

ABSTRAK

AYU MAYANG SARI HARAHAHAP

Pencapaian penemuan varietas tanaman unggul baru yang dikembangkan oleh pemulia tanaman tidak dilakukan dengan mudah. Sehingga perlu diberikan perlindungan hukum kepada pemulia tanaman. Oleh sebab itu, dibutuhkan peraturan untuk melindungi para pemulia tanaman. Rumusan masalah dalam skripsi ini adalah bagaimana perlindungan hukum pemulia tanaman dilihat dari perlindungan varietas tanaman, bagaimana pendaftaran hukum perlindungan varietas tanaman di Indonesia, bagaimana upaya dan hambatan yang dilakukan Dinas Tanaman Pangan dan Hortikultura Provinsi Sumatera Utara untuk mengembangkan varietas tanaman unggul.

Penelitian ini bersifat deskriptif analitis. Lokasi penelitian ini dilaksanakan di Dinas Tanaman Pangan dan Hortikultura Provinsi Sumatera Utara. Pendekatan penelitian ini menggunakan yuridis normatif dan yuridis sosiologis. Teknik pengumpulan data dilakukan dengan cara studi kepustakaan dan wawancara.

Perlindungan hukum pemulia varietas tanaman diperoleh dengan mendaftarkan varietasnya ke Kantor Perlindungan Varietas Tanaman dan harus sesuai dengan persyaratan yang berlaku. Perlindungan yang didapatkan berupa hak perlindungan varietas tanaman dan imbalan yang sesuai dengan ketentuan Undang-Undang No 29 Tahun 2000 tentang Perlindungan Varietas Tanaman (Selanjutnya, disebut PVT). Pendaftaran dilakukan dengan cara memenuhi dokumen dan persyaratan kemudian ditindaklanjuti oleh Kantor PVT. Hak PVT diberikan dalam bentuk sertifikat dan dicatat dalam daftar umum PVT. Upaya yang dilakukan Dinas Tanaman Pangan dan Hortikultura Provinsi Sumatera Utara yaitu melakukan sosialisasi dan pembekalan ke lapangan untuk menambah wawasan para petani/pemulia mengenai pentingnya mendaftarkan varietas tanaman dan hambatan yang sering terjadi ialah kurangnya kerja sama pemulia/petani terhadap sosialisasi yang dilakukan.

Kesimpulan dari penelitian ini adalah perlindungan hukum pemulia varietas tanaman dapat diperoleh jika varietas telah terdaftar di pusat dan mendapatkan sertifikat, Dinas Tanaman Pangan dan Hortikultura Provinsi Sumatera Utara melakukan upaya sosialisasi ke lapangan untuk mengembangkan varietas tanaman unggul khususnya varietas lokal. Kurangnya kerja sama pemulia terhadap upaya yang dilakukan menjadi hambatan dalam mengembangkan varietas tanaman unggul. Disarankan pemulia agar lebih tanggap lagi terhadap upaya yang dilakukan guna untuk mendapatkan perlindungan hukum.

Kata Kunci : Perlindungan Hukum, Perlindungan Varietas Tanaman, Pemulia Tanaman.

ABSTRACT

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The achievement of new superior plant varieties which are developed by the plant breeders is not done easily. So that, it is necessary to provide legal protection to the plant breeders. Therefore, the regulations are needed to protect the plant breeders. The research problem in this thesis are how is the legal protection of the plant breeders seen from the protection of the plant varieties, how is the legal registration of the plant variety protection in Indonesia, how are the efforts and the obstacles made by the Department of Food Crops and Horticulture of North Sumatra Province to develop the superior plant varieties.

This research is analytical descriptive. The location of this research was carried out at the Department of Food Crops and Horticulture, North Sumatra Province. The research approach uses normative juridical and sociological juridical. Data collection techniques were carried out by means of library research and interviews.

The legal protection of plant variety breeders is obtained by registering the variety to the Office of Plant Variety Protection and must comply with the applicable requirements. The protection obtained is in the form of the right and the compensation of the plant variety protection in accordance with the provisions of Law No. 29 of 2000 concerning Plant Variety Protection (hereinafter referred to as PVT). The registration is done by fulfilling the documents and the requirements then followed up by the PVT Office. The rights of PVT are granted in the form of a certificate and recorded in the PVT general register. The efforts made by the Department of Food Crops and Horticulture of North Sumatra Province are conducting socialization and provision in the field to increase the insight of farmers/breeders about the importance of registering plant varieties and the obstacle that often occurs is the lack of collaboration between breeders/farmers on the socialization which is carried out.

The conclusion of this research is that the legal protection of the plant variety breeders can be obtained if the variety has been registered at the center and received a certificate, the Department of Food Crops and Horticulture of North Sumatra Province conducts socialization efforts to the field to develop the superior plant varieties, especially the local varieties. The lack of cooperation between breeders in the efforts made is an obstacle in developing the superior plant varieties. It is recommended that the breeders be more responsive to the efforts made in order to obtain the legal protection.

Keywords : Legal Protection, Plant Variety Protection, Plant Breeders.