**ABS compliance in seven steps: guidance for organizations collecting, transferring, holding or using Genetic Resources: Worksheets**

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**ABS compliance in seven steps: guidance for organizations collecting, transferring, holding or using Genetic Resources:**

**Worksheets**

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This document contains the Worksheets in Word format. These can be downloaded and used for your own organisation. Some of the questions may need to be adapted as you assess the particular needs of your organisation.

# **Worksheet 1 – What do you do with Genetic resources?**

| *Organization activity* | *Questions to consider** *Will identify Requirement outlines in Worksheet 3*
 | *Y/N* |
| --- | --- | --- |
| * 1. Acquisition of genetic resources and /or traditional knowledge associated with genetic resources
 | Are any genetic resources or derivatives acquired by your organization? |  |
| Do your staff access genetic resources from *in situ* sources in the countries where they originate? |  |
| Does your organization obtain genetic resources from collections or other *ex situ* sources in the countries where they originate?  |  |
| Does your organization obtain genetic resources from third parties in countries outside the country of origin as a permanent transfer (e.g. collections, collectors, commercial suppliers, internet sellers, donations) |  |
| Does your organization obtain genetic resources as commodities in country of origin from 3rd parties e.g. purchasing fish in a market, and put them into a workflow where they may be utilised |  |
| Does your organization obtain genetic resources from third parties as a temporary transfer (e.g. identification requests, on loan) |  |
| Does your organization have an internal supply system operating between different countries? (for instance, does your company own collections based in different countries which exchange material between them) |  |
| Does your organization access traditional knowledge associated with Genetic Resources (aTK)? |  |
| Do visitors or researchers not employed by your organization bring genetic resources or aTK into your organization to utilise or undertake research? (see also 1.7) |  |
| * 1. Maintaining collections of genetic resources
 | Does your organization hold collections of any of the following types? |  |
| Living collections (e.g. plants, seeds, animals, insect cultures, microbial or fungal cultures) |  |
| Herbarium materials, preserved animals and other organisms |  |
| DNA and tissue cultures |  |
| Biochemical extracts (derivatives) |  |
| Artefacts containing biological or botanical materials e.g. feathers |  |
| Traditional knowledge or artefacts |  |
| Human tissues |  |
| * 1. Supply of Genetic Resources, extracts or derivatives to third parties
 | For non-commercial research only |  |
| For research that may lead to commercialization (e.g. Pharmaceutical, botanicals, cosmetics, agricultural and horticultural sectors) |  |
| For unspecified purposes |  |
| * 1. Non-commercial or commercial research on genetic resources (e.g. systematics, ethnobotany, phytochemistry, biochemical properties)
 | Does it involve sequencing genetic material? |  |
| Does it involve research and development on the biochemical composition of genetic resources? |  |
| Do you obtain grants to support your research? |  |
| * 1. Non-commercial or commercial research involving traditional knowledge associated with genetic resources
 |  |  |
| * 1. Research involving utilisation of GR on behalf of others
 |  |  |
| * 1. Researchers not employed by your organization carry out utilisation of GR on your premises
 |  |  |
| * 1. Commercialization or sale to others the results of your research on genetic resources
 | Are you involved in any natural product development? |  |
| * 1. Sharing benefits (monetary or non-monetary) with the countries from which genetic resources or traditional knowledge associated with genetic resources were sourced
 | Do you share benefits with provider countries? |  |
|  |
| * 1. Organizational or sectoral best practices or guidelines dealing with genetic resources or traditional knowledge
 | Does your organization have policies that address ABS requirements? |  |
| Are there agreed best practices, codes of conduct or guidelines on ABS within your sector that could help you? |  |

