

GOVERNMENT OF ZAMBIA

STATUTORY INSTRUMENT NO. 46 OF 2011

**The Plant Breeder's Rights Act, 2007**  
**(Act No. 18 of 2007)**

**The Plant Breeder's Rights (Forms and Fees)**  
**Regulations, 2011**

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IN EXERCISE of the powers contained in section *fifty-six* of the Plant Breeder's Rights Act, 2007, the following Regulations are hereby made:

## PART I

### PRELIMINARY

- |   |                |
|---|----------------|
| 1. These Regulations may be cited as the Plant Breeder's Rights (Forms and Fees) Regulations, 2011.   | Title          |
| 2. In these Regulations, unless the context otherwise requires—<br>“applicant” means an applicant for plant breeder's rights;<br>“grantee” has the meaning assigned to it in the Act;<br>“Institute” has the meaning assigned to it in the Act;<br>“Register” means the Register kept pursuant to section <i>thirty-three</i> of the Act; and<br>“Registrar” has the meaning assigned to it in the Act. | Interpretation |

## PART II

### PLANT BREENDER'S RIGHTS

- |   |  |
|---|--|
| 3. An application for a plant variety denomination shall be in Form I set out in the First Schedule.  | Application for plant variety denomination                           |
| 4. An application for plant breeder's rights shall be made in Form II set out in the First Schedule.  | Application for plant breeder's rights                               |
| 5. An agent who makes an application for plant breeder's rights on behalf of another person shall submit, with the application, Form III set out in the First Schedule.     | Application by agent   |
| 6. The Registrar may request an applicant to submit further particulars in relation to an application in Form IV set out in the First Schedule.                             | Request for further particulars                                      |
| 7. The Registrar shall, where the Register accepts or rejects an application or a plant variety denomination, inform the applicant in Form V set out in the First Schedule. | Acceptance or rejection of application or plant variety denomination |

Application for amendment of application or plant variety denomination	<p>8. (1) An application for the amendment of an application for plant breeder's rights or plant variety denomination shall be made in Form VI set out in the First Schedule.</p> <p>(2) The Registrar shall, where the Registrar rejects an application under sub-regulation (1), notify the applicant of the rejection of the application in Form V set out in the First Schedule.</p>
Notice of variation of application	<p>9. The Registrar shall, where the Registrar varies an application made under sub-regulation (1) of regulation 8, notify the applicant of the variation of the application in Form VII set out in the First Schedule.</p>
Certification of description of plant variety	<p>10. A certificate verifying the particulars of the description of a plant variety made by the Registrar pursuant to paragraph (d) of subsection (3) of section <i>twenty-one</i> of the Act shall be made in Form VIII set out in the First Schedule.</p>
Grant of provisional protection	<p>11. The Institute shall grant provisional protection to a plant breeder's variety from the date of acceptance of an application in Form IX set out in the First Schedule.</p>
Grant of plant breeder's rights	<p>12. (1) The Institute shall grant plant breeder's rights in respect of a plant variety in Form X set out in the First Schedule.</p> <p>(2) The Registrar shall, where the Institute refuses to grant plant breeder's rights in respect of a plant variety, notify the applicant of the refusal in Form V set out in the First Schedule.</p>
Notification of acquisition of plant breeder's rights	<p>13. (1) A person who acquires plant breeder's rights shall, within thirty days of the acquisition inform the Registrar of the acquisition in Form XI set out in the First Schedule.</p> <p>(2) The Registrar shall, where the Registrar—</p> <p style="padding-left: 40px;">(a) is satisfied that the person referred to in sub-regulation (1) has acquired the plant breeder's rights; or</p> <p style="padding-left: 40px;">(b) is not satisfied that a plant breeder's rights have been assigned or transmitted to the person referred to in sub-regulation (1);</p> <p>notify the person and the grantee in Form XII set out in the First Schedule.</p>
Notice of intention to revoke plant breeder's rights	<p>14. The Registrar shall, where the Registrar intends to revoke a holder's plant breeder's rights, notify the holder in Form XIII set out in the First Schedule.</p>

- |   |   |
|---|---|
| 15. A notice of revocation of plant breeder's rights shall be in Form XIV set out in the First Schedule.  | Notice of revocation of plant breeder's rights          |
| 16. A notice of intention to surrender plant breeder's rights shall be in Form XV set out in the First Schedule.  | Notice of intention to surrender plant breeder's rights |
| 17. A holder shall, where the holder intends to transfer the holder's plant breeder's rights to another person, notify the Registrar in Form XVI set out in the First Schedule. | Notice of intention to transfer plant breeder's rights  |

