Exercise 3: National ABS Legislation

Article 1: Scope
This legislation applies to:

1. Biological resources in both *in situ* and *ex situ* conditions
2. The derivatives of the biological resources
3. Community knowledge and technologies
4. Local and indigenous communities
5. Plant breeders

It shall not affect:

1. The traditional systems of access, use and exchange of biological resources
2. Access, use and exchange of knowledge and technologies between local communities

Article 2: Definitions
The definitions contained in the Convention on Biological Diversity will apply to this Law.

Article 3: Rules governing access to biological resources

1. Any access to biological resources and knowledge or technologies of local communities in any part of the country by any entity, commercial or non-commercial, shall be subject to an application for prior informed consent and a written permit
2. Any access to a biological resource in a protected area shall be subject to an application for prior informed consent and a written permit
3. All applications for prior informed consent and written permits to access a biological resource, community knowledge or technology shall be directed to the National Competent Authority unless otherwise explicitly provided for by law

Article 4: Prior informed consent
An applicant applying for prior informed consent must supply the following information:

1. The identity of the applicant and the purposes to which the biological resources, knowledge or technology will be put, including the type and extent of research, teaching or commercial use expected to be derived from it and where the research is to be carried out
2. The primary destination of the resource and its probable subsequent destination(s)