

House of Representatives

Supplementary Order Paper

Tuesday, 11 September 2012

Patents Bill

Proposed amendment

Steffan Browning, in Committee, to move the following amendment:

Clause 15

In *clause 15*, replace **subsection (4)** (line 18 on page 29), with—

- (4) Organisms (including plant varieties) and traits in organisms are not patentable inventions.
- (4A) **Subsection (4)** applies whether or not the organism or the trait in the organism has been derived through genetic modification or other similar technology.
- (4B) For the purposes of this section, organism has the same meaning as in section 2 of the Hazardous Substances and New Organisms Act 1996.

Explanatory note

This Supplementary Order Paper clarifies that patents must not be held over life. Life is not a patentable invention. As currently drafted the exclusions cover plant varieties and humans or animals in certain situations. This amendment removes uncertainty by covering all organisms, micro-organisms, and their traits.
