



Plant Varieties Act 1997

1997 CHAPTER 66

PART I

PLANT VARIETIES

Proceedings before the Controller

26 Appeals to the Tribunal.

- (1) An appeal shall lie to the Tribunal against the following decisions of the Controller—
- (a) a decision to allow or refuse an application for the grant of plant breeders' rights,
 - (b) any decision preliminary to the determination of such an application as to the conditions laid down in section 4 above,
 - (c) a decision to allow or refuse an application under section 17(1) or (9) above,
 - (d) any decision under section 21 or 22(1)(a), (b) or (c) above,
 - (e) a decision to refuse an application under section 22(1)(d) above, and
 - (f) a decision to allow or refuse an application under section 23(1) or (2) above.
- (2) The Ministers may by regulations confer a right of appeal to the Tribunal against—
- (a) a decision of the Controller to refuse an application under section 25(3)(a) above, or
 - (b) any decision of the Controller under regulations made under section 18 above or section 28 or 29 below.

Modifications etc. (not altering text)

- C1** S. 26(1)(c) extended (1.3.2002) by [The Patents and Plant Variety Rights \(Compulsory Licensing\) Regulations 2002 \(S.I. 2002/247\)](#), **reg. 17(3)**
- C2** S. 26(2)(a): power to make regulations extended (1.3.2002) by [The Patents and Plant Variety Rights \(Compulsory Licensing\) Regulations 2002 \(S.I. 2002/247\)](#), **reg. 21**

Changes to legislation:

There are currently no known outstanding effects for the Plant Varieties Act 1997, Section 26.