

# House of Representatives

# Supplementary Order Paper

Wednesday, 27 July 2022

## Plant Variety Rights Bill

### *Proposed amendment*

Hon Judith Collins, in Committee, to move the following amendment:

#### *Clause 18*

In *clause 18(3)(a)*, replace “25 years” (page 16, line 25) with “30 years”.

### **Explanatory note**

This Supplementary Order Paper amends the Plant Variety Rights Bill. It would extend the length of a plant variety right for woody plants, root stock, or potatoes from 25 years to 30 years. This extends the protection of a plant variety right beyond the 25-year minimum required under the International Convention for the Protection of New Varieties of Plants (1991) to recognise the length of cultivation time required for some plants. For example, fruit trees may take 7 to 10 years to reach commercial production volumes, before which time the benefits of the plant variety right cannot be fully realised. Extending protection time allows plant variety right holders to exploit their varieties for longer, which facilitates increased export of these plants and enhances the New Zealand export economy. Further, as development costs increase, longer lengths of protection provide higher returns on investment, and thus better incentivise new plant variety development. Extending the protection period to 30 years would also bring New Zealand in line with other markets such as the European Union, Japan, Russia, and the United Kingdom.