



G68G  
S-559

# STAATSKOERANT

VAN DIE REPUBLIEK VAN SUID-AFRIKA

REPUBLIC OF SOUTH AFRICA

## GOVERNMENT GAZETTE

*As 'n Nuusblad by die Poskantoor Geregistreer*

*Registered at the Post Office as a Newspaper*

**PRYS + 1c AVB 20c PRICE + 1c GST**  
**BUITELANDS 30c ABROAD**  
**POSVRY · POST FREE**

Vol. 188]

KAAPSTAD, 25 FEBRUARIE 1981

[No. 7435

CAPE TOWN, 25 FEBRUARY 1981

KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No. 350.

25 Februarie 1981.

No. 350.

25 February 1981.

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—

No. 14 van 1981: Wysigingswet op Planttelersregte, 1981.

No. 14 of 1981: Plant Breeders' Rights Amendment Act, 1981.

Act No. 14, 1981

PLANT BREEDERS' RIGHTS AMENDMENT ACT, 1981

**GENERAL EXPLANATORY NOTE:**

**[ ]** Words in bold type in square brackets indicate omissions from existing enactments.

       Words underlined with solid line indicate insertions in existing enactments.

**ACT**

To amend the Plant Breeders' Rights Act, 1976, so as to redefine the expressions "department" and "Minister"; and to limit applications for a plant breeder's right to certain persons; and to provide for incidental matters.

(English text signed by the State President.)  
(Assented to 10 February 1981.)

**BE IT ENACTED** by the State President and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of section 1 of Act 15 of 1976, as amended by section 1 of Act 5 of 1980.

1. Section 1 of the Plant Breeders' Rights Act, 1976 (hereinafter referred to as the principal Act), is hereby amended—

(a) by the substitution for the definition of "department" of the following definition:

"'department' means the Department of **[Agricultural Technical Services]** Agriculture and Fisheries;"

and

(b) by the substitution for the definition of "Minister" of the following definition:

"'Minister' means the Minister of Agriculture and Fisheries;"

Amendment of section 6 of Act 15 of 1976, as substituted by section 4 of Act 5 of 1980.

2. Section 6 of the principal Act is hereby amended by the addition of the following subsection, the existing section becoming subsection (1):

"(2) An application referred to in subsection (1) may only be made by a person who—

(a) is a citizen of, or is domiciled in, the Republic or a convention country or an agreement country; or

(b) in the case of a juristic person, has a registered office in the Republic or a convention country or an agreement country."

Amendment of section 7 of Act 15 of 1976, as substituted by section 5 of Act 5 of 1980.

3. Section 7 of the principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

"(2) An application under subsection (1) by a person who is not resident in the Republic or, in the case of a juristic person, which does not have a registered office in the Republic, shall be submitted only through an agent **[who is resident in the Republic]**."

Short title.

4. This Act shall be called the Plant Breeders' Rights Amendment Act, 1981.

## ALGEMENE VERDUIDELIKENDE NOTA:

**[ ]** Woorde in vet druk tussen vierkantige hake dui skrappings uit bestaande verordenings aan.

\_\_\_\_\_ Woorde met 'n volstreep daaronder, dui invoegings in bestaande verordenings aan.

## WET

Tot wysiging van die Wet op Planttelersregte, 1976, ten einde die uitdrukkings „departement” en „Minister” te heromskryf; en aansoeke om 'n planttelersreg tot sekere persone te beperk; en om vir bykomstige aangeleenthede voorsiening te maak.

(Engelse teks deur die Staatspresident geteken.)  
(Goedgekeur op 10 Februarie 1981.)

**DAAR WORD BEPAAL** deur die Staatspresident en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel 1 van die Wet op Planttelersregte, 1976 (hieronder die Hoofwet genoem), word hierby gewysig—
  - 5 (a) deur die omskrywing van „departement” deur die volgende omskrywing te vervang:  
„departement” die Departement van **[Landbou-  
tegniese Dienste]** Landbou en Visserye;”; en
  - 10 (b) deur die omskrywing van „Minister” deur die volgende omskrywing te vervang:  
„Minister” die Minister van Landbou en Visserye;”.
2. Artikel 6 van die Hoofwet word hierby gewysig deur die volgende subartikel by te voeg, terwyl die bestaande artikel subartikel (1) word:
  - 15 „(2) 'n Aansoek in subartikel (1) bedoel, kan gedoen word slegs deur iemand wat—
  - (a) 'n burger is van, of gedomisileer is in, die Republiek of 'n konvensiëland of 'n ooreenkomsland; of
  - 20 (b) in die geval van 'n regspersoon, 'n geregistreerde kantoor in die Republiek of 'n konvensiëland of 'n ooreenkomsland het.”.
3. Artikel 7 van die Hoofwet word hierby gewysig deur subartikel (2) deur die volgende subartikel te vervang:
  - 25 „(2) 'n Aansoek kragtens subartikel (1) deur iemand wat nie in die Republiek woonagtig is nie of wat, in die geval van 'n regspersoon, nie 'n geregistreerde kantoor in die Republiek het nie, word slegs deur bemiddeling van 'n agent gedoen **[wat in die Republiek woonagtig is]**.”.
4. Hierdie Wet heet die Wysigingswet op Planttelersregte, Kort titel.

30 1981.