# **Worksheet 2.1 – Is the genetic resource your organization uses covered by the Nagoya Protocol?**

| *Resource type* | *Does this fall under the Nagoya Protocol?* | *Does your organization use this resource? (Y/N)* | *Steps to take (to consider under Step 4)* |
| --- | --- | --- | --- |
| Human tissues | Human tissue does not fall under the Nagoya Protocol |  | Ensure no pathogens are included or, if they are, take steps to manage them in the case of proposed utilization. See step 3.  |
| Human pathogens | Human pathogens fall within the scope of the Nagoya Protocol, although there may be special consideration under Article 8(b) in the legislation of the user country or providing country. |  | Check regulations of providing country and user country, and act accordingly. |
| Commodities | The text of the Protocol makes no explicit mention of commodities. Generally biological material exported and used as commodities falls outside Access regulations. However, such material if acquired as a commodity in a user country and utilised within the meaning of the Nagoya Protocol may come under the Protocol.  |  | National / regional regulations in the user country should be examined for clarity.Ensure PIC and MAT are established for any utilisation of genetic resources.  |
| Material transferred under the International Treaty on Plant Genetic Resources for Agriculture (ITPGRFA) | Under Article 4 of the Nagoya Protocol addresses relationships with other international agreements and requires a mutually supportive manner for implementation. Provider countries may have special treatments for material that falls under the ITPGRFA. However, if these plant genetic resources are utilised for purposes other than research and breeding for food and agriculture they fall within the scope of the Nagoya Protocol. Utilisation of crops not included in the ITPGRFA (e.g. soya, coffee, etc) also fall under the Protocol.  |  | If use is to be entirely under the Treaty ensure provisions are managed effectively. Put systems in place to manage any transfer to use under the Nagoya Protocol.Ensure partner country is Party to ITPGRFA and/or NP. |
| Material sourced for plant breeding (covered by The International Convention for the Protection of New Varieties of Plants, UPOV) | While this may be considered an international agreement that might fall under Article 4 of the Nagoya Protocol this does not automatically remove material sourced for breeding from requirements of the Nagoya Protocol.  |  | Regulations in both Provider and user countries should be consulted to determine legal obligations for access and use. |
| Marine biological material from Areas Beyond National Jurisdiction (ABNJ) | Samples including genetic resources taken from marine areas beyond national jurisdiction do not fall within the scope of the Nagoya Protocol, nor national Access regulations. At the time of writing there is negotiation within the UN and UNCLOS about the development of a benefit-sharing regime to cover ABNJ, but it is not yet in place. |  | Be certain where marine specimens are sourced, and seek appropriate permission if required. |
| Marine biological material sourced from within the Exclusive Economic Zone of a country | This falls under the sovereign rights of the country, and may be covered by Access legislation. The EEZ extends 200 nautical miles from the coastline. |  | Be certain where marine specimens are sourced, and seek appropriate permission from the coastal state if required prior to collection.  |
| Marine biological material sourced from the Continental shelf outside the EEZ of a country. | Sedentary (benthic) organisms sourced from the continental shelf when this extends from the coastline beyond 200 nautical miles up to 350 nautical miles. The restriction does not apply to pelagic organisms. This aspect falls under UNCLOS Article 246.6. Note that countries may have regulations requiring permission to be sought for access to the continental shelf area for marine scientific research, irrespective of whether or not the benthos is to be sampled. |  | Be certain where and how marine specimens are sourced, and seek appropriate permission from the coastal state if required prior to collection. |
| Biological material from areas under the Antarctic Treaty System | The Antarctic Treaty System includes the 1959 Antarctic Treaty, the 1991 Protocol on Environmental Protection to the Antarctic Treaty, and the 1980 Convention on the Conservation of Antarctic Marine Living Resources. It relates to marine and terrestrial biota in “the area south of 60° South Latitude, including all ice shelves” (Antarctic Treaty Art. VI). Samples including genetic resources from this area fall outside of the scope of the Nagoya Protocol. There may be other requirements under the ATS for sharing Benefits.  |  | Seek appropriate permission if required. |
| Material sourced from within the borders of a Party to the Nagoya Protocol  | This potentially falls within the scope of the Nagoya Protocol. However, a country may choose not to have legislation on Access, and may not require PIC and MAT. If a country does not exercise its sovereign rights, then there may be no legally-enforceable legal responsibilities. Note that countries may have legislation regarding collecting biota that is not access legislation as such, but which may still impose restrictions and requirements, although not under the Nagoya Protocol. |  | Ensure compliance with providing country legislation and regulations. |
