



Government of Karnataka

**Office Memorandum issued by Karnataka
Biodiversity Board Proforma for payment of ABS
on ex-factory sale of the products**

KARNATAKA BIODIVERSITY BOARD



Office Memorandum

Preamble – In exercise of powers conferred by Section 64, read with sub-section (1) of Section 18 and sub-section (4) of Section 21 of the Biological Diversity Act, 2002 and in pursuance of Nagoya Protocol on access to genetic resources and the fair and equitable sharing of benefits arising from their utilization to the Convention on Biological Diversity dated 29th October, 2010, the National Biodiversity Authority issued regulations on 21st November 2014 called “Guidelines on Access to Biological Resources and Associated Knowledge and Benefits Sharing Regulations, 2014”. These guidelines provide for certain percentages of benefit sharing due from different categories of users of biological resources. The Karnataka Biodiversity Board, after the 26th Board meeting had prescribed different percentages for plant species that are commercially used based on their threat status for paying the Access and Benefit Sharing (ABS) in-line with the regulation (3) of the guidelines dated 21st Nov 2014.

The “Guidelines on Access to Biological Resources and Associated Knowledge and Benefits Sharing Regulations, 2014” provides two options for calculating the ABS obligation. The Form-A prescribed by the guidelines is more suitable for the applicant/trader/manufacturer choosing to pay over the purchase price of the biological resources and since there is no prescribed format for paying the ABS obligation based on the annual gross ex-factory sale of products (as per ABS Regulation 4), the Karnataka Biodiversity Board in its 30th meeting resolved to issue a format for applicant/trader/manufacturers choosing to pay over the annual gross ex-factory sale of the products.

Hence this order -

Order No: TEC/C01/BPC/34-B/ Vol-4

Dated: 14 January 2016

Under the circumstances explained above, the Karnataka Biodiversity Board hereby prescribes the format appended with this Office Memorandum for the applicant/trader/manufacturers to pay ABS over the annual gross ex-factory sale of the products, in-line with the Regulation (4) of the ABS Guidelines issued on 21st November 2014 in the Gazette of India.

Member Secretary
Karnataka Biodiversity Board

FORM - ABS Calculation on Ex-factory Sale

Information to be furnished for use of biological resources and sharing of benefits on the Ex-factory Sale

(Regulation 4 of the "Guidelines on Access to Biological Resources and Associated Knowledge and Benefit Sharing Regulations, 2014" notified in the Gazette of India: Extraordinary (G.S.R 827) on 21st November 2014 by the MOEF&CC)

Self-disclosure for the year _____

I. Full particulars of the applicant/company:

- a. Name:
- b. Permanent address with phone number and email:
- c. Name and address of the Chief executive/contact person:
- d. Nature of business:
- e. Profile of the organization (Indian or Non-Indian): *refer Section 3 (2) and Section (7) of the Biological Diversity Act, 2002*
- f. Purpose of accessing biological resources:
- g. Particulars of manufactured products:
(Amount to include taxes)

Sl No.	Name of products manufactured	Bio-resources used	Locations / source from where Bio-resources are procured (if available)	Rate per unit (kg/litre/nos)	Total Sales in units (ex-factory) (kg/litre/nos)	Total ex-factory sale amount
	i	ii	iii	iv	v	vi
1.						
2.						

- h. Amount of benefit sharing paid for the year:

II. Benefit sharing information:

- a. Total ex-factory sale of products(including taxes) :
- b. Government taxes paid :
- c. Balance (a-b) :
- d. Benefit Sharing at the rate of : *(refer table under Regulation no. 4 of the Guidelines on ABS notified on 21st Nov 2014)*

III. Particulars of the amount paid:

(DD no./Cheque no. with the amount and Payee Bank)

(To be paid in favour of '**Karnataka State Biodiversity Fund**' payable at Bangalore)

Undertaking

- 1. I have read and understood the terms and conditions of ABS guidelines (G.S.R 827 dated 21st Nov 2014 of MoEFCC) and I undertake to abide by relevant legal provisions applicable to biological resources.
- 2. I undertake to obtain the approval of the NBA/ SBB before making any change in the stated purpose.
- 3. I undertake to furnish/ share the relevant records with the NBA/ SBB, as and when required.
- 4. I further declare that the Information provided in the form is true and correct and I shall be liable for any incorrect/wrong information and wilful suppression of the facts.

Signature of the Authorized Signatory

Name of the trader/ company/manufacturer/ Authorized Representative

Place:

Date: