

Breast Cancer Action Group NSW  
PO Box 5016 Greenwich NSW 2065

ABN 44 768 231 180  
Ms Julie Dennett  
Committee Secretary  
Standing Committee on Legal and Constitutional Affairs

Dear Ms Dennett

Inquiry into Patent Amendment (Human Genes and Biological Materials) Bill 2010

Breast Cancer Action Group NSW wishes to thank the Standing Committee for inviting us to make a submission to this Standing Committee. We wholeheartedly support the Bill. Breast Cancer Action Group NSW provides a voice for people affected by breast cancer in our state. Formed in 1997, our over 700 members live all over NSW. We aim to make a difference in the areas of diagnosis, treatment, care, support and research, and work in partnership with stakeholders in the breast cancer world. We also provide a forum for women and men to share experiences and information. BCAG NSW publishes, together with the NSW Breast Cancer Institute, the first of its kind Directory of Treatment and Services - in both printed and electronic versions (see [www.bcagnsw.org.au](http://www.bcagnsw.org.au))

BCAG NSW support the issues addressed in this Amendment. They reflect and address those raised by us in our submission to and appearance before the Senate Inquiry in 2009.

We believe that this Amendment clearly comes under the imperative of being in the public interest. Our members, people affected by breast cancer, are extremely concerned about the threats regarding access to and ownership of breast cancer genes, which are posed by the enforcement of international and Australian gene patents.

This Amendment will assist in clarifying the fact that patents should never have been, or should be, allowed over naturally occurring human genes and biological materials. As an ethical and philosophical principle, we do not believe that genes as natural parts of the human body should be patentable. We strongly recommend that Australian patent law be amended so that no part of a living thing can be patented.

BCAG NSW strongly supports the submission from Cancer Voices NSW, one of our partner agencies in NSW. They have addressed the issues relating to this Bill considered paramount to cancer patients namely:

Ownership of genes  
High risk families and access to affordable genetic testing  
Access to medical and genetic research.

BCAG NSW looks forward to hearing the Committee's recommendations on this very

important Bill.

Yours sincerely

Roberta Higginson  
Chair, BCAG NSW