

PVP System in Brunei

Who are the Stakeholders?

Potential Stakeholders in Brunei	
Consumers	Farmers Individuals
Breeders	Forestry Department, MIPR Sekolah Wasan Vokasional Plant Biotechnology Unit Crop Protection Unit IHLs (UBD, ITB) Tropical Biodiversity Centre Biodiversity Research Centre Brunei Agricultural Research Centre Foreign Breeders
Receiving Office	BEDB
Examination Office	Outsourced
Investors	Foreign Breeders

Role of Registry of Plant Variety Protection

The PVP Registry is responsible for the following:

- Receiving and processing PVP applications from local and foreign applicants.
- Issuing certificates of registration and publication of protected plant varieties.
- Providing general advice on application procedures under the governing legislation.
- Promoting awareness and effective use of the PVP system particularly for local breeders as a PVP system directly enhances their ability to expand and improve production.
- Exploring the feasibility of acceding to the 'International Union for the Protection of New Varieties of Plants (UPOV) Convention'.

Role of Registry of Plant Variety Protection

Submission of Application

Applicant submits application to BruIPO.

Date of Filing

Registry issues and acknowledgement letter and records date of filing.

Preliminary Examination

Formalities check conducted by BruIPO staff.

Publication

Information concerning application details will be published in BruIPO's Plant Varieties Journal.

Technical Examination

Technical examination to be outsourced to another Plant Variety office (office to be determined in the near future).

Grant/Reject

Certificate of grant or rejection is sent to applicant following the results of the technical examination.

Publication of Grant/Rejection

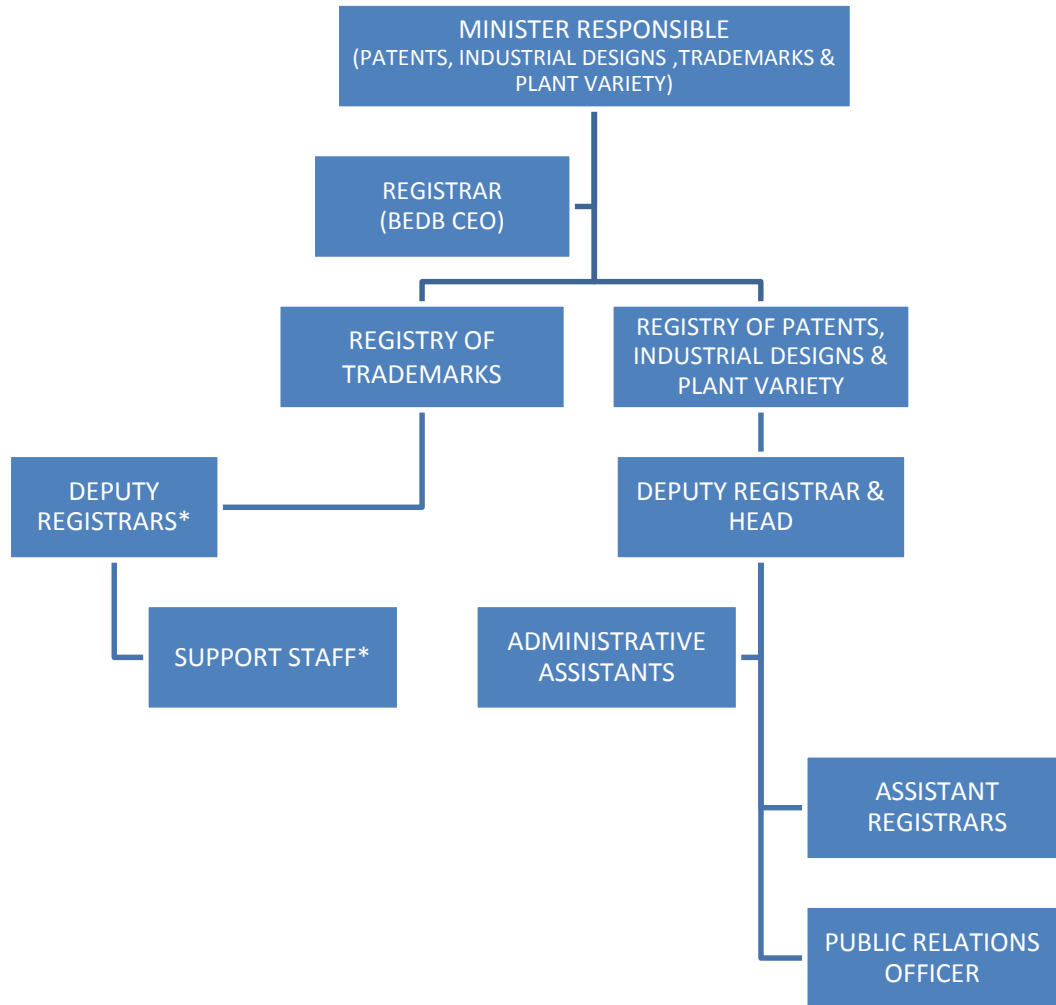
Registrar publishes decision in BruIPO's Plant Varieties Journal.

Administrative Requirements

The administrative requirements to facilitate the establishment of the Registry of Plant Varieties Protection to BruIPO are as follows:

- *Rules-* A Minister must be prescribed under the *Plant Varieties Protection Order* as responsible for the rules. As with patents and industrial designs, there is a need to appoint a 'Minister responsible for Plant Variety Protection' once the establishment of the Registry of PVP takes place.
- *Registrar-* There is a need to appoint a Registrar of Plant Variety and duly publish a notification in the Government Gazette. Similarly, the notification of appointment of a Deputy Registrar and Assistant Registrar for Plant Variety Protection would also be necessary.

Proposed Organisation Structure



*Seconded from AGC

Recommendations

The Brunei Economic Development Board (BEDB) fully recommends the following:

- Expand the services of BruIPO to include Plant Variety Protection given the fact that the PVP system along with the current industrial design and patent systems are ‘formality-based.’
- To appoint the BEDB’s CEO as the Registrar of Plant Variety Protection (as with patents and industrial designs).
- To appoint a ‘Minister responsible for Plant Variety Protection.’ Currently the Minister of Energy at the Prime Minister’s Office is the appointed the Minister responsible for Patents and Industrial Designs

Long Term Goals of a Plant Variety Protection (PVP) System in Brunei

- In line with the aims and goals of the Ministry of Industry and Primary Resources (MIPR), the BEDB aims to create and promote a greater breeding practice with the aim of promoting greater self-sufficiency in food for the nation as a whole.
- The BEDB in cooperation with the Ministry of Industry and Primary Resources will also be looking into the possibility of joining the International Union for the Protection of New Varieties of Plants (UPOV) which is the body responsible for the international development of new varieties of plants for the benefit of society.