| Material sourced from within the borders of a Party to the Nagoya Protocol before it became a Party. | This will include all countries prior to 12th October 2014, when the Nagoya Protocol came into force. Such material may not fall under the regulatory legislation of the user country. However, some provider countries are seeking to apply their access legislation under the Nagoya Protocol retrospectively, at least after 29 December 1993, when the CBD came into force. There may also have been access or other relevant legislation in place in the providing country prior to 2014, which could have put contractual requirements under PIC and MAT in place. |  | Ensure compliance with providing country legislation and regulations. Even though there may be no compliance issues under the Nagoya Protocol, consider reputational and civil-law challenges from providing countries. |
| Material sourced from within the borders of a Country which is not Party to the Nagoya Protocol. | Such a country may or may not have legislation in place which managed collecting or other activities relevant to accessing and using genetic resources. This legislation may require PIC to be granted and MAT to be agreed, creating a contract which should be honoured. The agreements do not, however, fall under the Nagoya Protocol and thus are unlikely to fall under compliance measured under the Protocol put in place in user countries. |  | Ensure compliance with providing country legislation and regulations. Even though there may be no compliance issues under the Nagoya Protocol, consider reputational and civil-law challenges from providing countries.  |
| Material sourced from within the borders of a Country prior to the coming into force of the CBD | Prior to the 29th December 1993 countries did not, under international law, hold sovereign rights to genetic resources occurring within their borders. However, they may have enacted legislation requiring permission to be sought for collecting and using such resources. Some countries may also be seeking to apply the Nagoya protocol to resources collected prior to that date.  |  | Ensure compliance with providing country legislation and regulations. Good Practice would be to seek PIC and MAT if this is not in place, if utilization is leading to material benefit, particularly monetary. |
| Material held in *ex situ* collections in the country of origin | Some countries are applying their access legislation to material collected within their borders and held within *ex situ* collections (botanic gardens, museums, culture collections etc) also within their borders.  |  | GR should be treated legally in both provider and user country as if it had been accessed from *in situ* at the time acquisition is sought from the *ex situ* collection. |
| Preserved material held in *ex situ* collections in countries other than the country of origin | Access to and use of such material is likely to be governed by the agreements entered into (PIC and MAT) when it was originally accessed, and thus may or may not fall under the provisions of the Nagoya Protocol. User countries may have regulations concerning the steps to be taken by users acquiring material from such collections. |  | Establish conditions under which material can be used. |
| Living material held in *ex situ* collections in countries other than the country of origin of the ancestors of the living organisms | The legal requirements surrounding such material may not be clear. In some cases the collections will have acquired the material with clear contractual conditions from the providing country. The collection holder may also have policies requiring benefit sharing or other action. |  | Establish conditions under which material can be used. |
| Traditional knowledge not associated with genetic resources but accessed in the country of origin | This does not fall under the Nagoya protocol but may be addressed by other legislation in the providing country. It may also be addressed by WIPO |  | Consult government and other relevant stakeholders in the country of origin. |
| Traditional knowledge associated with genetic resources accessed in the country of origin | This falls under the Nagoya Protocol, and consequently under any relevant legislation the country might have. There may be other legislation in the providing country. It may also be addressed by WIPO |  | Consult government and other relevant stakeholders in the country of origin. |
| Traditional knowledge associated or not associated with genetic resources not accessed in the country of origin | This may fall under the Nagoya Protocol, depending on where it was originally accessed (Party or non-party) and when (see notes on temporal scope above).  |  | There may be ethical as well as legal reasons to investigate appropriate terms with the country of origin and indigenous communities within that country. |

# **Worksheet 2.2 – What activities may fall under other ABS-related regulations?**

The previous worksheet focussed on whether your organizations activities fall under the Nagoya Protocol. The purpose of this checklist is to help you think about what other ABS-related regulations may apply, and which you will have to address. Use Table 1 to help you.

