



## **DEPARTMENT OF AGRICULTURE**

Directorate Genetic Resources Management  
Private Bag X973, Pretoria, 0001, South Africa  
Tel: 27 12 319 6253; Fax: 27 12 319 6329  
E-mail: michelleV@nda.agric.za

## **POLICY ON EXTENSION OF PERMITS**

Approved by the

Executive Council for Genetically Modified Organisms

on 23 August 2005

Within the framework of the Genetically Modified Organisms Act, 1997  
(Act No. 15 of 1997)

## **BACKGROUND**

Regulation 5(12) of the GMO Act makes provision for the Registrar to, subject to his/her own discretion, extend GMO activities for which a permit had previously been issued. This implies that the Registrar may, provided that the activity with the GMO has been approved by the Executive Council on a previous occasion, issue permits for activities with the same event.

## **PURPOSE OF THE POLICY**

The policy shall serve as a framework with regard to extending permits in terms of the GMO Act.

## **CRITERIA FOR THE ISSUANCE OF EXTENSION PERMITS**

The Registrar may issue an extension permit for an activity relating to genetically modified organisms for which a permit had been previously issued, subject to the criteria stipulated below and the applicant's adherence to relevant application procedures.

An extension permit may be issued for the following activities –

1. importation of genetically modified organisms that have previously been approved for general release, including conditional general release;
2. exportation of genetically modified organisms that have previously been approved for general release, including conditional general release, in accordance with the requirements of the Cartagena Protocol on Biosafety. Applicable procedures in this regard are indicated in the Annexure
3. importation of consignments containing only genetically modified organisms that have previously obtained commodity clearance authorisation.
4. importation of genetically modified organisms to conduct activities, including contained use and trial release, for which a permit had previously been issued (it should be noted that, in the interest of monitoring, the Registrar shall notify DEAT of the activities and volumes involved).

5. exportation of genetically modified organisms that have been harvested or obtained during activities authorised in a contained use or trial release permit, in compliance with the requirements of the Cartagena Protocol on Biosafety;
6. extension of the time period to complete activities relating to genetically modified organisms for which a permit had previously been issued; In the interest of monitoring, the Registrar shall notify DEAT of the activities and volumes involved.
  
7. An extension permit may be issued, subject to further approval by the Council, for contained use or trial release activities relating to genetically modified organisms, provided that the following information is submitted with the extension permit application -
  - 7.1. a detailed report of the completed activities for which a permit had been previously been issued, including comments with regard to monitoring;
  - 7.2. if applicable, proof of adherence to the requirement for public notification in accordance with regulation 6;
  - 7.3. a copy of the risk assessment relating to the activity for which a permit had previously been issued;
  - 7.4. any other requirements stipulated by the Executive Council or Registrar.

## **Annexure**

Every potential exporter must submit an application to export to the office of the Registrar.

The application to the Registrar shall consist of –

1. A letter indicating the intent of the potential exporter
2. Completed application form
3. The correct fee in terms of the GMO Act
4. For exports of GMO's destined for environmental release, written consent (in English) from the Competent National Authority (CNA) (or designated authority in terms of domestic legislation in the event that a CNA has not been established/appointed) stipulating the following –
  - The CNA has taken a decision on the proposed import in accordance with the objectives of the Protocol.
  - Where possible, the CNA indicates the procedures to be followed by SA with regard to future imports of this GMO from SA.
5. Although, in accordance with the Protocol, the advanced informed agreement procedure is not required for exportation of GMO's destined for contained use or food, feed and processing, the exporter must still determine whether the Party of Import has additional provisions in terms of national legislation that should be adhered to.
6. The potential exporter is responsible for obtaining the consent from the Party of Import for the proposed transboundary movement.