

PLANT IMPROVEMENT ACT, 1976
(Act 53 of 1976)

REGULATIONS RELATING TO THE APPLICATION OF ACT

I, Gert Jeremias Kotzé, Deputy Minister of Agricultural Economics, acting on behalf of the Minister of Agricultural Economics under section 2 of the Plant Improvement Act, 1976 (Act 53 of 1976), hereby –

- (a) declare that all the provisions of the said Act shall apply to the seed of plants of the kinds specified in Schedule A;
- (b) declare that all the provisions of the said Act except section 27, shall apply to –
 - (i) plants of the kinds specified in Schedule B, and any cross of such plants, excluding plants of those kinds that are used for ornamental or decorative purposes;
[Sub-para. (b)(i) substituted by R. 2503 of 9 December 1988, amended by R. 54 of 1 February 2013]
 - (ii) the seed of the kinds of plant specified in Schedule C, excluding plants of those kinds that are used for ornamental, decorative or recreational purposes;
[Sub-para. (b)(ii) amended by R. 54 of 1 February 2013]
- (c) declare that all the provisions of the said Act except sections 6, 7, 8, 9, 10, 11, 12, 14(a) and (c) and 27 shall apply to the tubers of plants of the kinds specified in Schedule D;
[Para. (c) substituted by R. 2503 of 9 December 1988]
- (c)A hereby declare that all the provisions of the said Act, except sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26 and 27 shall apply with regard to tubers and plants of the kinds specified in Schedule D, which is tested, examined and analysed by a test laboratory;
[Para. (c)A inserted by R. 1639 of 12 July 1991]
- (d) deleted;
[Para. (d) substituted by R. 1387 of 26 June 1987, amended by R. 1639 of 12 July 1991 and deleted by R. 54 of 1 February 2013]
- (d)A hereby declare that all the provisions of the said Act, except sections 6, 7, 8, 9, 10, 11, 12, 14 and 27 shall apply with regard to plants of the kinds indicated in Schedule F;
and
[Para. (d)A inserted by R. 1638 of 12 July 1991]
- (e) repeal Government Notices R. 1062 of 23 May 1980, R. 1497 of 5 July 1985 and R. 280 of 14 February 1986.

G. J. KOTZÉ
Deputy Minister of Agricultural Economics

Regulations relating to the application of the Act published by Government Notice No. R. 1901 of 12 September 1986, as amended by Government Notices Nos. R. 1387 of 26 June 1987, R. 2503 of 9 December 1988, and R. 1639 of 12 July 1991 (as corrected by R. 1970 of 16 August 1991), R. 2619 of 18 September 1992, R. 1592 of 27 August 1993, R. 2056 of 29 October 1993, R. 512 of 18 March 1994, R. 1464 of 26 August 1994, R. 96 of 24 January 1997, R. 54 of 1 February 2013 and R. 797 of 4 September 2015.

SCHEDULE A

KINDS OF PLANTS OF WHICH THE SEED IS SUBJECT TO ALL PROVISIONS

Botanical name	Common name
<i>Arachis hypogaea</i> L.	Groundnut
<i>Phaseolus coccineus</i> L.	Kidney bean
<i>Phaseolus vulgaris</i> L.	Dry bean
<i>Sorghum bicolor</i> (L.) Moench [= <i>S. vulgare</i> Pers.; including <i>S. dochna</i> (Forssk.) Snowden]	Grain sorghum
<i>Vigna unguiculata</i> (L.) Walp.	Cowpea
<i>Zea mays</i> L.	White and yellow maize

[Schedule A substituted by R. 1592 of 27 August 1993, amended by R. 512 of 18 March 1994 and R. 797 of 4 September 2015]