| *Organization activity* | *Detail* | *Y/N from Worksheet 1* | *Legal frameworks that may apply* | *Potentially applicable to the organization? (Y/N)* |
| --- | --- | --- | --- | --- |
| * + 1. Acquisition of genetic resources and /or traditional knowledge associated with genetic resources
 | Directly from *in situ* sources in the countries where they originate |  | International: ITPGRFA |  |
| International: UPOV |  |
| International: UNCLOS |  |
| International: Antarctic Treaty |  |
| Regional legislation as it is implementing in the Providing country. |  |
| National ABS legislation in providing country |  |
| From collections or other *ex situ* sources in the countries where they originate  |  |
| Other National legislation or regulations in providing country |  |
| Regional legislation as it is implementing in the user country. |  |
| ABS regulations under the Nagoya Protocol in user country (if user is a party to the Protocol). |  |
| From third parties as a permanent transfer (e.g. collections, collectors, commercial suppliers, internet sellers, donations) |  |
| Other (list) |  |
| From third parties as a temporary transfer (e.g. identification requests, on loan) |  |
| Organization has an internal supply system operating between different countries |  | Depending on when the material was originally accessed there may be requirements from both providing and user countries. |  |
| Organization accesses traditional knowledge associated with Genetic Resources |  | If the Traditional Knowledge is accessed with Genetic Resources it potentially falls under the Nagoya Protocol and thus provider and user country legislation. (see list above) |  |
| Researchers not employed by your organization bring GR or aTK into your organization to undertake research |  | Legislative frameworks and regulatory requirements likely to apply as if your organization holds the material. |  |
| * + 1. Maintaining collections of genetic resources
 | Living collections (e.g. plants, seeds, animals, insect cultures, microbial or fungal cultures) |  | International: ITPGRFA |  |
| International: UPOV |  |
| International: UNCLOS |  |
| International: Antarctic Treaty |  |
| Herbarium materials, preserved animals and other organisms |  |
| Regional legislation as it is implementing in the Providing country. |  |
| National ABS legislation in providing country at the time of access |  |
| DNA and tissue cultures |  |
| Other National legislation or regulations in providing country |  |
| Regional legislation as it is implementing in the user country. |  |
| ABS regulations under the Nagoya Protocol in user country (if user is a party to the Protocol). |  |
| Other (list) |  |
| Biochemical extracts (derivatives) |  |
| Traditional knowledge or artefacts |  |
| * + 1. Supply of Genetic Resources, extracts or derivatives to third parties
 | For non-commercial research only |  | International: ITPGRFA |  |
| International: UPOV |  |
| For research that may lead to commercialization (e.g. Pharmaceutical, botanicals, cosmetics, agricultural and horticultural sectors) |  |
| National ABS legislation in providing country |  |
| Regional legislation as it is implementing in the user country. |  |
| ABS regulations under the Nagoya Protocol in user country (if user is a party to the Protocol). |  |
| Other (list) |  |
| For unspecified purposes |  |
| * + 1. Non-commercial or commercial research on genetic resources (e.g. systematics, ethnobotany, phytochemistry, biochemical properties)
 | Involves sequencing genetic material |  | International: ITPGRFA |  |
| International: UPOV |  |
| Involves research and development on the biochemical composition of genetic resources |  | National ABS legislation in providing country |  |
| Regional legislation as it is implementing in the user country. |  |
| ABS regulations under the Nagoya Protocol in user country (if user is a party to the Protocol). |  |
| Other (list) |  |
| Research is supported by grants |  | This can be a trigger for reporting under the user country legislation, for example in the EU. |  |
| * + 1. Non-commercial or commercial research involving traditional knowledge associated with genetic resources
 |  |  | International: ITPGRFA |  |
| International: UPOV |  |
| National ABS legislation in providing country |  |
| Regional legislation as it is implementing in the user country. |  |
| ABS regulations under the Nagoya Protocol in user country (if user is a party to the Protocol). |  |
| Other (list) |  |
| * + 1. Research involving utilisation of GR on behalf of others
 |  |  | International: ITPGRFA |  |
| International: UPOV |  |
| National ABS legislation in providing country |  |
| Regional legislation as it is implementing in the user country. |  |
| ABS regulations under the Nagoya Protocol in user country (if user is a party to the Protocol). |  |
| Other (list) |  |
| * + 1. Researchers not employed by your organization carry out utilisation of GR on your premises
 |  |  | International: ITPGRFA |  |
| International: UPOV |  |
| National ABS legislation in providing country |  |
| Regional legislation as it is implementing in the user country. |  |
| ABS regulations under the Nagoya Protocol in user country (if user is a party to the Protocol). |  |
| Other (list) |  |
| * + 1. Commercialization or sale to others the results of your research on genetic resources
 | Organization is involved in natural product development |  | International: ITPGRFA |  |
| International: UPOV |  |
| National ABS legislation in providing country |  |
| Regional legislation as it is implementing in the user country. |  |
| ABS regulations under the Nagoya Protocol in user country (if user is a party to the Protocol). |  |
| Other (list) |  |
| * + 1. Sharing benefits (monetary or non-monetary) with the countries from which genetic resources or traditional knowledge associated with genetic resources were sourced
 | Organization shares monetary or non-monetary benefits with provider countries |  | National ABS legislation in providing country |  |
| * + 1. Organizational or sectoral best practices or guidelines dealing with genetic resources or traditional knowledge
 | The organization has policies that address ABS requirements |  | Best practices and Codes of Conduct may be called for under the user country legislation and have a role in compliance monitoring (e.g. within the EU). They are also called for in the Nagoya Protocol Article 20. |  |
| The sector has agreed best practices, codes of conduct or guidelines on ABS |  |  |

# **Worksheet 3 – What are the requirements for policies and processes to manage compliance with ABS matters?**

The first column in the table lists the ‘Organizational activities’ and the detail addressed in ‘Questions to Consider’ from Worksheet one. The column ‘Relevant or not’ should be populated with the responses to ‘Y/N’ from Worksheet one. For the activities and requirements identified as relevant in Worksheet one please enter the detailed requirements that your policies and procedures will have to meet. This will enable you to develop the tools needed when you come to Step four. Tick column ‘completed’ when the requirement is finalised.