PART III  
LICENCES

- |   |  |
|---|--|
| 18. (1) An application for a licence for plant breeder's rights shall be in Form XVII set out in the First Schedule.  | Application for licence for plant breeder's rights         |
| (2) A licence issued pursuant to sub-regulation (1) shall be in Form XVIII set out in the First Schedule.   |  |
| 19. (1) An application for a compulsory licence shall be in Form XVII set out in the First Schedule.  | Application for compulsory licence                         |
| (2) A compulsory licence shall be in Form XVIII set out in the First Schedule.  |  |
| 20. An application for the variation or renewal of a compulsory licence shall be in Form XIX set out in the First Schedule.   | Application for variation or renewal of compulsory licence |
| 21. The Registrar shall, where the Registrar intends to revoke a compulsory licence, notify a holder of the Registrar's intention in Form XIII set out in the First Schedule. | Notice of intention to revoke compulsory licence           |
| 22. A notice of revocation of a compulsory licence shall be in Form XIV set out in the First Schedule.  | Notice of revocation of compulsory licence                 |
| 23. A holder of a compulsory licence shall surrender the compulsory licence in Form XV set out in the First Schedule.   | Surrender of compulsory licence                            |

## PART IV

## GENERAL PROVISIONS

**Fees**                    24. (1) The fees prescribed in the Second Schedule shall be payable in respect of the matters set out therein.

(2) Where fees are payable in respect of testing a plant variety at another recognised institution or by other breeders, the breeder shall bear the additional cost of the testing.

**Plant species subject to protection**                    25. The plant varieties and species in respect of which plant breeder's rights shall be granted are as set out in the Third Schedule.

FIRST SCHEDULE  
 (Regulations 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23)

PRESCRIBED FORMS



REPUBLIC OF ZAMBIA

Form I  
 (Regulation 3)  
 (To be completed in triplicate)

The Plant Breeder's Rights Act, 2007  
 (Act No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

APPLICATION FOR PLANT VARIETY DENOMINATION		
	Shaded fields for official use only	Application Number: Date/Time
Information Required	Information Provided	✓
1. Name(s) of applicant(s)		
2. (a) Type of applicant		
(b) Registration No.		
(c) TPIN No.		
3. Business address		
4. Proposed plant variety denomination		
5. Species		
6. Plant variety		
(a) Kind: .....		
(b) Genera: .....		
Application receipt number		
Name of applicant (individual or authorised representative) _____		
Signature: _____ Date: _____		
FOR OFFICIAL USE ONLY		
Received by: _____ Date: _____		
(Name)		
Approved: _____		
Not approved for the following reasons: _____		
Signature: _____		
STAMP		

Form II  
(Regulation 4)  
(To be completed in triplicate)

REPUBLIC OF ZAMBIA



The Plant Breeder's Rights Act, 2007  
(Act No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

APPLICATION FOR PROVISIONAL PROTECTION/PLANT BREEDER'S RIGHTS			
		Shaded fields for official use only	Application Number: Date/Time
Information Required		Information Provided	
1.	Name(s) of applicant(s)		<input type="checkbox"/>
2.	(a) Type of applicant		<input type="checkbox"/>
	(b) Registration No.		<input type="checkbox"/>
	(c) TPINNo.		<input type="checkbox"/>
3.	Business address		<input type="checkbox"/>
4.	Plant variety denomination		<input type="checkbox"/>
5.	Type of plant variety		<input type="checkbox"/>
6.	Particulars of plant variety		<input type="checkbox"/>
	(a) kind		<input type="checkbox"/>
	(b) species		<input type="checkbox"/>
	(c) genera		<input type="checkbox"/>
	(d) location of breeding		<input type="checkbox"/>
7.	Particulars of any test growing carried out to establish that the plant variety is distinct, uniform and stable		<input type="checkbox"/>
8.	Have you ever applied for plant breeder's rights in Zambia? If yes, please give details.		<input type="checkbox"/>
9.	Have you been convicted of an offence involving dishonesty or of any other offence under the Plant Breeder's Rights Act, 2007, or any other law within or outside Zambia? If yes, specify details:..... Nature of offence:..... Date of conviction:..... Sentence:.....		<input type="checkbox"/>
10.	Appendices		<input type="checkbox"/>
	(a) Local application		<input type="checkbox"/>
	Appendix No. 1 Photocopy of national registration card in the case of an individual		<input type="checkbox"/>
	Appendix No. 2 Copy of examination for distinctness, homogeneity and stability of plant variety		<input type="checkbox"/>



Appendix No. 3	Copy of variety trials carried out on plant variety		
Appendix No. 4			
Appendix No. 5			
Appendix No. 6			
Appendix No. 7			
Appendix No. 8			
Appendix No. 9			
<b>(b) Foreign application</b>			
Appendix No. 1	Copy of application made in country of origin		
Appendix No. 2	Copy of plant breeder's rights granted in country of origin		
Appendix No. 3	Copy of examination for distinctness, homogeneity and stability of plant variety		
Appendix No. 4	Copy of variety trials carried out on plant variety		
Appendix No. 5			
Appendix No. 6			
Appendix No. 7			
Appendix No. 8			
Appendix No. 9			
Appendix No. 10			
Appendix No. 11			
Application fee receipt number:			
Name of applicant (individual or authorised representative): _____			
Signature: _____		Date: _____	
<b>FOR OFFICIAL USE ONLY</b>			
Received by: _____		Date: _____	
(Name)			
Approved: _____			
Not approved for the following reasons: _____			
Signature: _____			
STAMP			



REPUBLIC OF ZAMBIA

The Plant Breeder's Rights Act, 2007  
(Act No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

FORM OF AUTHORISATION OF AGENT

(1) Here insert the full names of the person authorising, and in the case of a company, the name of the Director

I/We (1).....  
have appointed (2).....  
of.....

(2) Here insert name and address of agent

to act as my/our agent for (3).....

(3) Here state the particular matter for which the agent is appointed, giving the reference number if known

and request that all notices, requisition and communications relating thereto may be sent to such agent at the above address.

I/We here hereby revoke all previous authorisations, if any, in respect of the same matter.

(4) Here state nationality of principal

I/We hereby declare that I am/we are a (4).....

Dated this ..... day of ..... 20 .....

(5) To be signed by person appointing the agent

(5) .....

*Signature of principal*

Address(6).....

(6) Here insert the full trade or business address of principal

Dated this ..... day of ..... 20 .....

.....

*Signature of agent*

Address .....

Form IV  
(Regulation 6)



REPUBLIC OF ZAMBIA

**The Plant Breeder's Rights Act, 2007**  
(Act No. 18 of 2007)

**The Plant Breeder's Rights (Forms and Fees) Regulations, 2011**

**REQUEST FOR FURTHER INFORMATION/PARTICULARS**

To:.....

Address:.....

Reference No: .....

You are hereby requested to furnish the following information or documents in respect of your application for.....

(a).....

(b).....

(c).....

(d).....

within .....days of this notice. If you fail to furnish the requested information within the stipulated period, your application will be treated as invalid and shall be rejected.

Dated this .....day of ..... 20.....

.....

*Registrar*

Form V  
(Regulations 7, 8(2) and 12(2))



REPUBLIC OF ZAMBIA

The Plant Breeder's Rights Act, 2007  
(Act No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

NOTICE OF ACCEPTANCE OR REJECTION OF  
APPLICATION/PLANT VARIETY DENOMINATION

To: .....

Address: .....

.....

Reference No: .....

you are hereby notified that your application for ..... has been  
accepted/rejected on the following grounds:

(a).....

(b).....

(c).....

(d).....

You are hereby requested to submit another denomination within .....  
days of this Notice. If you fail to submit the denomination within the  
stipulated period, your application will be treated as invalid and shall be  
rejected.

Dated this.....day of.....20.....

.....  
*Registrar*

Form VI  
(Regulation 8(1))  
(To be completed in triplicate)



## REPUBLIC OF ZAMBIA

The Plant Breeder's Rights Act, 2007  
(Act No. 18 of 2007)

## The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

APPLICATION FOR AMENDMENT OF APPLICATION/PLANT VARIETY DENOMINATION	
	Shaded fields for official use
	Application Number: _____
	Date/Time _____
	Information required
1.	Name(s) of applicant(s)
2.	Date of initial application
3.	Proposed plant variety denomination
4.	Proposed amendments to application
	(a)
	(b)
	(c)
	(d)
	(e)
	(f)
5.	Appendices (Please attach relevant supporting documentation)
	Appendix No. 1
	Appendix No. 2
	Appendix No. 3
Receipt number	
Name:	
Signature of applicant (individual or authorized representative):	
To be signed by authorized officer	
Name:	
Signature of officer:	
STAMP	



REPUBLIC OF ZAMBIA

The Plant Breeder's Rights Act, 2007  
(Act No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

NOTICE OF VARIATION OF APPLICATION

(1) Here insert full names and address of Applicant

To (1).....  
.....

(2) Here insert reference No. of application

IN THE MATTER OF (2)..... you are hereby notified that your application for (3)..... has been varied as follows:

(3) Here insert type of application

- (a).....
- (b).....
- (c).....
- (d).....

Dated this .....day of .....20.....

.....  
*Registrar*



Form VIII  
(Regulation 10)

REPUBLIC OF ZAMBIA

The Plant Breeder's Rights Act, 2007  
(Act No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

VERIFICATION OF PARTICULARS OF DESCRIPTION  
OF PLANT VARIETY

(Section 21 of the Plant Breeder's Rights Act No. 18 of 2007)

I/we (1) ..... of (2)  
..... hereby certify as follows:

((1) Here insert  
full names of  
applicant

1. The following are the particulars of the characteristics that distinguish the plant variety from other plant varieties, the existence of which is a matter of common knowledge:

((2) Here insert  
address of  
applicant

(a) .....

(b) .....

2. The following are the particulars of the test growing carried out to establish that the plant variety is distinct, uniform and stable:

(a) .....

