

**Australian  
Seed Federation**



# **Proposed Amendments to the Gene Technology Regulations 2001**

*February 2026*

# INTRODUCTION



**The Australian Seed Federation is the peak industry body for the Australian seed industry at the local, state, national and international level. The members of the Australian Seed Federation are at the foundation of Australia's \$99.5 billion agriculture industry. Our membership covers the full seed supply chain and includes plant breeders, seed growers, seed processors and seed marketers. We exist to ensure a seed industry that is productive and sustainable.**

The Australian Seed Industry is worth over \$1.3 billion annually to the Australian economy and is an important part of rural and regional Australia.

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## Executive summary

The Australian Seed Federation (ASF) supports reform of the Gene Technology Regulations 2001 where it delivers clearer, more proportionate and internationally aligned regulation.

ASF has consistently supported:

- Risk-proportionate regulation
- Streamlined authorisation pathways
- Early exit mechanisms for low-risk technologies
- Reduction of duplication across Commonwealth regulators
- Future-proof and internationally harmonised definitions

ASF supports efforts to reduce regulatory duplication and to refine risk tiering.

However, ASF has significant concerns regarding aspects of the proposed amendments, particularly:

- The proposed inclusion of certain genome-editing methods on the GMO Register.
- The introduction and use of the term "novel" without clear, objective definition creates misalignment with the recently established "novel DNA" definition in the Food Standards Code.
- The risk that structural reform intended to simplify regulation may inadvertently introduce additional complexity.

ASF considers the proposal to list certain genome-edited plants on the GMO Register, where they might be genetically identical to conventionally bred plants, to be inappropriate and inconsistent with risk-based regulation. This is a red-line issue for the Australian seed sector.

Genome-edited organisms that are equivalent in outcome to conventional breeding or traditional mutagenesis should not be treated as GMOs through mechanisms such as the GMO Register.

ASF urges the Government to ensure that reform strengthens Australia's innovation framework, maintains international competitiveness and avoids creating unnecessary regulatory divergence from key trading partners.

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## Question 1: Do you have any comments or concerns regarding the structure of the GT Regulations?

ASF supports consolidation and clarification where it improves usability.

However, ASF notes that the proposed restructuring, while intended to simplify the framework, introduces additional terminology (e.g., “designated dealings”, new risk classes, and cross-referenced pathways) that may increase complexity for applicants.

The authorisation pathway framework, while more structured, risks becoming more administratively layered than the current system. For plant breeding companies, including SMEs, clarity and predictability are critical.

### **ASF recommends that final drafting prioritise:**

- **Simplicity of pathway navigation;**
- **Clear decision criteria; and**
- **Minimised discretionary interpretation.**

## Question 2: Do you consider any other terms unclear and/or requiring definition?

ASF has concerns regarding the introduction of the term “novel” without clear, objective definition.

The concept of “novel” can vary significantly across regulatory contexts. Without clear parameters, the term may:

- Introduce regulatory uncertainty;
- Create subjective interpretation; and
- Capture products that are not scientifically distinct from conventionally bred varieties.

ASF notes that other regulators, including FSANZ, use “novel DNA” in defined contexts. Alignment of terminology across Commonwealth regulators is essential.

### **ASF recommends:**

- **Clear, objective and scientifically grounded definitions;**
- **Explicit guidance on interpretation; and**
- **Consistency/harmonisation with other regulators.**

## Question 3: Are you satisfied with exclusion of certain risks already considered under another scheme?

ASF supports reduction of duplication in principle.

The exclusion of risks already considered under another regulatory framework is consistent with long-standing calls for streamlined regulation.

However, ASF seeks assurance that:

- The OGTR can clearly and legally rely on other regulators’ determinations;
- Boundaries of responsibility are clearly defined; and
- This mechanism reduces burden rather than creating new administrative steps.

ASF supports reform that eliminates duplication, not reform that adds parallel consultation layers.

## Question 4: Do you consider the concept of a designated dealing clear?

ASF considers further clarification would assist stakeholders.

The practical implications for breeding programs and commercial development timelines must be clear, particularly for organisations managing multiple authorisation pathways.



### Question 5: Concerns with consultation process for RARMPs?

ASF has no specific comments.

### Question 6: Concerns with revised timeframes?

ASF emphasises that certainty and predictability are more important than nominal timeframe adjustments.

Extended or unclear timelines risk delaying breeding investment and market access decisions.

### Question 7: Concerns around proposed range of dealings requiring licensing?

Dealings that result in outcomes equivalent to conventional breeding should not require licensing under the Act, as this is not science-based, nor commensurate with risk.

Regulatory creep in this area would discourage innovation, particularly among smaller breeding programs.

### Question 8: Concerns with dealings authorised by a GMO permit?

ASF's primary concern relates to the proposed addition of certain genome-editing methods to the GMO Register.

ASF strongly opposes listing genome-edited organisms on the GMO Register where those organisms:

- Do not contain foreign genetic material; and
- Are equivalent in outcome to conventional breeding.

This proposal:

- Undermines risk-proportionate reform;
- Regulators on process alone, with no consideration of the outcome;
- Creates reputational and trade implications; and
- Risks international misalignment.

Many key agricultural jurisdictions, including the United States, Canada, Brazil and others, regulate based on product characteristics, not technique alone.

Listing genome-edited plants as GMOs via the Register would:

- Create unnecessary divergence;
- Generate confusion among trading partners; and
- Potentially trigger import restrictions in sensitive markets.

ASF considers this proposal inconsistent with both scientific risk assessment and Australia's competitiveness objectives.

### Question 9: Concerns regarding notifiable dealings classes?

ASF has no specific comments.

### Question 10: Concerns regarding non-notifiable dealings classes?

ASF supports clear early exit mechanisms for low-risk dealings.

Non-notifiable categories must remain accessible for low-risk breeding techniques consistent with international practice.



## Question 11: Is the language ‘not involving intentional release into the environment’ appropriate for NNDs?

ASF considers the language broadly appropriate but recommends that:

- Interpretation guidance be provided; and
- Containment expectations be proportionate and clearly defined.

Ambiguity around “intentional release” may create compliance uncertainty for research facilities and breeders.

## International alignment

Australia’s seed industry operates in a globally integrated system.

Breeding programs, regulatory approvals and seed movement span jurisdictions. Divergence in regulatory classification of genome-edited organisms creates:

- Trade risk;
- Compliance complexity; and
- Competitive disadvantage.

ASF urges the Government to ensure that Australia’s framework remains aligned with major agricultural economies and does not create unintended market barriers.

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## Conclusion

ASF supports reform that strengthens clarity, reduces duplication and enhances risk-proportionate regulation.

However, ASF cannot support the proposal to list genome-edited organisms on the GMO Register where they are equivalent in outcome to conventional breeding and do not contain foreign genetic material.

Such a measure would:

- Undermine risk-based reform;
- Introduce regulatory inconsistency;
- Create unnecessary trade and reputational risk; and
- Discourage innovation in Australia’s plant breeding sector.

ASF urges the Government to remove this proposal from the final Regulations and to ensure that reform delivers genuine simplification and global alignment.

ASF remains committed to constructive engagement to achieve a modern, science-based and innovation-supportive regulatory framework.