| **Organization activities and requirements** | **Is this Relevant to your organization or not?** **(from Worksheet 1 – delete any rows that are not relevant)** | **Completed** |
| --- | --- | --- |
| **3.1. Acquisition of genetic resources and /or traditional knowledge associated with genetic resources** |  |  |
| *Requirement outline: The policies and procedures should ensure -* Appropriate staff are aware of legislation and regulations for each case |  |  |
| *Detailed requirements for your organization:*For example:Means of targeting relevant staff established;Tools to help staff be aware of regulations in a timely fashionTraining programme developed and implementedTraining / reference materials prepared and distributedRegular review |  |  |
| **3.1.1. Directly from *in situ* sources in the countries where they originate** |  |  |
| *Requirement outline: The policies and procedures should ensure -* Staff and anyone else acting in the name of the organization take appropriate actions when collecting GR from in situ sources, including obtaining permits and other relevant agreements and documents. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Agreements for collecting and research (including collecting permits, Memoranda of Cooperation etc) are in accordance with organization policy and capacity to meet, and are authorised by the appropriate person. This may include legal requirements under the Nagoya Protocol, contractual agreements on details of benefit-sharing.  |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.1.2. From collections or other ex situ sources in the countries where they originate** **And/or****3.1.3. From third parties as a permanent transfer (e.g. collections, collectors, commercial suppliers, internet sellers, donations)**  |  |  |
| *Requirement outline: The policies and procedures should ensure -* GR sourced from third parties has known legal provenance, and is accompanied by appropriate documentation.  |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Non-legal GR or GR of uncertain provenance are identified as such at point of acquisition by organization and appropriate action taken |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Storage and of data and documents of (i) all GR entering the organization and (ii) all GR passing under the ownership of the organization. |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.1.4. From third parties as a temporary transfer (e.g. identification requests, on loan)**  |  |  |
| *Requirement outline: The policies and procedures should ensure -* Provenance of the material is understood and its acceptance and incorporation into research projects involving utilization managed appropriately.  |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Reporting and benefit-sharing requirements understood and followed. |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.1.5. Organization has an internal supply system operating between different countries** |  |  |
| *Requirement outline: The policies and procedures should ensure -* Appropriate data and documentation are associated with GR transferred within the organization, and compliance with the different regulatory requirements operating in the countries where supply and receipt are based. |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.1.6. Organization accesses traditional knowledge associated with Genetic Resources**  |  |  |
| *Requirement outline: The policies and procedures should ensure -* Traditional Knowledge accessed with Genetic Resources is acquired with appropriate legal and ethical management, including to the owners of the TK. |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.1.7. Researchers not employed by your organization bring GR or aTK into your organization to undertake research** |  |  |
| *Requirement outline: The policies and procedures should ensure -* Data collection is managed so that there is clarity between material belonging to the institution and that which is brought in and being utilized by someone not belonging to the organization. Because the organization may be responsible for reporting on utilization to a national regulator, to manage any visitor’s utilization, even of material the visitor has brought with them, meets legal requirements. Data required for reporting should be collected. |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.2. Maintaining collections of genetic resources** |  |  |
| **3.2.1. Living collections (e.g. plants, seeds, animals, insect cultures, microbial or fungal cultures)****And/or****3.2.2. Herbarium materials, preserved animals and other organisms****And/or****3.2.3. DNA and tissue cultures****And/or****3.2.4. Biochemical extracts (derivatives)****And/or****3.2.5. Traditional knowledge or artefacts** |  |  |
| *Requirement outline: The policies and procedures should ensure -* The organization and its staff understand what collections are held by the organization and who had responsibility for ABS compliance actions. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* To ensure that any collections on the organization’s property that are not the responsibility of the organization are recognised and the person responsible for ABS issues regarding that collection is aware of the fact and is managing the issues appropriately. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Policies and processes emplaced to manage compliance with ABS legislation and conditions are applied to all collections that are the responsibility of the organization. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Restrictions and requirements associated with the specimens or samples are known and are followed, so that benefits are shared as agreed and prohibited actions are not carried out. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Information relevant to ABS agreements and regulations are stored so that the institution can manage compliance, including delivery of benefits, preventing unauthorised utilization and facilitating reporting under national legislation. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Traditional knowledge or artefacts are stored appropriately and conditions under which is documented, digitized, archived, released or made public are managed in accordance with conditions under which it was acquired. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Material is disposed of only in a manner consistent with the conditions under which it was acquired. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* The collection is audited for ABS compliance on a regular basis. |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.3. Supply of Genetic Resources, extracts or derivatives to third parties** |  |  |
| **3.3.1. For non-commercial research only****And/or****3.3.2. For research that may lead to commercialization (e.g. Pharmaceutical, botanicals, cosmetics, agricultural and horticultural sectors)****And/0r****3.3.3. For unspecified purposes** |  |  |
| *Requirement outline: The policies and procedures should ensure -* Genetic resources are supplied to third parties only under the conditions with which it was acquired. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* If the third party wishes to utilize the GR in a manner not agreed under the original conditions of acquisition there is a mechanism to seek approval form the providing country for change of use. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Appropriate documentation is transferred to the third party with the material. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Appropriate action can be taken regarding third parties borrowing material who do not abide by the terms and conditions regarding its utilization. |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.4. Non-commercial or commercial research on genetic resources (e.g. systematics, ethnobotany, phytochemistry, biochemical properties)** |  |  |
| **3.4.1. Involves sequencing genetic resources****And/or****3.4.2. Involves research and development on the biochemical composition of genetic resources, including derivatives** |  |  |
| *Requirement outline: The policies and procedures should ensure -* Utilization is only carried out if this is allowed by the original or renegotiated agreement with the country of origin. Staff need to discover this rapidly and efficiently. Consider also associated organisms (e.g. parasites) not mentioned in the original permit. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Process for seeking revised PIC and renegotiate MAT if proposed utilization different from what has been agreed  |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Reporting to national Regulator can be made and clarity as to who has responsibility for making it. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Records of the utilization and when it ceased are made and retained |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.5.3.Research is supported by grants**  |  |  |
| *Requirement outline: The policies and procedures should ensure -* In the EU this may be a trigger for reporting |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.5. Non-commercial or commercial research involving traditional knowledge associated with genetic resources**  |  |  |
| *Requirement outline: The policies and procedures should ensure -* TK is acquired with legal compliance and operate ethically |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.6. Research involving utilization of GR on behalf of others** |  |  |
| *Requirement outline: The policies and procedures should ensure -* Clarity on who should be making any reports to national Regulator. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Clarity on provenance of GR and whether utilization is permitted, and means of response to information.  |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.7. Researchers not employed by your organization carry out utilization of GR on your premises** |  |  |
| *Requirement outline: The policies and procedures should ensure -* Clarity on who should be making any reports to national Regulator. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Clarity on provenance of GR and whether utilization is permitted, and means of response to information.  |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.8. Commercialization or sale to others the results of your research on genetic resources**  |  |  |
| *Requirement outline: The policies and procedures should ensure -* Reports are made to the national Regulator when required under legislation, and information is made available efficiently to enable this to happen. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Appropriate information on ABS requirements is transferred to others in the value chain. |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* Commercialization is permitted in the agreement with the providing country and others in the value chain, and that benefit sharing arrangements are in place and activated. |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.9. Sharing benefits (monetary or non-monetary) with the countries from which genetic resources or traditional knowledge associated with genetic resources were sourced** |  |  |
| *Requirement outline: The policies and procedures should ensure -* Mechanism is in place to ensure benefits are shared as agreed, and this is recorded. |  |  |
| *Detailed requirements for your organization:* |  |  |
| **3.10. Organizational or sectoral best practices or guidelines dealing with genetic resources or traditional knowledge** |  |  |
| **3.10.1. The organization has policies that address ABS requirements** **And/or****3.10.2. The sector has agreed best practices, codes of conduct or guidelines on ABS** |  |  |
| *Requirement outline: The policies and procedures should ensure -* Policies are developed and periodically reviewed |  |  |
| *Detailed requirements for your organization:* |  |  |
| *Requirement outline: The policies and procedures should ensure -* If there are agreed sectoral best practices, the organization’s policies and processes implement these effectively.  |  |  |
| *Detailed requirements for your organization:* |  |  |