(b) .....

3. The following are the particulars of the test growing carried out as required for essential derivation:

(a) .....

(b) .....

4. The following are the particulars of the test growing outside Zambia that establish that the plant variety will, if grown in Zambia, be distinct, uniform and stable:

(a) .....

(b) .....

\_\_\_\_\_  
*Signature of Applicant*

Date: .....



Form IX  
(Regulation 11)

REPUBLIC OF ZAMBIA

**The Plant Breeder's Rights Act, 2007**  
(Act No. 18 of 2007)  
**The Plant Breeder's Rights (Forms and Fees) Regulations, 2011**

GRANT NO. ....

**GRANT OF PROVISIONAL PROTECTION**  
(Section 28 of the Plant Breeder's Rights Act, No. 18 of 2007)

Holder's name .....

Address.....

This provisional protection is granted in respect of plant variety .....

with denomination .....

for a period of ..... commencing on the  
..... day of ..... 20 .....

The conditions of grant of the provisional protection are as shown in the Annexures attached hereto.

Please be notified that the grant of provisional protection shall cease to apply to your plant variety if—

- (a) your application for plant breeder's rights is rejected or granted under section 30 of the Act, whichever occurs first;
- (b) your application is withdrawn; or
- (c) the Institute, in the public interest, takes a decision not to proceed with your application.

Issued at .....this ..... day of  
..... 20.....

.....

*Registrar*

**ENDORSEMENT OF GRANT**

This grant of provisional protection has this ..... day of .....  
20 ..... been entered in the Register.



Form X  
(Regulation 12(1))



REPUBLIC OF ZAMBIA

**The Plant Breeder's Rights Act, 2007**

(Act No. 18 of 2007)

**The Plant Breeder's Rights (Forms and Fees) Regulations, 2011**

GRANT NO: .....

**GRANT OF PLANT BREEDER'S RIGHTS**

*(Section 30 of the Plant Breeder's Rights Act, No. 18 of 2007)*

Holder's name .....

Address .....

The plant breeder's rights are granted in respect of plant variety

..... with denomination

..... for a period of ..... commencing on the

..... day of ..... 20 .....

The conditions of grant of the plant breeder's rights are as shown in the Annexures attached hereto.

Issued at ..... this ..... day

of ..... 20 .....

.....  
*Registrar*

**ENDORSEMENT OF GRANT**

This grant of plant breeder's rights has this ..... day of

..... 20 ..... been entered in the Register.



Form XI  
(Regulation 13 (1))

REPUBLIC OF ZAMBIA

The Plant Breeders Rights Act, 2007  
(Act No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011  
NOTIFICATION OF ACQUISITION OF PLANT BREEDER'S RIGHTS  
(Section 10 of the Plant Breeders Rights Act, No. 18 of 2007)

To: The Registrar:

Please be notified that on the .....day of .....20.....

(1) Here insert the full names and address of claimant

I (1)  
.....  
.....  
.....

(2) Here insert the full names and address of the grantee

acquired the following plant breeder's rights:  
(a).....  
(b).....  
(c).....  
(d).....

(3) Here insert No. of licence under which grantee holds the rights

in respect of .....plant variety.  
The plant breeders rights were assigned/transmitted\* to me by (2).....  
of.....

The rights were held by the grantee under licence No. (3).....  
issued on the .....day of .....20.....

Any documents required to be sent to me by your office in respect of  
this notice may be sent at the following address:  
.....  
.....  
.....

Dated this .....day of .....20.....

.....  
*Assignee*

\*Delete as appropriate



Form XII  
(Regulation 13(2))

REPUBLIC OF ZAMBIA

The Plant Breeder's Rights Act, 2007  
(No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

NOTIFICATION OF ACCEPTANCE/REJECTION OF  
ACQUISITION OF PLANT BREEDER'S RIGHTS

To: (The Claimant).....

Address: .....

Reference No: .....

you are hereby notified that—

\*(a) your name has been entered on the Register pursuant to the  
lodgment by yourself, of a notification of acquisition of plant  
breeder's rights dated the ..... day of  
.....20..... in respect of ..... plant variety for  
the following plant breeder's rights:

- (i).....
- (ii).....
- (iii).....
- (iv).....; or

(a) your notification for acquisition of plant breeder's rights has been  
rejected on the following grounds:

- (i).....
- (ii).....
- (iii).....
- (iv).....

\*Delete as appropriate

Dated this ..... day of ..... 20.....

.....  
*Registrar*

To: (The Grantee) .....

Address: .....

Reference No: .....

You are hereby notified that—

\*(a) I have entered the name of .....  
(the claimant) of—

(i) Address: .....

(ii) Reference No.: .....

pursuant to the lodgment by .....

(the assignee) of a notification of acquisition of plant breeder's  
rights dated the ..... day of .....

20 ..... in respect of ..... plant variety. The  
notification lodged was in respect of the following plant breeder's  
rights:

(i) .....

