

Plant Variety Rights Act Review

Public consultation is now open on a review of the Plant Variety Rights (PVR) Act 1987.

The plant breeding industry has changed significantly over the last 30 years, and this review is necessary to ensure that the PVR Act is fit-for-purpose going forward. Although a review of the PVR Act 1987 was first initiated in the early 2000s, it was put on hold in anticipation of the release of the Waitangi Tribunal's Wai 262 report, which made a number of recommendations affecting the PVR regime. It was further delayed by international negotiations in the Trans-Pacific Partnership Agreement, which has since morphed into the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP).

Under the CPTPP, New Zealand is now required within three years to modernise the PVR regime to be consistent with the updated international agreement on plant variety rights (UPOV 91).

Consultation

The consultation period will run **from 17 September to 21 December 2018** and includes regional hui for engagement with Māori, as well as public and industry meetings around New Zealand. A schedule of these consultations and their registration links may be found on the MBIE website.

The review consultation gives you the opportunity to have your say on how the Government can:

- Find the right balance between strengthening plant breeders' rights to encourage innovation and preserving the interests of growers, consumers, Māori, and other interested groups so that there is a net benefit to New Zealand as a whole;
- Ensure that the regime is consistent with New Zealand's Treaty obligations; and
- Modernise the regime so that it is consistent with other intellectual property legislation.

There is also a related consultation on options to introduce [Disclosure of Origin requirements for Patent applications](#). ([h](#)
[i](#))

Making a submission

Anyone is welcome to make a submission before 5pm on **Friday 21 December 2018**. Please refer to the [Ministry of Business, Innovation and Employment \(MBIE\) website](#) (<http://www.mbie.govt.nz>) for the consultation documents and [more details on how to make a submission](#) (<https://www.mbie.govt.nz/have-your-say/plant-variety-rights-act-1987-review-issues-paper/>) and [contact MBIE](#) (<https://www.mbie.govt.nz/about/contact-us/>)

If you have any questions in relation to the submissions process, please [contact MBIE](#) (<https://www.mbie.govt.nz/about/contact-us/>)



**MINISTRY OF BUSINESS,
INNOVATION & EMPLOYMENT**
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New Zealand Government