>Knolkool, boerkool, blomkool, Brokkoli,<br>Kopkool, Savoikool, Brusselse Spruitjies | A                          | 20  | 5  |
| <i>Brassica rapa</i> L. (including/inluitend <i>B. campestris</i> and spp. previously known as/ en spp. voorheen bekend as <i>B. chinensis</i> and/ en <i>B. pekinensis</i> ) | Turnip/Raap   | A                          | 20  | 5  |
| <i>Buddleja</i> L. (All/Alle spp.)  | Sagewood/Salle  | A                          | 20  | 5  |
| <i>Callibrachoa</i> Llave & Lex (All/Alle spp.)   | Miniature/Miniatuur Petunia   | A                          | 20  | 5  |
| <i>Clematis</i> L. (All/Alle spp.)  | Clematis, Leather Flower/Leerblom   | A                          | 20  | 5  |
| <i>Corylus</i> L. (All/Alle spp.)   | Hazelnut/Haselneut  | B                          | 25  | 8  |
| <i>Desmodium</i> Desv. (All/Alle spp.)  | Tick Trefoil, Tick Clover/Desmodium   | A                          | 20  | 5  |
| <i>Digitaria eriantha</i> Steud. (= <i>D. smutsii</i> Sten)   | Smuts Finger Grass/Smutsvingergras  | A                          | 20  | 5  |
| <i>Fortunella</i> Swingle (All/Alle spp.)   | Kumquat/Kumkwat   | B                          | 25  | 8  |
| <i>Lespedeza striata</i> (Thunb.) Hook & Arn.   | Annual/Eenjarige Lespedeza  | A                          | 20  | 5  |
| <i>Lomandra</i> Labill. (All/Alle spp.)   | Lomandra  | A                          | 25  | 5  |
| <i>Lotus corniculatus</i> L.  | Birdsfoot trefoil/Roiklawer   | A                          | 20  | 5  |

| 1<br>Kind of Plant<br>Soort Plant  |  | 2<br>Category<br>Kategorie | 3<br>Period of Plant<br>Breeders' Right<br>(years)<br>Termyn van<br>Plantteilersreg<br>(jare) | 4<br>Period of sole<br>Right<br>(years)<br>Termyn van<br>Alleenreg<br>(jare) |
|--|--|----------------------------|---|--|
| Botanical Name<br>Botaniese Naam   | Common Naam<br>Gewone Naam                           |                            |   |  |
| <i>Lycium</i> L. (All/Alle spp.)   | Wolfberry, Boxthorn/Lycium                           | A                          | 20  | 5  |
| <i>Medicago</i> L. (All/Alle spp.)   | Lucerne, Medic/Lusern, Medic                         | A                          | 20  | 5  |
| <i>Merwillia Speta</i> (including/insluitend <i>Scilla natalensis</i> Planch.) | Merwillia, Blue Hyacinth/Blou hiasint                | A                          | 20  | 5  |
| <i>Mandina</i> Thunb. (All/Alle spp.)  | Sacred Bamboo/Heilige Bamboes                        | A                          | 20  | 5  |
| <i>Neonotonia wightii</i> Whight & Arn. J Lackey                               | Perennial Soybean/Neonotonia                         | A                          | 20  | 5  |
| <i>Ornithopus compressus</i> L.  | Yellow Serradella/Geelseradella                      | A                          | 20  | 5  |
| <i>Paspalum dilatatum</i> Poir.  | Dallis Grass/Paspalum                                | A                          | 20  | 5  |
| <i>Pastinaca sativa</i> L.   | Parsnip/Mitwortel                                    | A                          | 20  | 5  |
| <i>Pennisetum clandestinum</i> Hochst. ex Chio                                 | Kikuyu/Kikoejoe                                      | A                          | 20  | 5  |
| <i>Petroselinum crispum</i> (Mill.) Nyman ex A.W Hill                          | Parsley/Pietersiële                                  | A                          | 20  | 5  |
| <i>Punica granatum</i> L.  | Pomegranate/Granaat                                  | A                          | 20  | 5  |
| <i>Raphanus sativus</i> L.   | Garden Radish, Fodder Radish<br>Tuinradys, Voerradys | A                          | 20  | 5  |
| <i>Sinapis alba</i> L.   | White Mustard/Witmosterd                             | A                          | 20  | 5  |
| <i>Sporobolus fimbriatus</i> (Trin.) Nees                                      | Rush Grass/Fynvieigras                               | A                          | 20  | 5  |
| <i>Stylosanthes hamata</i> (L.) Taub.  | Caribbean Stylo/Karibbiese Stylo                     | A                          | 20  | 5  |
| <i>Trifolium</i> L. (All/Alle spp.)  | Clover/Klawer  | A                          | 20  | 5  |
| <i>Veronica</i> L. (All/Alle spp.)   | Speedwell/Veronica                                   | A                          | 20  | 5  |
| <i>Vicia sativa</i> L. (including/insluitend <i>V. angustifolia</i> L.)        | Common Vetchi/Gewone Wiek                            | A                          | 20  | 5  |
| <i>Xerochrysum bracteatum</i> (Vent.) Tzvelev                                  | Golden Everlasting/Goue Sewejaartjie                 | A                          | 20  | 5  |