



NCRST
NATIONAL COMMISSION
ON RESEARCH SCIENCE & TECHNOLOGY

User Guide

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DEFINITIONS/ ABBREVIATIONS/ ACRONYMS

Contained use:	means any activity involving the genetic modification of living organisms or the production, processing, culture, storage, destruction, transport, disposal of or use in any way of genetically modified organisms and for which specific physical containment measures are used to limit their contact with, and their impact on, humans and the environment;
Environmental release	means an intentional introduction into the environment of a GMO in accordance with these regulations and “release into the environment” or “released into the environment” has a corresponding meaning;
Field trial	means any experimental field trial of a GMO - a) performed under terms, conditions and circumstances which mitigate the impacts, establishment and spread of the GMO on the surrounding environment; and b) which is conducted under conditions known to prevent - (i) pollen- or seed-mediated dissemination of the GMO into and within the environment; (ii) the persistence in the environment of the GMO or its progeny; and (iii) the introduction of the GMO into the human food or livestock pathways;
Permit	means a permit issued under section 25 of the Act to conduct any dealings with a GMO as authorized by the permit;
Placing on the Market	means the holding of food or feed for sale, including offering for sale, or any other form of transfer, whether free of charge or not, and the sale, distribution and other forms of transfer from one person to another and “place on the market” or “placed on the market” has a corresponding meaning;
Regulations	means the Biosafety Regulations, 2016;
The Act	means the Biosafety Act, 2006 (Act No. 7 of 2006).

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1 PURPOSE

The purpose of this document is to provide guidance to any applicant who intends to undertake activities involving the research, development, production, marketing, transport, application and other uses of genetically modified organisms and specified products derived from genetically modified organisms in Namibia. The information presented in this guideline does not impede additional regulatory requirements from other government departments.

2 SCOPE

These guidelines shall apply to advertisement of all activities relating to genetically modified organisms (GMOs) and GMO products in Namibia.

3 NORMATIVE AND INFORMATIVE REFERENCES

3.1 NORMATIVE

Biosafety Act, 2006 (Act No. 7, 2006)

Biosafety Regulations: Biosafety Act, 2006 (Government Notice No. 210)

3.2 INFORMATIVE

Guidelines: Public notification in terms of genetically modified organisms Act, 1997 (Regulation 9) (South Africa)

4 GENERAL RULES

4.1 PURPOSE OF ADVERTISEMENT

- a) To inform the public that the applicant is applying for permission to conduct a certain activity when it comes to the use of GMOs;
- b) To invite written submissions (comments or objections) from the public in relation to the permit applied for to be lodged with the Registrar.

4.2 WHERE MUST THE NOTIFICATION BE PUBLISHED

- a) If advertisement of the application is required the applicant must advertise the application once a week for two consecutive weeks in at least two newspapers circulated widely in Namibia, and by any other means as may be prescribed;
- b) Minimum A5 size;

- c) Book Antiqua 10 (If permitted by the printed media involved).

4.3 WHAT MUST THE ADVERTISEMENT CONTAIN?

4.3.1 *General*

- a) An applicant for a permit must advertise the application as required by section 22 (4) of the Act and the advertisement must be under a clearly marked heading stating “Advertisement of Application for Permit to Place on the Market Genetically Modified Food or Feed “or “Advertisement of Application for Permit for Contained Use of a GMO” or “Advertisement of Application for Permit for Field Trial relating to Genetically Modified Organism” or “Advertisement of Application for Permit for Environmental Release of Genetically Modified Organism”;
- b) The following shall appear in bold after the clearly marked heading; “Notice is hereby served to inform all potential/ and or affected parties that an application will be made to the Biosafety Council in terms of the Biosafety Act, 2006 (Act.no.7, 2006) and Biosafety Regulations (2016), Government notice no. 6116, for the above-mentioned activity and comments to the proposed activity are invited”;
- c) Information on the identity of the applicant as follows -
 - (i) in the case of a natural person, the full name, identity document number and nationality of the person;
 - (ii) in the case of a body corporate, the country of registration and the registration number of the body corporate;
 - (iii) in the case of a body or authority created by law, the name of such body or authority and the name of the law which created such body or authority;
 - (iv) the postal and business address, telephone and facsimile numbers and email address of the applicant and, in the event of the applicant having a website, the web address;
- d) A list of all information submitted together with the application to the Registrar and the physical address and business hours of the Registrar where such application and such

information (in so far as the information is not commercially confidential) can be inspected by any interested person;

- e) an invitation for written submissions in relation to the application to be lodged with the Registrar as well as the closing date of such submissions which closing date must be at least 30 consecutive days after the date of the last publication of the advertisement in the newspapers; and
- f) Such other information as the Council may determine to be included in the advertisement.

4.3.2 *Advertisement of permit application for Placing on the market*

In addition to the general requirements, the advertisement for placing on the Market must also contain the following;

- a) the description of the genetically modified food or feed proposed to be placed on the market;
- b) the type of placing on the market activity or activities to which the application relates as contemplated in regulation 6(1).

4.3.3 *Advertisement of permit application for contained use*

In addition to the general requirements, the advertisement for contained use, must also contain the following;

- a) the type of contained use activity or activities to which the application relates as contemplated in regulation 26(2);
- b) a brief description of the GMO involved;
- c) a brief description of the genetic modification techniques or technology involved in the proposed activity or activities and the purpose thereof, if applicable;
- d) the place or, if application was made for the registration of a facility in which the contained use activity or activities are to be conducted, information about such place or facility as follows -
 - (i) the location and type of place or facility;
 - (ii) the applicable containment level;

(iii) the owner of the place or facility, in the event where the applicant for the contained use permit is not the owner of such place or facility.

4.3.4 Advertisement of permit application for field trial and environmental release

In addition to the general requirements, the advertisement for field trial must also contain the following;

- a) the description of the GMO to which the field trial relates or to be released into the environment;
- b) the purpose of the proposed field trial or release into the environment;
- c) a map showing the proposed location or locations where the applicant intends conduct the field trial or to release the GMO or GMOs into the environment subject thereto that the applicant may, instead of a map, include in such advertisement an accurate description in words of the area and, if necessary to clearly demarcate the area, the coordinates thereof to enable an interested person to clearly establish where such area is;
- d) the period in which the proposed field trial or release into the environment is to be carried out, the anticipated commencement date or dates of the field trial or environment release and, if applicable, the duration thereof.

The applicant must furnish proof of the advertisement in accordance with subsection (4) to the Registrar as soon as is practicable after the date of the last publication of the advertisement in the newspapers.

5 FORMS

None

6 REPLACEMENT AND WITHDRAWAL

None

7 REVISION/AMENDMENT HISTORY

Version number	Revision Date	Nature of Amendment