(ii) .....

(iii) .....

(iv) .....;

or

(a) I have rejected the notification of acquisition of plant breeder's rights  
by ..... (the claimant) of—

(i) Address: .....

(ii) Reference No.: .....

lodged by .....

(the claimant) on the ..... day of ..... 20 ..... on the  
following grounds:

(i) .....

(ii) .....

(iii) .....

(iv) .....

\*Delete as appropriate

Dated this ..... day of ..... 20 .....

.....  
*Registrar*

Form XIII  
(Regulations 14 and 21)



REPUBLIC OF ZAMBIA

The Plant Breeder's Rights Act, 2007  
(Act No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

NOTICE OF INTENTION TO REVOKE PLANT BREEDER'S  
RIGHTS/COMPULSORY LICENCE

To (1).....  
.....  
.....

(1) Here insert the full names and address of holder/grantee/licensee

IN THE MATTER OF (2)..... you are hereby notified that I intend to revoke your plant breeder's rights/compulsory licence on the following grounds:

(2) Here insert the grant No.

- (a).....
- (b).....
- (c).....
- (d).....

(3) Here insert the number of days stipulated (should not exceed thirty days)

(4) Signature of Registrar

Accordingly, you are requested to file an objection to this notice within (3)..... days of receiving this notice. Failure to file the objection shall result in the revocation of your plant breeder's rights/compulsory licence.

Dated this ..... day of ..... 20.....

(4) .....  
*Registrar*



REPUBLIC OF ZAMBIA

The Plant Breeder's Rights Act, 2007  
(Act No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

NOTICE OF REVOCATION OF PLANT BREEDER'S  
RIGHTS/LICENCE/COMPULSORY LICENCE

(1) Here insert the full names and address of holder/grantee (2) Here insert the grant No. (3) Signature of Registrar \*delete as applicable

To (1).....

IN THE MATTER OF (2)..... you are hereby notified that your \*plant breeder's rights/licence/compulsory licence has been revoked on the following grounds:

(a).....

(b).....

(c).....

(d).....

Dated this ..... day of ..... 20.....

(3).....

Registrar

\*delete as applicable

Form XV  
(Regulations 16(2) and 23)



REPUBLIC OF ZAMBIA

The Plant Breeder's Rights Act, 2007  
(Act No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

NOTICE OF INTENTION TO SURRENDER PLANT BREEDER'S  
RIGHTS/COMPULSORY LICENCE

To the Registrar

(1).....  
.....

IN THE MATTER OF (2).....do hereby notify  
your office that I intend to surrender my plant breeder's rights/compulsory licence  
for the following reasons:

(1) Here insert  
the full names  
and address of  
holder/grantee

(a).....

(2) Here insert  
the grant No.

(b).....

(c).....

(d).....

Dated this ..... day of ..... 20.....

(3).....  
*Holder/Grantee*

FOR OFFICIAL USE ONLY

Received by: \_\_\_\_\_ Date Received: \_\_\_\_\_  
*Name*

Signature:

STAMP



Form XVI  
(Regulation 17)

REPUBLIC OF ZAMBIA

The Plant Breeder's Rights Act, 2007  
(Act No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

NOTICE OF INTENTION TO TRANSFER PLANT  
BREEDER'S RIGHTS

(1) Here insert  
the grant No.

To the Registrar

IN THE MATTER OF (1)..... I (2)

(2) Here insert  
the full names  
and address of  
holder

.....  
.....  
.....

(3) Here insert  
the grant/  
licence No.

hereby notify you of my intention to transfer my plant breeder's rights  
held under Ggrant/licence No. (3) ..... on  
the following grounds:

- (a).....
- (b).....
- (c).....
- (d).....

(4) Here insert  
the full names  
and address of  
transferee

My plant breeder's right are to be transferred to (4)

.....  
.....  
.....

(5) Proposed  
date of transfer

On the (5)..... day of..... 20.....

I have notified the following persons who are also licensed in respect of  
the plant breeder's rights of my intention:

- (a).....
- (b).....
- (c).....
- (d).....

Find attached to this Notice proof of such notification.

Dated this..... day of..... 20.....

(4).....  
*Registrar*





Form XVII  
(Regulation 18)

REPUBLIC OF ZAMBIA

The Plant Breeder's Rights Act, 2007  
(Act No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

APPLICATION FOR LICENCE/COMPULSORY LICENCE FOR PLANT BREEDER'S RIGHTS			
		Shaded fields for official use only	Application No.
			Date/Time
Information Required		Information Provided	
1	Grant No.		
2	Current holder/grantee		
3	(a) Name(s) of licensee(s)		
	(b) Type of licensee		
4	Licensee's Address		
	Tel:		
	Fax:		
	E-mail:		
5	Plant breeder's rights applied for:	(a)	
		(b)	
		(c)	
<b>Appendices</b>			
	Appendix No. 1	Conditions imposed for issuance of licence	
	Appendix No. 2	Copy of application for licence made to holder/grantee	
	Appendix No. 3	Copy of decision given by holder/grantee	
	Appendix No. 4	The requirements of the public for seed of the plant variety which will not be met if the licence is not granted	
Name of Applicant (individual or authorised representative): _____ Date: _____			
Signature: _____			
<b>FOR OFFICIAL USE ONLY</b>			
Received by: _____		RECEIPT NO. _____	
Amount Received _____		STAMP _____	
Serial No. of application: _____			