# **Worksheet 4 – What tools (policies and procedures) are required to manage compliance with ABS matters?**

| **Organization activity** | **Detail** | **Is this Relevant to your organization or not?** **(from Worksheet 1 – delete any rows that are not relevant)** | **Implementation tools and procedures** | **Tool in place to meet requirements identified in Step 3****(Y/N)** |
| --- | --- | --- | --- | --- |
| 4.1. Acquisition of genetic resources and /or traditional knowledge associated with genetic resources |  |  | The following apply to acquisition of GR from other countries, irrespective of the route: |  |
| Organizational policy on ABS aspects of acquisition, including field collecting by staff, object entry to the organization, passing into ownership of the organization. |  |
| Identification of individual within organization responsible for authorising acquisition and implementing acquisition policies. |  |
| Identification of Legal vs non-legal GR at point of acquisition by organization; surety of obtaining necessary information and documentation. |  |
| Means of discovering whether the providing country is a Party to the Nagoya Protocol at time of in situ access of the GR. |  |
| Document and information entry process to ensure both can be retrieved optimally and specimens or samples can be associated with them at subsequent stages of use or storage. Will need to include (i) all GR entering the organization and (ii) all GR passing under the ownership of the organization. |  |
| Directly from *in situ* sources in the countries where they originate |  | Procedures to ensure staff and anyone else acting in the name of the organization take appropriate actions when collecting GR from in situ sources |  |
| From collections or other *ex situ* sources in the countries where they originate  |  |
| Procedures to ensure material from ex situ collections are accessed and accepted in accordance with the providing country ABS legislation, and any additional institutional requirements are met with. |  |
| From third parties as a permanent transfer (e.g. collections, collectors, commercial suppliers, internet sellers, donations) |  | Procedures to ensure GR sourced from third parties has known legal provenance, and is accompanied by appropriate documentation. |  |
| From third parties as a temporary transfer (e.g. identification requests, on loan) |  | Procedures to record legal provenance.  |  |
| Procedures to ensure staff ensure and comply with requirements and restrictions |
| Guidelines on what may be done with such material and how to dispose of it once the permitted activity has been carried out. |
| Organization has an internal supply system operating between different countries |  | Procedures and MTAs to transfer appropriate data and documentation associated with GR within organization. |  |
| Compliance measures for different regulatory requirements operating in the countries where supply and receipt are based are in place and incorporated into transfer systems.  |  |
| Organization accesses traditional knowledge associated with Genetic Resources |  | Processes to acquire Traditional Knowledge accessed with Genetic Resources with appropriate legal and ethical management, including to the owners of the TK. |  |
| Researchers not employed by your organization bring GR or TKaGR into your organization to undertake research |  | Specific entry protocols for GR brought in by external researchers, including clear labelling. |  |
| Data collection and storage process system in place if the organization has legal responsibility for reporting on utilization under national legislation |  |
| * 1. Maintaining collections of genetic resources
 | Living collections (e.g. plants, seeds, animals, insect cultures, microbial or fungal cultures) |  | Identity of person or persons responsible for ABS compliance actions, and the scope of their responsibilities clear to all staff.Responsibilities of all staff clearly understood |  |
| Policies and processes emplaced to manage compliance with ABS legislation and conditions are applied to all collections that are the responsibility of the organization. |  |
| Policies and procedures to ensure uniformity of ABS management and information management across organization |
| Procedures to address collections on the organization’s property that are not the responsibility of the organization are recognised and that issues are managed appropriately. |  |
| Procedures to make restrictions and requirements associated with the specimens or samples easily and rapidly known to personnel.  |  |
| Data management system that stores information relevant to ABS agreements and regulations so that the institution can manage compliance, including delivery of benefits, preventing unauthorised utilization and report under national legislation.  |  |
| Herbarium materials, preserved animals and other organisms |  |
| System to store Traditional knowledge or artefacts and the information gathered from them securely, as well as other sensitive information; safeguards against inadvertent release of digitised or undigitized information. |  |
| DNA and tissue cultures |  |
| Biochemical extracts (derivatives) |  |
| Disposal policy and procedures include means of ensuring material is disposed of only in a manner consistent with the conditions under which it was acquired. |  |
| Traditional knowledge or artefacts |  | Regular ABS audit scheduled |  |
| * 1. Supply of Genetic Resources, extracts or derivatives to third parties
 | For non-commercial research only |  | Genetic resources are supplied to third parties only under the conditions with which it was acquired.  |  |
| If the third party wishes to utilize the GR in a manner not agreed under the original conditions of acquisition there is a mechanism to seek approval form the providing country for change of use. |  |
| For research that may lead to commercialization (e.g. Pharmaceutical, botanicals, cosmetics, agricultural and horticultural sectors  |  |
| Appropriate documentation is transferred to the third party with the material. |  |
| For unspecified purposes) |  |
| Policies and processes to dictate action should third parties borrowing material not abide by the terms and conditions regarding its utilization. |  |
| * 1. Non-commercial or commercial research on genetic resources (e.g. systematics, ethnobotany, phytochemistry, biochemical properties)
 | Involves sequencing genetic material |  | Procedures that enable staff discover restrictions on utilization rapidly and efficiently. |  |
| Procedure in place for seeking revised PIC and renegotiate MAT if proposed utilization different from what has been agreed |  |
| Involves research and development on the biochemical composition of genetic resources |  | Procedure in place to ensure and facilitate reporting to national Regulator. |  |
| Procedure and database available to retain records of the utilization and when it ceased. |  |
| Research is supported by grants |  | If required, means of associating grant information with utilization records |  |
| * 1. Non-commercial or commercial research involving traditional knowledge associated with genetic resources
 |  |  | Policies and procedures must ensure that staff are particularly careful to ensure that they follow national, local and international procedures to obtain prior informed consent from all relevant stakeholders for the work they wish to do. This may involve working with local and indigenous communities to an extent greater than national regulations may require, to ensure that the organization is completely legally and ethically correct. |  |
| Special care may neeed to be taken over aTK when stored in a database, to prevent inadvertent publication or sharing in contravention to PIC and MAT. |  |
| * 1. Research involving utilization of GR on behalf of others
 |  |  | Policy in place determining responsibility for reporting and information made available automatically to partners or others supplying GR for utilization  |  |
| Procedures to establish and record provenance of GR and whether utilization is permitted. |  |
| Procedures in place to address situations where utilization is not permitted. |  |
| * 1. Researchers not employed by your organization carry out utilization of GR on your premises
 |  |  | Policy in place determining responsibility for reporting and information made available automatically to visiting researchers |  |
| Procedures to establish and record provenance of GR and whether utilization is permitted. |  |
| Procedures in place to address situations where utilization is not permitted. |  |
| * 1. Commercialization or sale to others the results of your research on genetic resources
 | Organization is involved in natural product development |  | Procedures to prepare and deliver reports to the national Regulator when required under legislation |  |
| Procedures in place to transfer appropriate information on ABS requirements is to others in the value chain. |  |
| Procedures to check that commercialization is permitted in the agreement with the providing country and others in the value chain |  |
| * 1. Sharing benefits (monetary or non-monetary) with the countries from which genetic resources or traditional knowledge associated with genetic resources were sourced
 | Organization shares monetary or non-monetary benefits with provider countries |  | Mechanism is in place to ensure benefits are shared as agreed, and this is recorded.  |  |
| * 1. Organizational or sectoral best practices or guidelines dealing with genetic resources or traditional knowledge
 | The organization has policies that address ABS requirements |  | Policies in placePolicy review scheduled |  |
| Sectoral best practices used to inform policies and procedures of organization |  |
| The sector has agreed best practices, codes of conduct or guidelines on ABS |  |