SCHEDULE B

KINDS OF PLANTS WHICH ARE SUBJECT TO ALL PROVISIONS EXCEPT SECTION 27

Botanical name	Common name
<i>Actinidia</i> spp.	Kiwi fruit
<i>Anacardium occidentale</i> L.	Cashew nut
<i>Bertholletia excelsa</i> Humb. & Bonpl.	Brazil nut
<i>Carica papaya</i> L.	Papaya
<i>Carya illinoensis</i> (Wagenh.) K. Koch	Pecan nut
<i>Castanea sativa</i> Mill.	Chestnut
<i>Citrus</i> spp.	Lemon, lime, orange, tangerine, mandarin and mandarin hybrids, grapefruit and pummelo
<i>Camellia sinensis</i> (L.) Kuntze [= <i>Thea sinensis</i> L.]	Tea
<i>Coffea</i> spp.	Coffee
<i>Corylus avellana</i> L.	Hazel nut
<i>Cydonia</i> spp.	Quince
<i>Cydonia</i> spp.	Quince rootstock
<i>Ficus</i> spp.	Fig
<i>Fortunella</i> spp.	Kumquat
<i>Juglans regia</i> L.	Walnut
<i>Litchi chinensis</i> Sonn	Litchi
<i>Macadamia</i> spp.	Macadamia nut
<i>Malus</i> spp.	Apple
<i>Mangifera indica</i> L.	Mango
<i>Olea europea</i> L.	Olive
<i>Passiflora</i> spp.	Granadilla
<i>Persea americana</i> Mill.	Avocado
<i>Pistacia</i> spp.	Pistachio
<i>Poncirus trifoliata</i> Raf.	Trifoliolate orange
<i>Prunus</i> spp.	Prunus rootstock
<i>Prunus amygdalus</i> Batch. – see <i>Prunus dulcis</i>	
<i>Prunus armeniaca</i> L. [including interspecific hybrids]	Apricot
<i>Prunus avium</i> (L.) L.	Sweet cherry
<i>Prunus cerasus</i> L.	Sour cherry
<i>Prunus domestica</i> L.	Plum, European plum
<i>Prunus dulcis</i> (Mill.) D.A. Webb [= <i>P. amygdalus</i> Batch.]	Almond
<i>Prunus persica</i> (L.) Batsch	Peach
<i>Prunus persica</i> (L.) Batsch var. <i>nucipersica</i> (Sukow)C.K. Schneid.	Nectarine

<i>Prunus salicina</i> Lindl. [including interspecific hybrids]	Japanese plum
<i>Psidium guajava</i> L.	Guava
<i>Pyrus</i> spp.	Pear
<i>Thea sinensis</i> L. – see <i>Camellia sinensis</i>	
<i>Vitis</i> spp.	Grape

[Schedule B amended by R. 2503 of 9 December 1988 and R. 1464 of 26 August 1994 and substituted by R. 96 of 24 January 1997 and substituted by R. 54 of 1 February 2013 and amended by R. 797 of 4 September 2015]

SCHEDULE C

KINDS OF PLANTS OF WHICH THE SEED IS SUBJECT TO ALL PROVISIONS EXCEPT SECTION

27

Botanical name	Common name
<i>xAgrotriticum</i> spp.	Agrotriticum
<i>Allium cepa</i> L.	Onion
<i>Allium fistulosum</i> L.	Bunching onion
<i>Allium fistulosum</i> L. x <i>A. cepa</i> L.	New bunching onion
<i>Allium porrum</i> L.	Leek
<i>Anthephora pubescens</i> Nees	Bottlebrush grass, Wool grass
<i>Asparagus officinalis</i> L.	Asparagus
<i>Avena nuda</i> L.	Naked oats
<i>Avena sativa</i> L. [including <i>Avena byzantina</i> K.Koch]	Oats, Red oats
<i>Avena strigosa</i> Schreb.	Black oats
<i>Beta vulgaris</i> L.	Fodder beet, Garden beet, Sugar beet, Swiss chard
<i>Brassica napus</i> L.	Forage rape, Oilseed rape, Swede
<i>Brassica oleracea</i> L.	Cauliflower, Cabbage, Brussels sprouts, Kohlrabi, Broccoli, Savoy cabbage, Curly kale, Fodder kale
<i>Brassica rapa</i> L. [including <i>B. campestris</i> L.; <i>B. chinensis</i> L.; <i>B. pekinensis</i> (Lour.) Rupr.; <i>B. perviridis</i> (L.H. Bailey) L.H. Bailey]	Turnip, Chinese cabbage, pak-choi
<i>Bromus catharticus</i> Vahl	Rescue grass
<i>Cajanus cajan</i> (L.) Huth	Pigeon Pea
<i>Capsicum</i> spp.	Chilli, Hot pepper, Sweet pepper, Paprika, Pepper rootstock
<i>Cenchrus ciliaris</i> L.	Blue buffalo grass
<i>Chloris gayana</i> Kunth	Rhodes grass
<i>Citrullus lanatus</i> (Thunb.) Matsum. et Nakai	Watermelon
<i>Coriandrum sativum</i> L.	Coriander
<i>Cucumis melo</i> L.	Sweet melon
<i>Cucumis sativus</i> L.	Cucumber
<i>Cucumis</i> spp.	Cucumis rootstock
<i>Cucurbita maxima</i> Duch.	Pumpkin, Squash
<i>Cucurbita moschata</i> Duch.	Pumpkin, Squash
<i>Cucurbita pepo</i> L.	Squash, Zucchini, Vegetable marrow
<i>Cucurbita</i> spp.	Cucurbita rootstock
<i>Dactylis glomerata</i> L.	Cocksfoot
<i>Daucus carota</i> L.	Carrot
<i>Desmodium intortum</i> (Mill.) Urb.	Green leaf desmodium
<i>Desmodium uncinatum</i> (Jacq.) DC.	Silver leaf desmodium
<i>Digitaria eriantha</i> Steud.	Smuts finger grass
<i>Echinochloa crus-galli</i> (L.) P. Beauv.	Japanese Millet
<i>Eragrostis curvula</i> (Schrad.) Nees	Weeping lovegrass
<i>Eragrostis tef</i> (Zucc.) Trotter	Teff