Form XVIII  
(Regulations 18(2) and 19(2))



REPUBLIC OF ZAMBIA

The Plant Breeder's Rights Act, 2007  
(Act No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

Licence No... ..

LICENCE/COMPULSORY LICENCE FOR PLANT BREEDER'S RIGHTS  
(Sections 43 and 45 of the Plant Breeder's Rights Act, No. 18 of 2007)

Licensee's name .....  
Address.....

This licence permits the licensee to—

- (a).....
- (b).....
- (c).....
- (d).....

in respect of .....plant variety which rights are held by  
.....under licence No. ....issued on the  
..... day of .....20.....

This licence is valid for a period of..... days commencing on the ..... day of ..... 20 .....

The conditions of the grant of the consent are shown in the Annexures attached hereto.

Dated ..... this ..... day of .....

.....  
*Holder*

---

**TERMS AND CONDITIONS OF LICENCE**

- (1) The licensee shall provide to the holder .....of the propagating  
(quantity)  
material of the relevant variety at the cost of .....per.....
- (2) The licensee shall pay the sum of K..... as royalty in respect of the  
exploitation of the licence.
- (3) The licensee shall pay to the Institute and the holder a fee on the grant of this licence and any  
annual or other periodic licence fees.
- (4) The licensee shall comply with the directions of the Institute and the holder in relation to  
specified matters.



Form XIX  
(Regulation 20)

REPUBLIC OF ZAMBIA

The Plant Breeder's Rights Act, 2007  
(Act No. 18 of 2007)

The Plant Breeder's Rights (Forms and Fees) Regulations, 2011

APPLICATION FOR RENEWAL/VARIATION OF COMPULSORY LICENCE			
		Shaded fields for official use only	Application No.
			Date/Time
Information Required	Information Provided		
1	Grant No.		
2	Current holder/grantee		
3	(a) Name(s) of licensee(s)		
	(b) Type of licensee		
4	Licensee's Address		
	Tel:		
	Fax:		
	E-mail:		
5	Plant breeder's rights applied for:	(a)	
		(b)	
		(c)	
Appendices			
	Appendix No. 1		
	Appendix No. 2		
	Appendix No. 3		
	Appendix No. 4		
Name of Applicant (individual or authorised representative): _____			Date: _____
Signature: _____			
<b>FOR OFFICIAL USE ONLY</b>			
Received by: _____		RECEIPT NO. _____	
<i>Officer</i>			
Amount Received _____		STAMP	
Serial No. of application: _____			

**SECOND SCHEDULE**  
*(Regulation 24)*

## PRESCRIBED FEES

<i>No.</i>	<i>Description</i>	<i>Fee Units</i>
1.	Application for grant of plant breeder's rights/ provisional protection	7,833
2.	Technical evaluation of a plant variety	15,667
3.	Annual fee	7,833
4.	Purchase of a report from a testing authority in another country	5,222
5.	Replacement of lost or destroyed grant/licence	8,356
6.	Claim of priority from a preceding application outside Zambia	2,089
7.	Change of denomination	522
8.	Reinstatement of an abandoned application on petition	2,089
9.	Application for a compulsory license	2,089
10.	Application for renewal of a grant/licence	2,611
11.	Inspection of register and documents	522
12.	Duplicate page of register or documents	261
13.	Grant for Plant Breeders Rights/licence/provisional protection	6,267

## THIRD SCHEDULE

(Regulation 25)

