

**NOTICE 407 OF 2013****DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES (DAFF)****DRAFT PLANT BREEDERS' RIGHTS BILL****INVITATION FOR PUBLIC COMMENTS**

I, Tina Joemat-Pettersson, Minister of Agriculture, Forestry and Fisheries hereby invite all interested institutions, organizations and individuals to submit written comments on the draft Plant Breeders' Rights Bill.

Some of the key amendments include:

- Extending protection to all plant genera and species.
- Extending period of protection to 30 years for identified crops.
- Providing for realistic periods for submission of plant material for test and trials.
- Providing for automatic provisional protection without the undertaking not to sell, in South Africa, any reproductive material of the variety in question while the provisional protection is in force.
- Providing for inspection of documents maintained by the Registrar and stipulating what would be regarded as confidential information.
- Providing for provisions to deal with objections and appeals adequately.
- Increased penalties for offences in terms of this Act.
- Amendment of the Farmers' Privilege clause.
- Provision for varieties of recent creation.
- Empowering the Minister to establish a Plant Breeders' Rights Advisory Committee to advise the Registrar on matters related to plant variety protection.
- Amending the structure of the legislation by consolidating related sections into relevant chapters.

Copies of the document may be obtained from the office of the Registrar of Plant Breeders' Rights, [NoluthandoN@daff.gov.za](mailto:NoluthandoN@daff.gov.za) and from the DAFF website ([www.daff.gov.za](http://www.daff.gov.za): Legislation: Bills)

Comments must be submitted in writing **within 30** days from date of publication of this notice to:

The Registrar: Plant Breeders' Rights, Directorate Genetic Resources, DAFF, Private Bag X973, PRETORIA 0001

or

Physical address: Department of Agriculture, Forestry and Fisheries  
Room 253, Harvest House, 30 Hamilton Street, Arcadia, PRETORIA

E-mail: [NoluthandoN@daff.gov.za](mailto:NoluthandoN@daff.gov.za)

Fax: 012 319 6385