Botanical name	Common name
<i>Festuca arundinacea</i> Schreb.	Tall fescue
<i>xFestulolium loliaceum</i> (Huds.) P.Fourn.	<i>Festuca pratensis</i> x <i>Lolium perenne</i> hybrids
<i>Foeniculum vulgare</i> Mill.	Fennel
<i>Glycine max</i> (L.) Merrill	Soya bean
<i>Gossypium hirsutum</i> L.	Cotton
<i>Helianthus annuus</i> L.	Sunflower
<i>Hordeum vulgare</i> L.	Barley
<i>Kummerowia striata</i> (Thunb.) Schindl. [= <i>Lespedeza striata</i> (Thunb.) Hook. et Arn.]	Common Lespedeza
<i>Lactuca sativa</i> L.	Lettuce
<i>Lespedeza cuneata</i> (Dum. Cours.) G. Don	Chinese Lespedeza
<i>Lespedeza striata</i> (Thunb.) Hook. et Arn. – see Kummerowia striata	
<i>Lolium multiflorum</i> Lam.	Italian and Westerwold ryegrass
<i>Lolium perenne</i> L.	Perennial ryegrass
<i>Lolium rigidum</i> Gaudin	Wimmera ryegrass, Rigid ryegrass
<i>Lolium xboucheanum</i> Kunth – see Lolium xhybridum	
<i>Lolium xhybridum</i> Hausskn. [= <i>L. xboucheanum</i> Kunth]	Hybrid ryegrass
<i>Lotus corniculatus</i> L.	Birdsfoot trefoil
<i>Lupinus albus</i> L.	White lupin
<i>Lupinus angustifolius</i> L.	Narrow leaf lupin
<i>Lupinus luteus</i> L.	Yellow lupin
<i>Lycopersicon esculentum</i> Mill. – see Solanum lycopersicum	
<i>Medicago littoralis</i> Rohde ex Loisel.	Strand medic
<i>Medicago polymorpha</i> L.	Burr medic
<i>Medicago rugosa</i> Desr.	Gama medic
<i>Medicago sativa</i> L.	Lucerne
<i>Medicago scutellata</i> (L.) Mill.	Snail medic
<i>Medicago truncatula</i> Gaertn.	Barrel medic
<i>Nicotiana tabacum</i> L.	Tobacco
<i>Ornithopus compressus</i> L.	Yellow serradella
<i>Ornithopus sativus</i> Brot.	Serradella
<i>Oryza sativa</i> L.	Rice
<i>Panicum coloratum</i> L.	Small Buffalo grass
<i>Panicum maximum</i> Jacq.	Buffalo grass, Guinea grass
<i>Paspalum dilatatum</i> Poir.	Dallis grass
<i>Paspalum notatum</i> Flügge	Bahia grass
<i>Pastinaca sativa</i> L.	Parsnip
<i>Pennisetum clandestinum</i> Hochst. ex Chiov.	Kikuyu
<i>Pennisetum glaucum</i> (L.) R. Br.	Pearl millet
<i>Petroselinum crispum</i> (Mill.) Fuss	Parsley
<i>Phalaris aquatica</i> L.	Harding grass
<i>Phaseolus vulgaris</i> L.	Garden bean
<i>Pisum sativum</i> L. <i>sensu lato</i>	Dry pea, Garden pea
<i>Raphanus sativus</i> L.	Fodder radish, Garden radish
<i>Ricinus communis</i> L.	Castor oil
<i>Secale cereale</i> L.	Rye
<i>Setaria sphacelata</i> (Schum.) Stapf & C. E. Hubb.	Setaria
<i>Sinapis alba</i> L.	White mustard
<i>Solanum lycopersicum</i> L. [= <i>Lycopersicon esculentum</i> Mill.; <i>L. lycopersicum</i> (L.) H. Karst.]	Tomato
<i>Solanum melongena</i> L.	Eggplant; Aubergine, Brinjal
<i>Solanum</i> spp. [excluding declared weed species]	<i>Solanum</i> Rootstock
<i>Sorghum</i> spp. [excluding declared weed species]	Annual and Perennial Forage sorghum,

