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PLANT BREEDER'S RIGHTS CONSULTATION GROUP

Meeting Summary from 2 September 2026

The Plant Breeder's Rights Consultation Group (PBRCG) met on Wednesday, 2 September 2026 via Microsoft Teams. The Chair, Charlotte Iggulden, opened the meeting with an Acknowledgement of Country, welcomed members and new attendees, noted apologies, and confirmed endorsement of the minutes from 10 March 2026.

The Chair outlined significant work across PBR, including policy reform, process improvement, stakeholder engagement, systems modernisation and capability development. Members were advised that the Regulatory Reform Bill remains before Parliament and includes a proposed grace period for PBR renewal fee payments. Updates were provided on the release of the new Qualified Person (QP) Portal and the online Part 1 application form through Online Services, which have been developed in consultation with applicants, agents and QPs. It was noted that pdf versions of the Part 1 form will remain available for use. The Chair also highlighted IP Australia's work on artificial intelligence, including planned consultation on AI and intellectual property and continued internal capability uplift.

The Policy and Stakeholders Group provided updates on the WIPO Treaty on Genetic Resources and Associated Traditional Knowledge, which was tabled in Parliament in May 2026, and on current PBR policy priorities, including harvested material, exhaustion, end point royalties (EPR), information notices and Essentially Derived Varieties (EDVs). Stakeholders raised concerns about breeder remuneration, declining EPR compliance and impacts on future breeding investment. IP Australia emphasised evidence-based policy development and encouraged practical examples and supporting information. Public consultation on EDVs is open until the end of October 2026 through IP Australia's website.

Members received an update on forthcoming UPOV meetings and were invited to identify priorities for future reporting to support effective representation of Australian interests through UPOV policy and technical working groups.

The PBR Examination Office reported strong quality and timeliness outcomes, with additional focus on record keeping, data quality and reducing delays between acceptance and grant. Members discussed management of correspondence addresses, Online Services organisational accounts and central communication channels, including pbr@ipaustralia.gov.au. Communication challenges between applicants, agents and qualified persons were noted, and IP Australia will continue exploring improvement options. Stakeholders also provided feedback that some recent Section 34 correspondence appeared overly severe; IP Australia acknowledged the feedback and advised revisions are currently being considered. Members were also updated on examiner capability development, including the latest trainee cohort completing their training and grant delegates.

Members received an overview of the objections process under the Plant Breeder's Rights Act, including the legislative framework, procedural fairness requirements, case management practices and review pathways. Objections remain relatively low in volume but can involve significant complexity. Members welcomed the increased transparency and expressed interest in receiving presentation materials.

Members received an overview of UPOV test guidelines and their role in harmonising DUS examination standards and supporting cooperation between jurisdictions. Discussion covered Australian-led work on passionfruit and blueberry and opportunities to improve DUS examination, the use of overseas reports and balancing international harmonisation with Australian requirements. Members expressed interest in future updates on UPOV technical activities and Australian leadership.

The Chair confirmed no amendments were proposed to the PBRCG Terms of Reference. The group is expected to continue meeting twice annually. Members were invited to suggest future discussion topics, speakers and agenda items, raise issues of industry interest and share relevant information through their networks.

The Chair thanked members for their participation and ongoing engagement. Presentation materials will be circulated after the meeting, which concluded at approximately 12:00 pm. The next meeting is expected to be held in March 2027.

Meeting summaries of all Consultation Groups can be found at Consultation Groups | IP Australia. For further information, contact mdb-pbr-consultationgroup@ipaustralia.gov.au.