

Māori Plant Varieties Committee – Member

On behalf of the Commissioner of Plant Variety Rights, the Ministry of Business, Innovation and Employment (MBIE) is seeking candidates who wish to be considered for appointment as a Member of the Māori Plant Varieties Committee.

BACKGROUND

Plant Variety Rights

Under the *Plant Variety Rights Act 2022* (the PVR Act) plant breeders can apply for a Plant Variety Right for a new plant variety, and the grant of such a right provides them with the exclusive right to exploit propagating material of the variety.

The purposes of the PVR Act are summarised as:

- to provide an efficient and effective plant variety rights system;
- to protect kaitiaki relationships with taonga species and mātauranga Māori in the plant variety rights system; and
- to promote innovation and economic growth in New Zealand by providing incentives for the development and use of new plant varieties.

Māori Plant Varieties Committee

The PVR Act requires the Commissioner of Plant Variety Rights (the Commissioner) to establish a Māori Plant Varieties Committee (the Committee).

The purpose of the Committee is to fulfil the regulatory functions that contribute to recognising and respecting the Crown's obligations to The Treaty of Waitangi/Te Tiriti o Waitangi, particularly in protecting kaitiaki relationships with taonga species and mātauranga Māori in the plant variety rights system.

The Committee will carry out procedures that recognise and protect kaitiaki relationships, including making determinations about certain PVR applications and other advisory functions.

Specifically, the functions of the Committee are to:

- issue engagement guidelines and provide advice to applicants for a PVR and kaitiaki;
- consider PVR applications referred to it by the Commissioner and make decisions under Part 5 of the PVR Act;

- advise the Commissioner whether the use or approval of a proposed denomination is likely to be offensive to Māori; and
- provide advice to the Commissioner on any information that may be relevant to application of the criteria listed in section 32 for granting a PVR.

The Committee will assess applications referred to it and determine whether that PVR, if granted, will or could have adverse effects on one or more kaitiaki relationships with the plant variety that is the subject of the PVR application.

The Committee will make decisions on whether PVR applications referred to it should proceed, and if so, whether any conditions need to be imposed. It is also the Committee's role to publicly notify its rules about hearing and timing requirements for the making and hearing of submissions, responding to information requests from the Committee and others, and convening hui.

COMMITTEE MEMBERSHIP

Term of appointment

Members are appointed for terms of up to four years, with provision for reappointment. The Committee will comprise of at least three members, with two members appointed for four years and one member for two years. This differentiation of term is to support retention of knowledge throughout changes in members.

Once the Committee is established, Committee members must appoint a chairperson from the existing membership.

Expectations of members

Members are required on a part-time basis. There will initially be a greater time commitment to assist in developing key documents, including engagement guidelines and the Committee's rules.

Following this, the time commitment is likely to be lower with members required to review and make decisions on applicable PVR applications on an as required basis. It is estimated that the Committee could receive between five to ten applications for review per annum. Members may be required to travel to locations to conduct engagements, but the role is primarily remote.

Remuneration

The fee payable to members for carrying out their duties is determined by the Cabinet Fees Framework 2022 and has been set at a daily rate of \$658.00 for members. Members will appoint one of their own as Chairperson, and this role will receive a daily rate of \$1,010.40.

Members will be reimbursed for actual and reasonable expenses incurred by them in undertaking the functions and duties of the committee.

PERSON SPECIFICATIONS

We encourage expressions of interest from suitably qualified candidates who have competency in the statutory criteria and at least one complementary competency. Technical, legal and governance expertise are regarded as important to support the Committee in operating effectively. The Commissioner is seeking to appoint at least one member with these competencies.

Statutory criteria

In making appointments, the Commissioner must have regard to a candidate's knowledge of:

- mātauranga Māori (Māori traditional knowledge);
- tikanga Māori (Māori protocol and culture);
- te ao Māori (the Māori world view); and
- taonga species.

The Commissioner will also consider:

- whether the proposed member has the mana, standing in the community, skills, knowledge, or experience to participate effectively in the committee and to contribute to carrying out the functions of the committee; and
- the committee's overall knowledge and experience as a whole.

Complementary skills, experience, and attributes

Successful candidates will have one or more of the following complementary competencies:

- **Te Reo Māori proficiency**
- **Knowledge and understanding of Te Tiriti o Waitangi** such as: knowledge and understanding of the differences between the English and Māori version; demonstrated application of Treaty Principles; and/or knowledge of Te Tiriti o Waitangi intersecting with the Plant Variety Rights system.
- **Relevant technical expertise** such as: knowledge and experience working with taonga plant species and non-indigenous species of significance; experience in plant breeding including selection, development and/or creation of cultivars; experience in Rongoā Māori and relevant Pākihi Māori; and/or experience in relevant sciences and industries.
- **Sound decision-making capability** such as: experience making decisions impacting community and other groups; ability to collaboratively make decisions and reach consensus; and/or objectivity when making decisions.
- **Māori Crown relationship experience** such as: experience working at the interface of Māori-Crown relationships – representing Māori and/or the Crown; experience in building relationships and communicating cross-culturally; and/or experience in partnership between Māori and the Crown.
- **Legal expertise** in plant variety rights, intellectual property and/or relevant legislation.
- **Governance expertise** such as: experience on government or non-government board(s) or committee(s); experience as a Chairperson or leadership positions; and/or demonstrated knowledge in governance processes and structures.

DISCLOSURE OF INTEREST

As part of the appointment process, candidates are required to disclose any interests that could constitute an actual, potential, or perceived conflict of interest. The information that is disclosed by candidates enables the Commissioner to know the relevant interests and any conflicts that a person may have in relation to an appointment made.

ADDITIONAL INFORMATION

To express your interest in being a member of the Committee, please email MPVCappointment@mbie.govt.nz, including a completed application form, your curriculum vitae and letters of endorsement (up to three letters can be included). The letter(s) of endorsement should be from your iwi, hapu, whanau, community or employer. The letter(s) should highlight your suitability for the role and how you meet the position's statutory criteria and complementary skills, experience, and attributes.

Expressions of interest close on Wednesday 24 July, and you will be contacted within two weeks following this date.

For enquiries about the position, email: MPVCappointment@mbie.govt.nz

Please see the [IPONZ website](#) for further information about Plant Variety Rights.

NEXT STEPS

Applications will be considered against the criteria set out in this position description to inform selection of a short-list.

Short-listed candidates will attend an interview. Based on your preference, the hui will take place in-person in Wellington or by video conference. Travel costs for you and one kaihāpai (support person) will be covered for travelling to Wellington.