Botanical name	Common name
	Industrial sorghum
<i>Sporobolus fimbriatus</i> (Trin.) Nees	Dropseed grass
<i>Stylosanthes hamata</i> (L.) Taub.	Caribbean stylo
<i>Trifolium fragiferum</i> L.	Strawberry clover
<i>Trifolium hirtum</i> All.	Rose clover
<i>Trifolium incarnatum</i> L.	Crimson clover
<i>Trifolium pratense</i> L.	Red clover
<i>Trifolium repens</i> L.	White clover
<i>Trifolium resupinatum</i> L.	Persian clover
<i>Trifolium subterraneum</i> L.	Subterranean clover
<i>Trifolium vesiculosum</i> Savi	Arrow leaf clover
<i>Triticum aestivum</i> L.	Wheat
<i>Triticum durum</i> Desf.	Durum wheat
<i>xTriticosecale</i> Wittm. ex A. Camus	Triticale
<i>Vicia faba</i> L.	Broad bean
<i>Vicia sativa</i> L. (including <i>V. angustifolia</i> L.)	Common vetch
<i>Vicia villosa</i> Roth (including <i>V. dasycarpa</i> Ten.)	Hairy vetch
<i>Zea mays</i> L.	Sweet corn

[Schedule C amended by R. 2503 of 9 December 1988, R. 1639 of 12 July 1991, R. 1970 of 16 August 1991 and R. 2619 of 18 September 1992; substituted by R. 1592 of 27 August 1993; and amended by R. 2056 of 29 October 1993, R. 512 of 18 March 1994, R. 1464 of 26 August 1994, R. 54 of 1 February 2013 and R. 797 of 4 September 2015.]

SCHEDULE D

KINDS OF PLANTS OF WHICH THE TUBERS ARE SUBJECT TO ALL PROVISIONS EXCEPT SECTIONS 6, 7, 8, 9, 10, 11, 12, 14(a) and (c) and 27 AND KINDS OF PLANTS OF WHICH THE TUBERS AND PLANTS ARE BEING TESTED, EXAMINED OR ANALYSED BY A TEST LABORATORY WHICH ARE SUBJECT TO ALL PROVISIONS EXCEPT SECTIONS 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26 and 27

Botanical name	Common name
<i>Solanum tuberosum</i> L.	Potato / Aartappel

[Schedule D substituted by R. 2503 of 9 December 1988 and amended by R. 1639 of 12 July 1991]

SCHEDULE E

KINDS OF PLANTS WHICH ARE SUBJECT TO ALL PROVISIONS EXCEPT SECTIONS 13 (1) (a), (b) and (c), 15, 16, 17, 18, 19, 20, 21, 22, 26 and 27

Deleted

[Schedule E inserted by R. 1387 of 26 June 1987 and amended by R. 2503 of 9 December 1988 and deleted by R. 54 of 1 February 2013]

SCHEDULE F

KINDS OF PLANTS WHICH ARE SUBJECT TO ALL PROVISIONS EXCEPT SECTIONS 6, 7, 8, 9, 10, 11, 12, 14 AND 27

Botanical name	Common name
<i>Fragaria x ananassa</i> Duch.	Strawberry/ Aarbei

[Schedule F inserted by R. 1639 of 12 July 1991 and amended by R. 1970 of 16 August 1991]