# **Worksheet 5 – Checklist for training elements covering tools and procedures developed in Step 4**

| **Organization activity** | **Detail** | **Y/N from Worksheet 1** | **Implementation tools and procedures** | **Training materials developed (Y/N)** |
| --- | --- | --- | --- | --- |
| * 1. Acquisition of genetic resources and /or traditional knowledge associated with genetic resources
 |  |  | The following apply to acquisition of GR from other countries, irrespective of the route: |  |
| Organizational policy on ABS aspects of acquisition, including field collecting by staff, object entry to the organization, passing into ownership of the organization. |  |
| Identification of individual within organization responsible for authorising acquisition and implementing acquisition policies. |  |
| Identification of Legal vs non-legal GR at point of acquisition by organization; surety of obtaining necessary information and documentation. |  |
| Means of discovering whether the providing country is a Party to the Nagoya Protocol at time of in situ access of the GR. |  |
| Document and information entry process to ensure both can be retrieved optimally and specimens or samples can be associated with them at subsequent stages of use or storage. Will need to include (i) all GR entering the organization and (ii) all GR passing under the ownership of the organization. |  |
| Directly from *in situ* sources in the countries where they originate |  | Procedures to ensure staff and anyone else acting in the name of the organization take appropriate actions when collecting GR from in situ sources |  |
| From collections or other *ex situ* sources in the countries where they originate  |  |
| Procedures to ensure material from ex situ collections are accessed and accepted in accordance with the providing country ABS legislation, and any additional institutional requirements are met with. |  |
| From third parties as a permanent transfer (e.g. collections, collectors, commercial suppliers, internet sellers, donations) |  | Procedures to ensure GR sourced from third parties has known legal provenance, and is accompanied by appropriate documentation. |  |
| From third parties as a temporary transfer (e.g. identification requests, on loan) |  | Procedures to record legal provenance.  |  |
| Procedures to ensure staff ensure and comply with requirements and restrictions |  |
| Guidelines on what may be done with such material and how to dispose of it once the permitted activity has been carried out. |  |
| Organization has an internal supply system operating between different countries |  | Procedures and MTAs to transfer appropriate data and documentation associated with GR within organization. |  |
| Compliance measures for different regulatory requirements operating in the countries where supply and receipt are based are in place and incorporated into transfer systems.  |  |
| Organization accesses traditional knowledge associated with Genetic Resources |  | Processes to acquire Traditional Knowledge accessed with Genetic Resources with appropriate legal and ethical management, including to the owners of the TK. |  |
| Researchers not employed by your organization bring GR or TKaGR into your organization to undertake research |  | Specific entry protocols for GR brought in by external researchers, including clear labelling. |  |
| Data collection and storage process system in place if the organization has legal responsibility for reporting on utilisation under national legislation |  |
| * 1. Maintaining collections of genetic resources
 | Living collections (e.g. plants, seeds, animals, insect cultures, microbial or fungal cultures) |  | Identity of person or persons responsible for ABS compliance actions, and the scope of their responsibilities clear to all staff.Responsibilities of all staff clearly understood |  |
| Policies and processes emplaced to manage compliance with ABS legislation and conditions are applied to all collections that are the responsibility of the organization. |  |
| Policies and procedures to ensure uniformity of ABS management and information management across organization |  |
| Procedures to address collections on the organization’s property that are not the responsibility of the organization are recognised and that issues are managed appropriately. |  |
| Procedures to make restrictions and requirements associated with the specimens or samples easily and rapidly known to personnel.  |  |
| Data management system that stores information relevant to ABS agreements and regulations so that the institution can manage compliance, including delivery of benefits, preventing unauthorised utilisation and report under national legislation.  |  |
| Herbarium materials, preserved animals and other organisms |  |
| System to store Traditional knowledge or artefacts and the information gathered from them securely, as well as other sensitive information; safeguards against inadvertent release of digitised or undigitized information. |  |
| DNA and tissue cultures |  |
| Biochemical extracts (derivatives) |  |
| Disposal policy and procedures include means of ensuring material is disposed of only in a manner consistent with the conditions under which it was acquired. |  |
| Traditional knowledge or artefacts |  | Regular ABS audit scheduled |  |
| * 1. Supply of Genetic Resources, extracts or derivatives to third parties
 | For non-commercial research only |  | Genetic resources are supplied to third parties only under the conditions with which it was acquired.  |  |
| If the third party wishes to utilise the GR in a manner not agreed under the original conditions of acquisition there is a mechanism to seek approval form the providing country for change of use. |  |
| For research that may lead to commercialisation (e.g. Pharmaceutical, botanicals, cosmetics, agricultural and horticultural sectors  |  |
| Appropriate documentation is transferred to the third party with the material. |  |
| For unspecified purposes) |  |
| Policies and processes to dictate action should third parties borrowing material not abide by the terms and conditions regarding its utilisation. |  |
| * 1. Non-commercial or commercial research on genetic resources (e.g. systematics, ethnobotany, phytochemistry, biochemical properties)
 | Involves sequencing genetic material |  | Procedures that enable staff discover restrictions on utilisation rapidly and efficiently. |  |
| Procedure in place for seeking revised PIC and renegotiate MAT if proposed utilisation different from what has been agreed |  |
| Involves research and development on the biochemical composition of genetic resources |  | Procedure in place to ensure and facilitate reporting to national Regulator. |  |
| Procedure and database available to retain records of the utilisation and when it ceased. |  |
| Research is supported by grants |  | If required, means of associating grant information with utilisation records |  |
| * 1. Non-commercial or commercial research involving traditional knowledge associated with genetic resources
 |  |  | Policy and procedure in place to train staff. |  |
| Specific database and document handling procedures in place. |  |
| * 1. Research involving utilisation of GR on behalf of others
 |  |  | Policy in place determining responsibility for reporting and information made available automatically to partners or others supplying GR for utilisation  |  |
| Procedures to establish and record provenance of GR and whether utilisation is permitted. |  |
| Procedures in place to address situations where utilisation is not permitted. |  |
| * 1. Researchers not employed by your organization carry out utilisation of GR on your premises
 |  |  | Policy in place determining responsibility for reporting and information made available automatically to visiting researchers |  |
| Procedures to establish and record provenance of GR and whether utilisation is permitted. |  |
| Procedures in place to address situations where utilisation is not permitted. |  |
| * 1. Commercialization or sale to others the results of your research on genetic resources
 | Organization is involved in natural product development |  | Procedures to prepare and deliver reports to the national Regulator when required under legislation |  |
| Procedures in place to transfer appropriate information on ABS requirements is to others in the value chain. |  |
| Procedures to check that commercialisation is permitted in the agreement with the providing country and others in the value chain |  |
| * 1. Sharing benefits (monetary or non-monetary) with the countries from which genetic resources or traditional knowledge associated with genetic resources were sourced
 | Organization shares monetary or non-monetary benefits with provider countries |  | Mechanism is in place to ensure benefits are shared as agreed, and this is recorded.  |  |
| * 1. Organizational or sectoral best practices or guidelines dealing with genetic resources or traditional knowledge
 | The organization has policies that address ABS requirements |  | Policies in placePolicy review scheduled |  |
| Sectoral best practices used to inform policies and procedures of organization |  |
| The sector has agreed best practices, codes of conduct or guidelines on ABS |  |

