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| **Ministeru għall-Agrikoltura, Sajd u Drittijiet tal-Annimali** | downloadfile | **Ministry for Agriculture, Fisheries and**  **Animal Rights** |
| Dipartiment għall-Affarijiet Rurali  *Direttorat għall-Ħarsien tal-Pjanti* | MALTA | Rural Affairs Department  *Plant Protection Directorate* |

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|  | **Ref. no.:**  *For official use only* |
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| **Application to obtain Prior Informed Consent (PIC) to access Genetic Resources for which Malta has sovereign rights** | |
| For the utilization in non-commercial academic or conservation research activities involving genetic resources (GR) from plants, animals or micro-organisms, or their associated traditional knowledge (aTK), excluding those genetic resources listed in regulation 2(2) of Subsidiary Legislation 549.111;  This application implements regulation 7 of Subsidiary Legislation 549.111, Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization Regulations, 2016;  The ABS Competent Authority shall use the personal information provided on this form in accordance with the Data Protection Act (Chapter 440.)​​ | |

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| **1.** | **Contact Information** |

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| Surname: |  | Name: |  |
| Position: |  | Citizenship: |  |
| ID or Passport number: |  | E-mail address: |  |
| Address: |  | | |
| Telephone or Mobile number: |  | | |

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| **2.** | **Information on the Legal Person[[1]](#footnote-1)** |

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| Name of the entity or institution directing the research: |  |
| Postal Address: |  |
| Physical Address: |  |
| Contact person: |  |
| Telephone number: |  |
| E-mail address: |  |

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| **3.** | **Detailed Project Description** |

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| Please provide the following details about the project for which access for the utilization of GR / aTK is being requested. Relevant sections may be skipped if the information is already provided in an annexed complementary application to an assistant authority.   1. Title and outline of the project proposal, purpose and method of the collection of the specimens, intended use of the genetic resource(s), details of the research methodology and expected results of the research activity. 2. Starting date of the project, expected collection dates, and general project timeline. 3. Type and quantity of genetic resource to be accessed down to the lowest possible taxon. 4. The source coordinates and locality name. Indicate the entity providing the genetic resource as well as registration codes if accessed from ex-situ collections. 5. Headcount and experience of the individuals involved in the collection activity. 6. Indication of how the collection of the specimens may impact the conservation of biodiversity. 7. Name of the entity funding the project, funding scheme reference ID, amount to be received in funding and expected date of the receipt of the first instalment of research funding, grant or other financial contribution. 8. Third Party involvement and their details. Indicate whether the applicant intends to supply the genetic resource(s) to third parties, in which case their contact details should be provided. |
| Please note that a new permit would be required, for any changes in use e.g. from non-commercial to commercial. In compliance with Article 5 of Commission Implementing Regulation (EU) 2015/1866, a due diligence declaration must be provided at the time of receipt of the first instalment of research funding or at the time of collection of the genetic resource, whichever is the earliest. |

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| **4.** | **Other Information** |

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| **Attachments** | |
| *The following documents should be provided with the application.* | |
| 4.1 | Copy of the Curriculum Vitae of the individual(s) leading the collection of GR / aTK |
| 4.2 | Copy of the Curriculum Vitae of the individual(s) leading the research or development |

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| *The following documents should be provided with the application, where applicable.* | |
| 4.3 | Copy of memorandum of association of the legal person |
| 4.4 | Copy of a letter by the company director authorising the applicant to act as representative of the legal person |
| 4.5 | Permission to access from privately owned land |
| 4.6 | Copy of Prior Informed Consent and Mutually Agreed Terms documentation of the preceding user, if the GR / aTK is to be transferred to the applicant[[2]](#footnote-2) |
| 4.7 | Copy of Internationally Recognized Certificates of Compliance of the preceding user, if the GR / aTK is to be transferred to the applicant2 |
| 4.8 | Detailed Project Description |
| 4.9 | Complementary application to an assistant authority |

| *If applicable, provide the following information.* | | |
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| 4.8 | Number of pages of additional information attached |  |
| 4.9 | Sections or subsections in this application form to be treated as confidential, where disclosure of their information affects one or more of the items mentioned in the Freedom of Access to Information on the Environment Regulations, 2005 (Legal Notice 166 of 2005) |  |

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| **5.** | **Declaration by the applicant** |

| Upon signature of this application, I, the applicant: | |
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| 5.1 | Agree that a permit provided as a result of this application does not prejudice the applicant’s obligations under national and international legal instruments.; |
| 5.2 | Guarantee to utilize the genetic resource listed under Section 3, or its associated traditional knowledge, only for the purposes consistent with this application; |
| 5.3 | Acknowledge that any permit issued in connection with this application will be valid for a limited period, to be established under mutually agreed terms, and may be extended through another application; |
| 5.4 | Acknowledge that alternative uses of the genetic resource listed in Section 3, or its associated traditional knowledge, would require an additional application and permit; |
| 5.5 | Agree to negotiate with the ABS Competent Authority the sharing of benefits arising from research or development carried out on the genetic resource(s) or the associated traditional knowledge for which the permit has been issued; |
| 5.6 | Assume the responsibility of all the details provided in this application and the supporting documentation being attached to this application form; |
| 5.7 | Agree to inform the ABS Competent Authority of any changes in the information provided, particularly any change in utilization such as from research to R&D; |
| 5.8 | Agree that the information provided with this application will be utilised for this application’s processing; |
| 5.9 | Agree that the ABS Competent Authority or pertinent Assistant Authority will not process further the application in the event that it transpires that false or incorrect declarations have been provided; |
| 5.10 | Guarantee that there are no pending legal procedures which limit the applicant from serving all the obligations listed in the Access to Genetic Resources and the Fair and Equitable Sharing of Benefits arising from their Utilisation Regulations, 2016; |
| 5.11 | Agree that the ABS Competent Authority may take administrative actions, which in severe cases may include the cancellation of the permit issued in correspondence with this application if anomalies are identified; |
| 5.12 | Acknowledge that this application is nullified if it is not signed by the applicant. |

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| I attach the necessary documentary evidence and declare that all the particulars provided are to the best of my knowledge and belief correct. | | | | |
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| Signature of applicant |  | Name in block letters |  | Date |

*For office use only:*

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| *Received by:* |  |  |  |  |
| Signature of officer |  | Name in block letters |  | Date |
| *Applications should be provided in original signature to the Plant Protection Directorate. Information provided in this application is protected and used in accordance with the provisions of the Data Protection Act, 2001 (CAP. 440).* | | | | |

1. If applicable. [↑](#footnote-ref-1)
2. Applicants seeking to obtain GR / aTK from other users should provide copies of PIC, MAT and IRCC documents belonging to the previous users in line with the requirements of Article 4(2) and (3) of Regulation (EU) 511/2014. [↑](#footnote-ref-2)