

## Access and Benefit-Sharing Clearing-House (ABSCH)

### NATIONAL MODEL CONTRACTUAL CLAUSE (NMCC)

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#### General information

Country

South Africa

PARTY TO THE NAGOYA PROTOCOL

SIGNATORY

ENTRY INTO FORCE: 12 OCT 2014

#### General Information

Title

**Material Transfer Agreement and Benefit Sharing Agreement**

Summary or abstract

Where applicable:

The permit applicant needs to negotiate and conclude MTA (Annexure 11) and BSA (Annexure 12) with the access provider/s of the resource.

The permit applicant needs to negotiate and conclude BSA with the traditional knowledge holder/s for the traditional use of the resource.

EN

Area of Jurisdiction

National / Federal

Keywords

sectoral  
cross-sectoral  
transfer/exchange of genetic resources

Thematic area(s)

Access to genetic resources (Article 15 of the CBD)  
Nagoya Protocol  
Scope  
Competent national authority/ies  
Access  
Access to genetic resources  
For commercial use

For non-commercial use  
Access to traditional knowledge associated with genetic resources, including prior informed consent or approval or involvement  
For commercial use  
For non-commercial use  
Benefit-Sharing  
Mutually agreed terms  
Monetary benefits  
Non-monetary benefits  
Compliance  
Issues related to monitoring the utilization of genetic resources (Article 17)  
Checkpoints  
Permits or their equivalent constituting an internationally recognized certificate of compliance  
Compliance with mutually agreed terms (Article 18)  
Traditional knowledge associated with genetic resources  
Community protocols  
Customary laws and procedures  
Access and Benefit-sharing Clearing-House  
Model contractual clauses  
Codes of conduct, guidelines, and best practices and or/standards  
Awareness-raising  
Capacity-building  
Technology transfer, collaboration and cooperation  
Financial mechanism and resource mobilization  
Compliance with the Protocol  
National reports  
ABS legislative, administrative or policy measures  
ABS agreements  
Commercial purpose  
Non-commercial purposes  
Agricultural sector  
Academic research  
Botanical and horticultural sector  
Identification and taxonomy  
Food and beverage  
Industrial biotechnology,  
Personal care and cosmetics  
Pharmaceutical sector  
All types of genetic resources  
Plants  
Animals  
Microorganism  
Fungi  
Wild species  
Domesticated species and/or cultivated species  
All areas of access of the genetic resource

Agricultural areas  
Forest  
Inland waters  
Dry and sub-humid areas  
Marine and coastal areas  
Mountains  
Protected areas  
Islands  
Ex-situ  
Soil and/or water samples  
Users of genetic resources  
Intellectual property rights  
Relevant international agreements, instruments and organizations  
International Treaty on Plant Genetic Resources for Food and Agriculture  
World Intellectual Property Organization

### Attached files, documents, or resources

Links or attached files or documents

[ANNEXURE 11 MATERIAL TRANSFER AGREEMENT-19 MAY 2015.docx](#)  
[ANNEXURE 12 BENEFIT SHARING AGREEMENT-19 MAY 2015.docx](#)

[? ABSCH-NMCC-ZA-249308-1](#)

## 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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