agriculture,
forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

GUIDELINES
PUBLIC NOTIFICATION IN TERMS OF THE GENETICALLY MODIFIED ORGANISMS ACT, 1997
(Regulation 9)

Purpose of the notification?
- To inform the public that the applicant is applying for permission to conduct a certain activity.
- To request the public to submit comments or objections to the application made

When is a notification required?
- For any proposed trial or general release, including extension of existing trial releases
- The Executive Council determined in a meeting on 06/03/03 that public notifications are also required for commodity clearance applications.

Where must the notification be published?
- A standard notice in the printed media
- At least 3 newspapers circulating in *each* area in the proposed release will take place
- Size: Minimum A5 (if permitted by the printed media involved)
- Font: Arial 10 (if permitted by the printed media involved)
- For a **general release** and **commodity clearance** the notification should appear in at least 3 national newspapers
- For trial releases or extensions of existing trial releases, the notification should appear in at least 2 newspapers circulating in the immediate area and at least 1 national publication
- *Applicants may also use alternate effective methods to facilitate public notification in areas not serviced by a regular daily/weekly publication e.g. radio announcements etc but confer with the Office of the Registrar with regard to the requirements and reporting on using alternate methods of publication with regard to the proof to be submitted.*

What must the notice contain?
- Full name and address of the applicant
- Objective of the application
- A full description of the genetically modified organism (at least the following):
    - Name of the donor organism
    - Name of the recipient organism
    - Gene of interest (not construct)
    - Marker genes
    - Desired result of the genetic modification
    - Variety/ies involved (also if it is white or yellow maize – in the case of maize)

- Description of the proposed trial release (at least the following):
    - Area of the release (the specific region (e.g. district of town) and size of the release site)
    - Information on the receiving environment (humans, animals, soil, micro-organisms, plants, air, etc.)
    - Description of the actual site, including barriers and surrounding environment (trial set-up, etc.)
    - Explanation of what will happen to the plants/seeds/etc. upon completion of the trial
- Request that interested parties submit comments or objections, in connection with the intended release, to the Registrar at the address below, within 30 days after the date of the notification:

Registrar: Genetically Modified Organisms Act
Private Bag X973
Pretoria
0001
Fax: 012 319 6329

How long will the Registrar wait for input from the public?

- The Registrar will accept comments/objections for 30 days from publication of the notice, unless a longer period is indicated in the notice. In the case of the request for the non-confidential (non-CBI) version of the application in term of the Promotion to Access to Information Act (PAIA), a 30 day comment period will be granted from the day the request was processed
- In the event that an entity wish to comment after the 30-day time period has expired, the individual/entity must obtain written authorisation from the applicant to submit comments at a later stage. Approval from the applicant must be attached to the input. This process will be facilitated via the Office of the Registrar.

What will happen to the input received by the Registrar?

- The Registrar acknowledges receipt of all comments or objections
- The Registrar forwards all comments/objections to the applicant to provide a response which in turn is forwarded the entity who have raised the initial comments or objects.
- After the receipt of all comments and responses from the applicant this is included in information provided to the Executive Council for inclusion in their deliberations pertaining to a specific application

IMPORTANT NOTICE:

- These are only guidelines, it remains the responsibility of the applicant to ensure that the notice adheres to the requirements of the GMO Act.
- Applicants should submit in hard copy and electronic copy, copies of the application subject to the requirement for public notification, prior to the notice been published or made available publicly
- The original copies of the public notification or alternate proof shall be submitted to the Office of the Registrar within 7 days after publication. These copies are required for the final processing of all applications.
- This requirement for public notification is only in terms of the Genetically Modified Organisms Act, 1997 (Act No. 15 of 1997). It does not preclude the applicant from any

other requirements for public notification within the legislative frameworks of SA.