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**MEDIA STATEMENT** **23 June 2025**

## COMMENCEMENT OF PLANT BREEDERS' RIGHTS ACT, 2018 (ACT NO. 12 OF 2018) AND ITS REGULATIONS

The Department of Agriculture (DoA) is pleased to announce the commencement of the new Plant Breeders' Rights Act, 2018 (Act No. 12 of 2018) and its regulations with effect from 1 June 2025. President Matamela Ramaphosa has signed the proclamation of the new Plant Breeders' Rights Act, 2018 (Act No. 12 of 2018) following the approval of the regulations by the Minister of Agriculture, Mr John Steenhuisen. The Plant Breeders' Rights Act, 2018 (Act No.12 of 2018) is the repeal of the Plant Breeders' Rights Act, 1976 (Act No. 15 of 1976). The proclamation of this Act and its regulations was published in *Government Gazette* No. 52184 on 6 June 2025 and *Government Gazette* No. 52850 of 13 June, respectively.

The Act provides for a system whereunder plant breeders' rights relating to varieties of certain kinds of plants may be granted; for the requirements that must be complied with for the granting of such rights; for the scope and protection of such rights; and for the granting of licences in respect of the exercise of such rights; and for matters connected therewith.

Revisions in the new Act include the following:

- Streamlined administrative processes;
- Scope of plants eligible for protection extended to all genera and species;
- Periods of protection revised to up to 30 years in the case of fruit trees, vines, sugar cane and potatoes, and 25 years for all other crops;
- Categories of farmers, crops and quantities in relation to farm-saved seed defined; and
- The establishment of an advisory committee, including representation from a wide range of stakeholders such as breeders, farmers and intellectual property law specialists.

The Plant Breeders' Rights Act, 2018 (Act No. 12 of 2018) will contribute to the South African Government's objectives and priorities by promoting innovation in plant breeding and agriculture. Through the protection of new plant varieties, the Act plays a vital role in enhancing food security, increasing agricultural productivity, and supporting rural development growth. Additionally, the new Act will encourage investment in plant breeding, foster job creation, and supporting economic development.

The new Plant Breeders' Rights Act, 2018 (Act No. 12 of 2018) and its regulations can be accessed on the DoA website on: https://www.nda.gov.za/

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