

**Kenya Subsidiary Legislation. 1994.**

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**FORM V**

**THE SEEDS AND PLANT VARIETIES ACT**

**(Cap. 326).**

**APPLICATION FOR A PROTECTIVE DIRECTION**

**PART I**

*(Notes to be read before completing the application form).*

1. This application should be completed by an applicant for a ~ who is also applying for a protective direction of the Authorized Officer under the 3rd Schedule to the seeds and plant varieties Act.
2. Every Applicant must, pursuant to Paragraph 1 of the said schedule give the undertaking set out to paragraphs 2 of part II.
3. The undertaking referred to in paragraph 2 is subject to paragraph 1(3) of the Third Schedule to the seeds and Plant Varieties Act which provides:

"(3) an undertaking under this paragraph shall not prevent the applicant from making an offer for sale which in the period before the application would be permitted by subparagraphs (3) or ( 4) of paragraph 2 of part II of the fourth schedule to this Act, or the exposure for sale of material where an offer for sale of that material would be so permitted".
4. The authorized officer may, if he thinks fit, grant a protective direction if he is satisfied that the applicant has: - (i) duly given the undertaking: and (ii) furnished him with all such information, facilities and materials as the officer may require from the applicant for the grant of plant breeder's rights.