

Access and Benefit-Sharing Clearing-House (ABSCH)

LEGISLATIVE, ADMINISTRATIVE OR POLICY MEASURES ON ACCESS AND BENEFIT-SHARING (MSR)

PUBLISHED: 25 JUL 2019

General information

Country

[Republic of Korea](#)

PARTY TO THE NAGOYA PROTOCOL

SIGNATORY

ENTRY INTO FORCE: 17 AUG 2017

Title

Enforcement Rule of the Act on Access to and Utilization of Genetic Resources and Benefit-Sharing

Brief description

This Enforcement Rule is Ordinance of the Ministry of Environment in order to prescribe matters delegated by the Act on Access to and Utilization of Genetic Resources and Benefit-Sharing and its Enforcement Decree and matters necessary for the enforcement thereof.

Jurisdiction(s)

National / Federal

Current status of the measure

Legally binding

Date of entry into force

18 Aug 2018

Type of document / measure

Law

Document details

Document text

[Enforcement Rule of the Act on Access to and Utilization of Genetic Resources and Benefit-Sharing \(Korean\).pdf](#) (Korean)

Translation

[↗ Enforcement Rule of the Act on Access to and Utilization of Genetic Resources and Benefit-Sharing \(English\).pdf \(English\) \(Courtesy translation\)](#)

Regulatory contact information

- **Organization:** Ministry of Environment

ORGANIZATION

Ministry of Environment
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Relationships

This measure is related to:

[↗ ABSCH-MSR-KR-247008-2](#) | Legislative, Administrative or Policy Measure | The Act on Access to and Utilization of Genetic Resources and Benefit-Sharing
[↗ ABSCH-MSR-KR-247112-2](#) | Legislative, Administrative or Policy Measure | Enforcement Decree of the Act on Access to and Utilization of Genetic Resources and Benefit-Sharing

Relationships description

This Enforcement Rule prescribes matters delegated by the Act on Access to and Utilization of Genetic Resources and Benefit-Sharing and its Enforcement Decree and matters necessary for the enforcement thereof.

Elements of the measure

SCOPE OF THE MEASURE

Genetic Resources

- All types of genetic resources - Animals , - Plants , - Fungi , - Microorganism , - Domesticated species and/or cultivated species , - Wild species - ***found in*** - All areas of access of the genetic resource In-situ Agricultural areas , Dry and sub-humid areas , Forest , Inland waters , Islands , Marine and coastal areas , Mountains , Protected areas , Ex-situ , Soil and/or water samples ([Article 1](#))

Provisions on temporal scope ([ADDENDUM](#))

ACCESS

Access to genetic resources

- For commercial use ([Article 2 to 4](#))
- For non-commercial use ([Article 2 to 4](#))

Provides for the issuance of a permit of its equivalent at the time of access for constituting an internationally recognized certificate of compliance ([Article 3 and 4](#))

Established rules and procedures for mutually agreed terms ([Article 3 and 4](#))

BENEFIT-SHARING

Monetary benefits ([Article 3 and 4](#))

Non-monetary benefits ([Article 3 and 4](#))

For commercial use ([Article 3 and 4](#))

For non-commercial use ([Article 3 and 4](#))

COMPLIANCE

Compliance with domestic legislation or regulatory requirements of the other Party (Article 15 and 16) ([Article 5](#))

Compliance with mutually agreed terms (Article 18) ([Article 5](#))

RELATIONSHIP WITH OTHER INTERNATIONAL INSTRUMENTS

[No provisions for this element](#)

OTHER

Reference to any other relevant articles and sections

- Fees (Article 6)
- Form of Report on Access to Domestic Genetic Resources (Attached Form 1-1(Korean) / 1-2(English))
- Form of Declaration Certificate for Access to Domestic Genetic Resources (Attached Form 2-1(Korean) / 2-2(English))
- Application Form for Verifying the Conclusion of Mutually Agreed Terms (Attached Form 3-1(Korean) / 3-2(English))
- Form of Verification Certificate for the Conclusion of Mutually Agreed Terms (Attached Form 4-1(Korean) / 4-2(English))
- Form of Change Report on Access to Domestic Genetic Resources (Attached Form 5-1(Korean) / 5-2(English))
- Form of Procedural Compliance Report on Foreign Genetic Resources (Attached Form 6-1(Korean) / 6-2(English))

[ABSCH-MSR-KR-247114-1](#)

Further Information

Questions about the Nagoya Protocol on Access and Benefit-sharing or the operation of the Access and Benefit-sharing Clearing-House may be directed to the Secretariat of the Convention on Biological Diversity.

**Secretariat of the Convention
on Biological Diversity**

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