

JAMAICA

No. 4 – 2019

I assent,

[L.S.]

Sgd. P L Allen
Governor-General.

11th day of June 2019

AN ACT to Amend the Protection of Plant Genetic Resources
for Food and Agriculture Act.

[11th June 2019]

BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

1. This Act may be cited as the Protection of Plant Genetic Resources for Food and Agriculture (Amendment) Act, 2019, and shall be read and construed as one with the Protection of Plant Genetic Resources for Food and Agriculture Act (hereinafter referred to as the “principal Act”).

Short title,
and
construction.

Amendment
of section 2
of principal
Act.

2. Section 2(1) of the principal Act is amended —

- (a) by inserting in the correct alphabetical sequence the following definition—

“Advisory Task Force” means the Advisory Task Force established under section 4;”;

- (b) by deleting the definition of “Management Authority” and substituting therefor the following—

“Management Authority” means the Research and Development Division of the Ministry responsible for agriculture, or such other entity as is so designated by the Minister by order published in the *Gazette*;”.

Repeal and
replacement
of section 4
of principal
Act.

3. The principal Act is amended by deleting section 4 and substituting therefor the following—

- “Advisory Task Force.
First Schedule.
4. There is hereby established for the purposes of this Act an Advisory Task Force, and the provisions of the First Schedule shall have effect as respects the constitution and functions of the Advisory Task Force and otherwise in relation thereto.”.

Repeal of
section 5 of
principal
Act.

4. Section 5 of the principal Act is repealed.

Amendment
of section 6
of principal
Act.

5. Section 6 of the principal Act is amended—

- (a) by deleting paragraph (a) and re-numbering paragraphs (b) to (e) as paragraphs (a) to (d);
- (b) in paragraph (a), as renumbered, by deleting the words “a funding” and substituting therefor the words “an approved funding”.

Amendment
of First
Schedule of
principal
Act.

6. The First Schedule of the principal Act is amended—

- (a) in the heading and paragraphs 1, 4(1), 5, 6(1), 7, 8, 9, 10, 11 and 12, by deleting the words “Management Authority”, wherever they appear in those provisions, and substituting therefor in each case the words “Advisory Task Force”;

- (b) by deleting the marginal note of paragraph 1 and substituting therefor the following—
- “Constitution and functions of Advisory Task Force.”;
- (c) in paragraph 1, by—
- (i) deleting the words “not less than eleven nor more than thirteen members” and substituting therefor the words “the head of the Research and Development Division of the Ministry responsible for agriculture, *ex officio*, and not less than ten nor more than twelve other members”;
 - (ii) deleting paragraph (a) and re-numbering paragraphs (b) to (i) as paragraphs (a) to (h);
- (d) by renumbering paragraph 1 as paragraph 1(1) and inserting the following as sub-paragraph (2)—
- “ (2) The Advisory Task Force shall advise the Minister on matters of policy and legal measures that provide for the conservation and sustainable use of plant genetic resources and the equitable sharing of the benefits arising out of their use, being policies and legal measures which promote—
- (a) the pursuit of fair agricultural policies and, as appropriate, the development and maintenance of diverse farming systems that enhance the sustainable use of agricultural biological diversity and other natural resources;
 - (b) research that enhances and conserves biological diversity by maximizing intra-specific as well as inter-specific variation for the benefit of farmers who generate and use their own varieties and apply ecological principles in maintaining soil fertility and in combating diseases, weeds and pests;

- (c) as appropriate, plant breeding efforts that, with the participation of farmers, strengthen the capacity to develop varieties particularly adapted to social, economic and ecological conditions, including in marginal areas;
- (d) the broadening of the genetic base of crops and the expansion of the range of genetic diversity available to farmers;
- (e) as appropriate, the expanded use of local, and locally adapted crops, varieties and underutilized species;
- (f) support for, as appropriate, the wider use of diversity of varieties and species in—
 - (i) on-farm management, conservation and sustainable use of crops;
 - (ii) creating strong links to plant breeding and agricultural development in order to reduce crop vulnerability and genetic erosion and promote increased world food production compatible with sustainable development; and
- (g) the periodic review and, as appropriate, adjustment of breeding strategies concerning plant variety release and seed distribution.”;
- (e) in paragraph 11, by deleting the word “, salary”.

Passed in the House of Representatives this 26th day of February, 2019.

PEARNEL P. CHARLES, CD, MP, JP
Speaker.

Passed in the Senate this 3rd day of May, 2019.

THOMAS TAVARES-FINSON, CD, QC, JP
President.

This printed impression has been carefully compared by me with the authenticated impression of the foregoing Act, and has been found by me to be a true and correct printed copy of the said Act.

Sgd. Valrie A Curtis
Clerk to the Houses of Parliament. (Acting)