

Registration of Horticultural Plant Varieties

In October 2025, the Minister of Agriculture of the Republic of Indonesia (the “**Minister**”) issued Regulation of the Minister (“**RM**”) No. 24 of 2025 regarding the Registration of Horticultural Plant Varieties (“**RM 24/2025**”), which came into effect on 13 October 2025. By the enactment of RM 24/2025, the previous regulation, i.e., RM No. 38/PERMENTAN/OT.140/7/11 of 2011 regarding the Registration of Horticultural Plant Varieties (“**RM 38/2011**”), has been revoked and is no longer valid.

Similar to RM 38/2011, the objective of RM 24/2025 is to protect consumers from circulation and procurement of seeds whose performance or varietal characteristics do not conform with the registered description. The following are several key provisions of RM 24/2025:

1. Registration Requirement

Previously, RM 38/2011 required the registration of horticultural plant varieties (“**Variety**”) resulting from domestic breeding (“**Breeding**”) or superior local varieties (“**Local Variety**”) before such varieties could be distributed. Under RM 24/2025, the scope of this requirement has been expanded to include Variety introduced from abroad (“**Introduced Variety**”), which must also be registered prior to distribution.

2. Registration Stages

Previously, RM 38/2011 did not provide specific provisions regarding the stages of Variety registration. Under RM 24/2025, the Variety registration process is now classified into 4 (four) stages, i.e.:

- a. Testing (Superiority and Authenticity);
- b. Assessment by the Horticultural Varieties Registration Evaluation Team;
- c. Submission of the application through the electronic system; and
- d. Issuance of the variety registration certificate.

This clarification provides a clearer and more structured process, thereby facilitating the registration of Variety by horticultural business actors (“**Business Actors**”).

3. Types of Testing

Previously, RM 38/2011 was limited to regulating Authenticity Testing, while Superiority Testing was merely referred to as one of the supporting documents for registration of Variety application. Under RM 24/2025, the testing process is clarified and divided into 2 (two) distinct types, i.e.:



- a. **Superiority Testing**, conducted to prove the superior characteristics of Variety through adaptation testing, which must be carried out at least at:
 - i. 1 (one) location that aligned with the Variety's development plan or production centre, for Variety resulting from Breeding; or
 - ii. 3 (three) locations within the same agroclimatic zone, for Introduced Variety.

For the following categories of Variety:

- i. perennial plant Variety, except perennial Introduced Variety that has not been in production for more than 5 (five) years;
- ii. Local Variety that has been cultivated and remains viable in the community for at least the past 5 (five) years;
- iii. annual plant Variety that requires specific growing conditions; or
- iv. Variety produced in limited quantities with relatively low market demand,

Superiority Testing may be conducted through observation testing.

- b. **Authenticity Testing**, conducted to verify the conformity between Variety's performance and its description, which may be carried out:
 - i. after the completion of Superiority Testing; or
 - ii. concurrently with Superiority Testing.

4. Application Platform

Previously, RM 38/2011 required registration of Variety application to be submitted manually in writing to the Minister through the Head of the Center for Plant Variety Protection and Agricultural Licensing (*Pusat Perlindungan Varietas Tanaman dan Perizinan Pertanian* - "PPVTPP"), using physical forms. Under RM 24/2025, the process has been adjusted in alignment with the electronically integrated business licensing services, whereby applications must be submitted by Business Actors to the Head of PPVTPP through the Online Single Submission (OSS) system.

5. Post-Registration Obligation for Introduced Variety

Previously, RM 38/2011 only required Business Actors to submit a statement letter declaring that Introduced Variety would be produced domestically within 2 (two) years after registration ("**Domestic Production**"). Under RM 24/2025, in support of national seed self-sufficiency, this requirement is now stipulated as a mandatory obligation, requiring Business Actors to ensure the actual implementation of Domestic Production.

Failure to fulfil this obligation may result in the revocation of the variety registration certificate, subject to supervision by authorized seed supervisory officers, unless the seeds cannot yet be produced domestically.



6. Supervision and Sanctions

Previously, RM 38/2011 regulated the supervision of registered Variety that violated applicable provisions, with administrative sanctions in the form of revocation of the variety registration certificate, if discrepancies in the description, pest infestation, or environmental damage were identified. Under RM 24/2025, the scope of violations subject to sanctions has been expanded. In addition to non-compliance with the Domestic Production obligation referred to in point 5 above, revocation of the variety registration certificate may also be imposed if the registered Variety is proven to have been previously registered.

This Client Alert is intended to provide a brief overview only on several provisions and may not cover all provisions under the RM 24/2025, thus, cannot be deemed as a legal advice. Please do not hesitate to contact us if you need a more detailed discussion, advice, and/or have specific questions.

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