



Plant Breeder's Rights (Means of Lodging or Giving Documents) Determination 2026

I, Charlotte Iggulden Registrar of Plant Breeder's Rights, make the following determination.

Dated 27 July 2026

A handwritten signature in black ink, appearing to read 'C. Iggulden', written in a cursive style.

Charlotte Iggulden
Registrar of Plant Breeder's Rights

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Part 1—Preliminary

1 Name

This determination is the *Plant Breeder's Rights (Means of Lodging or Giving Documents) Determination 2025*.

2 Commencement

This determination commences on 1 September 2026.

3 Authority

This determination is made under section 72B and subsection 72C(1) of the *Plant Breeder's Rights Act 1994*.

4 Definitions

In this determination:

Act means the *Plant Breeder's Rights Act 1994*.

ALP (short for Alternative Lodgement Process) means the backup function as described on IP Australia's website that can be invoked during outages of the digital lodgement systems.

Note: At the time this instrument commenced, the ALP is to file documents using facsimile, and guidance on this is provided on IP Australia's website: Declaration For Use Of Emergency Fax | IP Australia. The ALP may change and will be specified at www.ipaustralia.gov.au from time to time.

Interface API system (short for Application Programming Interface System) means any transactional interface, application, mobile application, website or the like that utilises an application programming interface provided by IP Australia.

Digital lodgement systems means any website, mobile application or other similar system provided by IP Australia to lodge transactions.

Note: As at the date of the instrument, the only Digital lodgement system is the website known as the IP Australia Portal.

IP Lodgement Counter means a facility provided by IP Australia for the processing of transactions in person.

Note: The only IP Lodgement Counter is at 47 Bowes Street, Phillip, ACT.

PRISMA means the electronic PBR application tool maintained by the International Union for the Protection of New Varieties of Plants (UPOV).

Regulations means the *Plant Breeder's Rights Regulations 1994*.

5 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Part 2— Means of lodging or giving documents

6 Approved means of lodging or giving documents

- (1) For the purposes of subsection 72C(2) of the Act, the electronic means for lodging a document with, or giving a document to, the Registrar are by using:
 - (a) Digital lodgement services; or
 - (b) PRISMA; or
 - (c) an API system; or
 - (d) ALP, if no other electronic means is available.

Note: For a document (including any attachments) filed with the Plant Breeder's Rights Office using electronic means, the time of receipt of the document is the time in Canberra, ACT (Australian Eastern Standard/Daylight Time) when the entirety of the document is capable of being retrieved from IP Australia's information system: see section 14A of the *Electronic Transactions Act 1999*. Users should note that the time of receipt may be different to the time in the user's location.

- (2) For the purpose of subsection 72C(2) of the Act, the other means for lodging a document with, or giving a document to, the Registrar are by:
 - (a) Post;
 - (b) By providing in person to the IP Lodgement Counter.

Note: The postal address of the Registrar is PO Box 200, Woden, ACT, 2606.

7 Preferred means of lodging or giving documents

- (1) For the purposes of subsection 72C(4) of the Act, the preferred means for lodging a document with, or giving a document to, the Registrar are by using:
 - (a) Digital lodgement services; or
 - (b) an API system; or
 - (c) PRISMA.
- (2) If a person is attempting to file a document with the Plant Breeders' Rights Office by means specified in subsection (1), and the person is unable to do so due to a planned or unplanned outage, the preferred means of lodging or giving a document is by ALP.

Note 1: Under the regulations, reduced fees may be payable for lodging or giving a document by preferred means.

Schedule 1 – Repeals

Plant Breeder's Rights (Means of Lodging or Giving Documents) Determination 2018

1 The whole of the instrument

Repeal the instrument

Note: Subsection 33(3) of the *Acts Interpretation Act 1901* has the effect that a determination made under subsection 72C(1) of the Act may be repealed.