## PROTECTED PLANT SPECIES

<i>Common Name</i>	<i>Botanical Name</i>
<b>CEREALS:</b>	
Barley.....	<i>Hordeum vulgare</i> L.
Finger millet.....	<i>Eleusine coracana</i> (L.)
<i>Guertn</i>	
Maize.....	<i>Zeamays</i> L.
Oats.....	<i>Avena sativa</i> L.
Pearl millet.....	<i>Pennisetum glaucum</i> (L.) R. Br.
Rice.....	<i>Oryza sativa</i> L.
Rye.....	<i>Secale cereale</i>
Sorghum.....	<i>Sorghum bicolor</i> (L.)
<i>Moench</i>	
Triticale <i>Triticum</i> spp.....	<i>Triticale hexaploide</i> Lart..
Wheat.....	<i>Triticum aestivum</i> L.
Wheat (Durum) .....	<i>Triticum durum</i> L.
<b>PULSES:</b>	
Beans.....	<i>Phaseolus vulgaris</i> L.
Broadbeans.....	<i>Vicia faba</i> L.
Chick peas.....	<i>Cicerarietinum</i> L.
Cluster bean.....	<i>Cyamopsis tetragonoloba</i> .
Cowpea.....	<i>Vigna unguiculata</i> (L.) Walp
Dolichos bean.....	<i>Dolichos lablab</i> L.
Pea.....	<i>Pisum sativum</i> L.
Pigeon pea.....	<i>Cajanus cajan</i>
Common Vetch.....	<i>Vicia sativa</i> L.
Greengram.....	<i>Phaseola aureus</i> L.
<b>OIL CROPS:</b>	
Castor bean .....	<i>Ricinus communis</i> L.
Ground nut.....	<i>Arachis hypogaea</i> K.
Jojoba.....	<i>Simmondsia chinensis</i>
Linseed.....	<i>Linum usitatissimum</i> L.
Oil seed rape.....	<i>Brassica napus</i> L.
Safflower.....	<i>Carthamus tinctorius</i> L.
Sesame.....	<i>Sesamum indicum</i> L.
Sunflower.....	<i>Helianthus annuus</i> L.
Soy beans.....	<i>Glycine max</i> (L.) Merr.
Jatropha.....	
<b>FIBRE CROPS:</b>	
Cotton.....	<i>Gossypium</i> spp.
Flax.....	<i>Linum usitatissimum</i> L.
Kenaf.....	<i>Hibiscus cannabinus</i> L.
Sisal.....	<i>Agave sisalana</i>
<b>ROOT AND TUBER CROPS:</b>	
Beet.....	<i>Beta vulgaris</i> L.
Irish potatoes.....	<i>Solanum tuberosum</i>
Turnip.....	<i>Brassica rapa</i> L.
Cassava.....	
Sweet potatoes.....	
<b>HERBAGE GRASSES:</b>	
Blue stem grass.....	<i>Andropogon</i> spp.
Buffel grass.....	<i>Cenchrus ciliaris</i> L.
Cock's foot.....	<i>Dactylois glomerata</i>

Coloured guinea grass.....	<i>Panicum coloratum</i>
Columbus grass.....	<i>Sorghum almum</i>
Congo signal.....	<i>Brachiaria ruzizensis</i>
Paspalum grass.....	<i>Paspalum gayanus</i>
Rhodes grass.....	<i>Chloris gayana</i>
Rye grass.....	<i>Lolium spsp</i>
Setaria.....	<i>Setaria anceps</i>
Sudan grass.....	<i>Sorghum sudanense</i>
Love grass.....	<i>Eragrostis spp.</i>
Sugar cane.....	
<b>LAWN GRASS:</b>	
Bermuda grass.....	<i>Cynodon dactylon</i>
<b>PASTURE LEGUMES:</b>	
Butterfly pen.....	<i>Clitoria ternatea.</i>
Centro.....	<i>Centrosema pubescens Benth</i>
Clover.....	<i>Trifolium spp</i>
Greenleaf.....	<i>Desmodium introrium (Miller)</i>
Leucaena.....	<i>Leucaena lencocephala</i>
Lucerne.....	<i>Medicago sativa L.</i>
Lupin.....	<i>Lupinus spp.</i>
Silver leaf.....	<i>Desmodium uncinatum</i>
Siratiro.....	<i>Macroptilium atropurpureum</i>
Stylo.....	<i>Stylosanthes guianensis</i>
<b>FRUITS TREES:</b>	
Sweet Oranges.....	<i>Citrus sinensis</i>
Mandarine.....	<i>C. reticulate</i>
Lemon.....	<i>C. limon</i>
Lime.....	<i>C. aurantifolia</i>
Peaches.....	<i>Prunus persica</i>
Plums.....	<i>P. domestica</i>
Apricot.....	<i>P. armenica</i>
Custard Apple.....	<i>Annona reticulate</i>
Mango.....	<i>Mangifera indica</i>
Avocado.....	<i>Persea americana</i>
Guava.....	<i>Psidium gua java</i>
Pincapple.....	<i>Ananas comosus</i>
Banana.....	<i>Musa spp.</i>
Apple.....	<i>Malus sylvestris</i>
Pears.....	<i>Pyrus communis</i>
Grapes.....	<i>Vitisvinifera</i>
Papaya.....	<i>Carica papaya</i>
Passion Fruit.....	<i>Passiflora edulis</i>
Jackfruit.....	<i>Artocarpus heterophyllus</i>
Litchi/Lychee.....	<i>Litchi chinensis</i>
Raspberry.....	<i>Rubus spp.</i>
Rose Apple.....	<i>Syzygium jambos</i>
Tree Tomato.....	<i>Cyphomandra betacea</i>
Tamarind.....	<i>Tamarindus indica</i>
Straw Berry.....	<i>Fragaria ananassa</i>
<b>TREE CROPS:</b>	
Coffec.....	<i>Coffea Arabica &amp; Coffea canephora</i>
Coconut.....	<i>Cocos nucifera</i>
Cashew.....	<i>Anacardium occidentale L.</i>
Tea.....	<i>Camilla sinensis</i>

