

**Cabinet Resolution No. (15) of 2023**  
**Concerning the Executive Regulations of Federal Law No. (8) of 2021 on Access**  
**to the Genetic Resources and their Derivatives and the Fair and Equitable**  
**Sharing of Benefits Originating from their Utilisation**

**The Cabinet:**

- Upon reviewing the Constitution;
- Federal Law No. (1) of 1972 Concerning the Jurisdictions of Ministries and Powers of Ministers, as amended;
- Concerning the Federal Law No. (8) of 2021 on Access to the Genetic Resources and their Derivatives and the Fair and Equitable Sharing of Benefits Originating from their Utilisation
- Based on the proposal of the Minister of Climate Change and Environment and the approval of the Cabinet,

**Has resolved:**

**Article (1)**

**Definitions**

The Definitions contained in Federal Law No. (8) of 2021 on Access to the Genetic Resources and their Derivatives and the Fair and Equitable Sharing of Benefits Originating from their Utilisation shall be applied to this decision. Otherwise, the following word shall have the indicated meaning, unless the context of the text requires otherwise:

<b>Law</b>	<b>:</b>	Federal Law No. (8) of 2021 on Access to the Genetic Resources and their Derivatives and the Fair and Equitable Sharing of Benefits Originating from their Utilisation.
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## Article (2)

### Type and Validity Period of Permits and Approvals

1. The Competent Authority shall issue permits to obtain genetic material in accordance with the following:
  - a. For the Purposes of Scientific Research.
  - b. For the purposes of Patent or Intellectual Property resulting from Scientific Research.
  - c. For Commercial Purposes.
  - d. For Industrial Purposes.
  - e. For Multiplication Purposes.
  - f. For Governmental Entities Works.
2. The validity period of the Permit issued by the Competent Authority to obtain Genetic Resources (9) is nine months.
3. The Ministry shall issue approval to import and export Genetic Resources in accordance with the following:
  - a. For the Purposes of Scientific Research.
  - b. For the purposes of Patent or Intellectual Property resulting from Scientific Research.
  - c. For Commercial Purposes.
  - d. For Industrial Purposes.
  - e. For Multiplication Purposes.
  - f. For Governmental Entities Works.
4. The validity period of the Ministry approval to import and export Genetic Resources is (6) six months from the date of its issuance and is used only once.
5. Subject to the other requirements and controls stipulated for obtaining Genetic Resources in the law and this resolution, the following shall be complied with:
  - a. Access to Genetic Resources does not harm the survival of species in their natural habitat.
  - b. Genetic Resources and traditional knowledge and practices associated with the Genetic Resource shall be registered in the electronic registry of the Ministry.
  - c. Genetic Resources may not be used outside the scope of Scientific Research ethics.

- d. Access to Genetic Resources does not harm human health, and there are no biological threats that pose a threat to public health in society.

### **Article (3)**

#### **Controls and Procedures for Obtaining Genetic Resources and their Derivatives**

To obtain a Permit to collect and use Genetic Resources, their Derivatives, or associated traditional and heritage knowledge, practices, and innovations in the State, the following procedures and controls shall be considered:

1. Procedures:

- a. Submit application to obtain a Permit from the Competent Authority, attaching the following requirements:
  - 1) Determine the characteristics and classification of the Genetic Resource.
  - 2) Define the purpose of obtaining the Genetic Resource.
  - 3) Determine the geographical location of the Genetic Resource collection.
  - 4) Determine the amount of Genetic Resource to be collected.
  - 5) Determine the proposed time period for collecting the Genetic Resource.
  - 6) Provide information on traditional knowledge of the Genetic Resource, if any.
  - 7) Provide the results of research on the Genetic Resource.
  - 8) Any other requirements set by the Competent Authority.
- b. Conclusion of Benefit-Sharing Agreement.

2. Controls:

- a. Not to harm Genetic Resources and Ecosystems when collecting resources from their natural locations or outside their natural locations.

## Article (4)

### Controls and Procedures for Import and Export of Genetic Resources and their Derivatives

**First:** To export Genetic Resources, their Derivatives, or associated traditional and heritage knowledge, practices, and innovations, the following procedures and controls shall be considered:

1. Procedures:

- a. Submit export application to the Ministry in accordance with the form approved by it.
- b. Attach the following papers and documents:
  - 1) A Permit to obtain Genetic Resources from the Competent Authority.
  - 2) Prior approval (or its equivalent) for import from the importing State.
  - 3) Benefit-Sharing Agreement.

2. Controls:

- a. Genetic Resources and traditional knowledge and practices associated with the Genetic Resource must be registered.

**Second:** To import Genetic Resources, and their Derivatives, or associated traditional and heritage knowledge, practices, and innovations, the following procedures and controls shall be considered:

1. Procedures:

- a. Submit import application to the Ministry in accordance with the form approved by it, indicating the purpose of the import.
- b. Submit approval to obtain Genetic Resources from the Competent Authority in the State of export.
- c. Attach the Benefit-Sharing Agreement, if any.

2. Controls:

- a. Ensure that Genetic Resources and their Derivatives are safe for use and that there are no harm to the environment and human health and safety.

## **Article (5)**

### **Cancellation of Approval, authorisation and Benefit-Sharing Agreement**

The Approval, Permit, and Benefit-Sharing Agreement may be cancelled in any of the following circumstances:

1. Violate the requirements of approval, authorisation, or Benefit-Sharing Agreement, as the case may be.
2. Provide incorrect data or information to obtain approval or permission or to sign a Benefit-Sharing Agreement, as the case may be.
3. Non-disclosure of traditional knowledge and practices associated with Genetic Resources.
4. Use the Permit or Approval given by another party or for other than the authorised purpose.
5. Harm to the environment resulting from the use of Genetic Resources.
6. Harm to human health or the presence of biological threats.
7. Violate the relevant intellectual property rights legislation in force in the State.

## **Article (6)**

### **Executive Resolutions**

The Minister, in coordination with the Competent Authority, shall issue the Resolutions necessary to apply the provisions of this Resolution.

## **Article (7)**

### **Repeals**

Any provision that violates or contradicts the provisions of this Resolution shall be repealed.

## **Article (8)**

### **Publication and Entry into Force of the Resolution**

This Resolution shall be published in the Official Gazette and shall enter into force as of the day following its publication date.

**Mohammed Bin Rashid Al Maktoum**  
**Prime Minister**

**Issued by Us:**

**On: Shaaban 21st, 1444 H.**

**Corresponding to: March 13th, 2023 AD.**