# **Worksheet 6 – Detailed ABS Audit**

| **Organization activity** | **Detail** | **Y/N from Worksheet 1** | **Organizational Requirement to be met** | **Is this in place?****(Y/N)** |
| --- | --- | --- | --- | --- |
| * 1. Acquisition of genetic resources and /or traditional knowledge associated with genetic resources
 | From other countries |  | Appropriate staff are sufficiently aware of legislation and regulations for each case |  |
| Staff and anyone else acting in the name of the organization take appropriate actions when collecting GR from in situ sources, including obtaining permits and other relevant agreements and documents. |  |
| Agreements for collecting and research (including collecting permits, Memoranda of Cooperation etc) are in accordance with organization policy and capacity to meet, and are authorised by the appropriate person. This may include legal requirements under the Nagoya Protocol, contractual agreements on details of benefit-sharing.  |  |
| Directly from *in situ* sources in the countries where they originate |  |
| GR sourced from third parties has known legal provenance, and is accompanied by appropriate documentation. |  |
| Legal vs non-legal GR are filtered at point of acquisition by organization. |  |
| Storage and timely location of data and documents of (i) all GR entering the organization and (ii) all GR passing under the ownership of the organization. |  |
| From collections or other *ex situ* sources in the countries where they originate  |  |
|  |
| From third parties as a permanent transfer (e.g. collections, collectors, commercial suppliers, internet sellers, donations) |  |
| From third parties as a temporary transfer (e.g. identification requests, on loan) |  | Inappropriate actions (e.g. incorporation into research projects involving utilization) are not undertaken, and that provenance of the material is understood and managed appropriately [***NB – I think this will need attention and further explanation***] |  |
| Organization has an internal supply system operating between different countries |  | Appropriate data and documentation are associated with GR transferred within the organization, and compliance with the different regulatory requirements operating in the countries where supply and receipt are based.  |  |
| Organization accesses traditional knowledge associated with Genetic Resources |  | Traditional Knowledge accessed with Genetic Resources is acquired with appropriate legal and ethical management, including to the owners of the TK. |  |
| Researchers not employed by your organization bring GR or TKaGR into your organization to undertake research |  | Data collection is managed so that there is clarity between material belonging to the institution and that which is brought in and being utilized by someone not belonging to the organization. Because the organization may be responsible for reporting on utilization to a national regulator, to manage any visitor’s utilization, even of material the visitor has brought with them, meets legal requirements. Data required for reporting should be collected. |  |
| * 1. Maintaining collections of genetic resources
 | Living collections (e.g. plants, seeds, animals, insect cultures, microbial or fungal cultures) |  | The organization and its staff understand what collections are held by the organization and who had responsibility for ABS compliance actions.  |  |
| To ensure that any collections on the organization’s property that are not the responsibility of the organization are recognised and the person responsible for ABS issues regarding that collection is aware of the fact and is managing the issues appropriately. |  |
| Policies and processes emplaced to manage compliance with ABS legislation and conditions are applied to all collections that are the responsibility of the organization. |  |
| Restrictions and requirements associated with the specimens or samples are known and are followed, so that benefits are shared as agreed and prohibited actions are not carried out. |  |
| Information relevant to ABS agreements and regulations are stored so that the institution can manage compliance, including delivery of benefits, preventing unauthorised utilization and facilitating reporting under national legislation.  |  |
| Herbarium materials, preserved animals and other organizms |  |
| Traditional knowledge or artefacts are stored appropriately and conditions under which is documented, digitized, archived, released or made public are managed in accordance with conditions under which it was acquired. |  |
| DNA and tissue cultures |  |
| Biochemical extracts (derivatives) |  |
| Material is disposed of only in a manner consistent with the conditions under which it was acquired. |  |
| Traditional knowledge or artefacts |  | The collection is audited for ABS compliance on a regular basis. |  |
| * 1. Supply of Genetic Resources, extracts or derivatives to third parties
 | For non-commercial research only |  | Genetic resources are supplied to third parties only under the conditions with which it was acquired.  |  |
| If the third party wishes to utilize the GR in a manner not agreed under the original conditions of acquisition there is a mechanism to seek approval form the providing country for change of use. |  |
| For research that may lead to commercialization (e.g. Pharmaceutical, botanicals, cosmetics, agricultural and horticultural sectors  |  |
| Appropriate documentation is transferred to the third party with the material. |  |
| For unspecified purposes) |  |
| Appropriate action can be taken regarding third parties borrowing material who do not abide by the terms and conditions regarding its utilization. |  |
| * 1. Non-commercial or commercial research on genetic resources (e.g. systematics, ethnobotany, phytochemistry, biochemical properties)
 | Involves sequencing genetic material |  | Utilization is only carried out if this is allowed by the original or renegotiated agreement with the country of origin. Staff need to discover this rapidly and efficiently. |  |
| Process for seeking revised PIC and renegotiate MAT if proposed utilization different from what has been agreed |  |
| Involves research and development on the biochemical composition of genetic resources |  | Reporting to national Regulator can be made and clarity as to who has responsibility for making it. |  |
| Records of the utilization and when it ceased are made and retained. |  |
| Research is supported by grants |  | In the EU this may be a trigger for reporting |  |
| * 1. Non-commercial or commercial research involving traditional knowledge associated with genetic resources
 |  |  | Staff understand special requirements for dealing with aTK |  |
| Data and document management systems treat aTK appropriately |  |
| * 1. Research involving utilization of GR on behalf of others
 |  |  | Clarity on who should be making any reports to national Regulator. |  |
| Clarity on provenance of GR and whether utilization is permitted, and means of response to information. |  |
| * 1. Researchers not employed by your organization carry out utilization of GR on your premises
 |  |  | Clarity on who should be making any reports to national Regulator. |  |
| Clarity on provenance of GR and whether utilization is permitted, and means of response to information. |  |
| * 1. Commercialization or sale to others the results of your research on genetic resources
 | Organization is involved in natural product development |  | Reports are made to the national Regulator when required under legislation, and information is made available efficiently to enable this to happen. |  |
| Appropriate information on ABS requirements is transferred to others in the value chain. |  |
| Commercialization is permitted in the agreement with the providing country and others in the value chain, and that benefit sharing arrangements are in place and activated. |  |
| * 1. Sharing benefits (monetary or non-monetary) with the countries from which genetic resources or traditional knowledge associated with genetic resources were sourced
 | Organization shares monetary or non-monetary benefits with provider countries |  | Mechanism is in place to ensure benefits are shared as agreed, and this is recorded. |  |
| * 1. Organizational or sectoral best practices or guidelines dealing with genetic resources or traditional knowledge
 | The organization has policies that address ABS requirements |  | Policies are developed and periodically reviewed |  |
| If there are agreed sectoral best practices, the organization’s policies and processes implement these effectively. |  |
| The sector has agreed best practices, codes of conduct or guidelines on ABS |  |