## VEGETABLES:

Amaranth.....	<i>Amaranthus spp.</i>
Artichoke.....	<i>Cynara scolymus</i>
Asparagus.....	<i>Asparagus officinalis</i>
Beans.....	<i>Phaseolus vulgaris L.</i>
Beet.....	<i>Beta vulgaris L.</i>
Broccoli/Cauliflower.....	<i>Brassica oleracea var.botrytis L.</i>
Brussels sprouts.....	<i>Brassica oleracea var.gemnifera</i>
Cabbage.....	<i>Brassica oleracea var.capitata L.</i>
Canteloupe/Muskmelon.....	<i>Cucumis melo L.</i>
Carrot.....	<i>Daucus carota L.</i>
Celery/Celeriac.....	<i>Apium graveolens L.</i>
Chicory.....	<i>Cichorium intybus L.</i>
Chinese cabbage.....	<i>Brassica chinensis L.</i>
Chirvil.....	<i>Anthriscus cerefolium</i>
Collards/Kale.....	<i>Brassica oleracea var.ancephala DC.</i>
Corriander.....	<i>Coriandrum sativum</i>
Cucumber.....	<i>Cucumis sativus L.</i>
Dill.....	<i>Arethum graveolens L.</i>
Eggplant.....	<i>Solanum melongena L.</i>
Endive.....	<i>Cichorium endivia L.</i>
Garden cress.....	<i>Lespidium sativa L.</i>
Karella.....	<i>Cucumis spp.</i>
Kohl rabi.....	<i>Brassica oleracea var.gongylodes</i>
Leek.....	<i>Alliumporrum L.</i>
Lettuce.....	<i>Lactuca sativa</i>
Okra.....	<i>Hibiscus esculentus L.</i>
Onion.....	<i>Allium cepa L.</i>
Parsley.....	<i>Petroselinum crispum (Mill) Nym.</i>
Parsnip.....	<i>Pastinaca sativa L.</i>
Pea.....	<i>Pisum sativum L. Sensulato.</i>
Pepper.....	<i>Capsicum spp.</i>
Courgette.....	
Radish.....	<i>Cucurbitpepo L.</i>
Rhubarb.....	<i>Raphanus sativus L.</i>
Rutabaga.....	<i>Rheum raphonticum L.</i>
Spinach.....	<i>Brassica napus var. napobrassica L.</i>
Swiss chard.....	<i>Spinacea oleracea L.</i>
Tomato.....	<i>Beta vulgaris</i>
Turnip.....	<i>Lycopersicon esculentum: P. Mill.</i>
Water cress.....	<i>Brassica rapa L.</i>
Water melon.....	<i>Nasturtium officinal Ribr</i>
Pumpkin.....	<i>Citrullus spp.</i>
Squash.....	

## FLOWERS:

Pyrethrum.....	<i>Chrysanthemum spp.</i>
Chrysanthemum.....	<i>Chrysanthemum spp.</i>
Camation.....	<i>Dianthus spp.</i>
Lisianthus.....	<i>Eustoma spp.</i>
Roses.....	<i>Rosa spp</i>
Croton.....	<i>Croton spp</i>
Cordia.....	<i>Cordia spp.</i>
Salvia.....	<i>Salvia spp.</i>
Tagetes.....	<i>Tagetes spp.</i>
Aster.....	<i>Aster spp.</i>
Dahlia.....	<i>Dahlia spp.</i>
Hibiscus.....	<i>Hibiscus spp.</i>
Bougainvillea.....	<i>Bougainvillea spp.</i>



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Aucuba.....	<i>Aucuba japonica</i>
Begonia.....	<i>Begonia spp.</i>
Camellia.....	<i>Camellia spp.</i>
Campanula.....	<i>Campanula spp.</i>
Euphorbia.....	<i>Euphorbia spp.</i>
Gladiolus.....	<i>Gladiolus spp.</i>
Hedera.....	<i>Hedera spp.</i>
Helianthus.....	<i>Helianthus spp.</i>
Iris.....	<i>Iris spp.</i>
Jasmin.....	<i>Jasminum spp.</i>
Lily.....	<i>Lilium spp.</i>
Oxalis.....	<i>Oxalisadenophylla</i>
Pelargonium.....	<i>Pelargonium spp.</i>
Thuja.....	<i>Thuja spp.</i>
Yucca.....	<i>Yucca spp.</i>
Canna lily.....	<i>Cannaspp.</i>

LUSAKA  
 8th April, 2011  
 [MACO.64/9/14 CONF.]

DR E. KAZONGA,  
*Minister of Agriculture  
 and Cooperatives*

