



MALAYSIA'S IMPLEMENTING STRATEGY OF EAPVP 10 YEAR STRATEGIC PLAN

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NATIONAL GOAL [NEXT 10 YEARS: 2018 – 2027]

OBJECTIVES OF PNPV ACT 2004:

- To provide protection of the rights of breeders of new plant varieties;
- To provide recognition and protection of the contribution made by farmers, local communities and indigenous people towards the creation of new plant varieties; and
- To encourage investment and development of the breeding of new plant varieties in both public and private sectors.



NATIONAL GOAL [NEXT 10 YEARS: 2018 – 2027]

Several shortcomings were identified such as:

- Inadequacies of PNPV Act 2004 especially when international cooperation is required;
- Lack of crop expertise especially temperate crops;
- High turnover of secretariat and staffs technical competencies;
- Unforeseen administrative delay in grant of breeders rights; and
- Budgetary constraints.



NATIONAL GOAL [NEXT 10 YEARS: 2018 – 2027]

Development of CTPPA

Malaysian Cabinet had mandated that the PNPV Act 2004 be amended and to comply with UPOV 1991



Strengthen Malaysia's PVP System

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UPOV MEMBER

SWOT ANALYSIS ON **UPOV** MEMBERSHIP

	POSITIVE	NEGATIVE
INTERNAL	STRENGTHS i. Legislation in place ii. Internal readiness e.g. Plant Variety Board, workforce, facilities & infrastructure etc. iii. Established network	WEAKNESSES i. Partial non-compliance with UPOV Convention ii. Key personnel & Staff subjected to transfers iii. Repeated DUS Testing iv. Dependent on Government financial support
EXTERNAL	OPPORTUNITIES i. Easier access to improved varieties of crops & PGR. ii. Enable further breeding locally. iii. Increase in number and diversity of local breeders iv. Better access to global market v. Enable competitiveness vi. Save cost and time in breeding vii. Increased confidence of investors viii. Creating business opportunities. ix. Technology transfer to growers x. Capacity Building through knowledge sharing	THREATS i. Membership fee ii. Monopoly of Multinational Companies iii. Possible higher cost of seeds/planting materials iv. Competition from local breeders v. Obligation to comply with UPOV Regulations

CAPITALISE OPPORTUNITIES

OVERCOME THREATS



OBJECTIVES WITH ANALYSIS OF CHALLENGES [NEXT 3 YEARS]

Objectives of Malaysia PVP:

- To re-draft new PVP act in accordance with UPOV 1991;
- To consult Legal Counsel of UPOV on compliance to UPOV 1991;
- Consultations with stakeholders such as government agencies, universities, Farmer Cooperatives, Crop Association, Seed Importers and NGO's;
- Final consultation with UPOV Legal Counsel;
- Submission of new PVP Act to Attorney General Office and tabling of Act in Parliament.



COOPERATION ACTIVITIES [NEXT 3 YEARS]

Proposed two (2) activities:

PROPOSAL 1: Legal consultation on Harmonization of the Protection of New Plant Varieties 20XX with UPOV Convention 1991 – **15 – 17 August 2018**

PROPOSAL 2: Stakeholder Consultation with Malaysia's NGOs upon Malaysia Acceding as UPOV Member – **4 – 5 April 2019**

PROPOSAL 1: Legal consultation on Hamonisation of the Protection of New Plant Varieties 20XX with UPOV Convention 1991
(15 – 17 August 2018)

EXPECTED OUTPUT:

- To obtain harmonization, flexibility and the possibility of achieving better alignment between Malaysian PVP Law and UPOV Convention 1991;
- To enhance better understanding pertaining to the international harmonized PVP System, particularly legal perspective;
- To establish discussions on legal aspects relating to the compliancy status of Protection of New Plant Varieties Act 20XX.

PROPOSAL 2: Stakeholder Consultation with Malaysia's NGOs upon Malaysia Acceding as UPOV Member (4 – 5 April 2019)

EXPECTED OUTPUT:

- To get different views on the draft of Protection of New Plant Varieties Act 20XX from stakeholders – concerns and recommendations in order to meet UPOV Convention 1991;
- To provide opportunities to stakeholders who will likely be affected or have an interest to fully understand the PVP System;
- To obtain views from NGOs on PVP System.



THANK YOU

For further information, please visit to our website:

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