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UPOV**CAJ/XI/ 6 Add. 2****ORIGINAL:** French**DATE:** April 12, 1983**INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS****GENEVA****ADMINISTRATIVE AND LEGAL COMMITTEE****Eleventh Session****Geneva, April 26 and 27, 1983****MINIMUM DISTANCES BETWEEN VARIETIES**

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**LEGAL ASPECTS
(SOUTH AFRICA)**Document prepared by the office of the Union

1. The Office of the Union has received from Mr. J.F. Van Wyk, Director of the Division of Plant and Seed Control of South Africa, the replies to the questionnaire contained in the Annex to Circular No. U 771-08.1 (see Annex I to document CAJ/XI/6).
2. The replies are reproduced in the Annex to this document.

[Annex follows]

ANNEX

REPLIES FROM THE DELEGATION OF
SOUTH AFRICA

Extract from a letter, dated March 25, 1983,
from Mr. J.F. Van Wyk to the Vice Secretary-General

I. DISTINCTNESS

1. Such variety is regarded as the same variety.
2. Must be a finished variety.
3. A precise description by the breeder not sufficient.
4. a) Species by species
- b) No
- c) Yes, must be assured that inclusion of new characteristics will not disturb system.

II. NOVELTY

1. Yes.. The agreement of the breeder of the variety the subject of an application must be given.
2. No, it is not detrimental.
3. No.

III. SCOPE

1. a) Yes
- b) Yes
- c) Yes
- d) Yes and No depending on the importance of the characteristic.

GUIDEDANCE FOR REPLYING TO THE QUESTIONNAIRE.

1. Unfortunately none of the material referred to in this paragraph available in South Africa.
2. and 3. - No comments.

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