

**BABS permitting for collaborative
natural product development**

Background

- Consortium approach: Development of cosmetic products from indigenous resources
 - UP, CSIR, ARC, UNISA, UKZN, THP Mabena and Kentane-Mekwa, (UCT and TUT)
 - DST funding
 - Research to establish extraction procedures, biomarkers, efficacy and safety as well as some cultivation research

Research model

- Using expertise from different organizations for scientific validation
- Sharing funding with THP – part of consortium

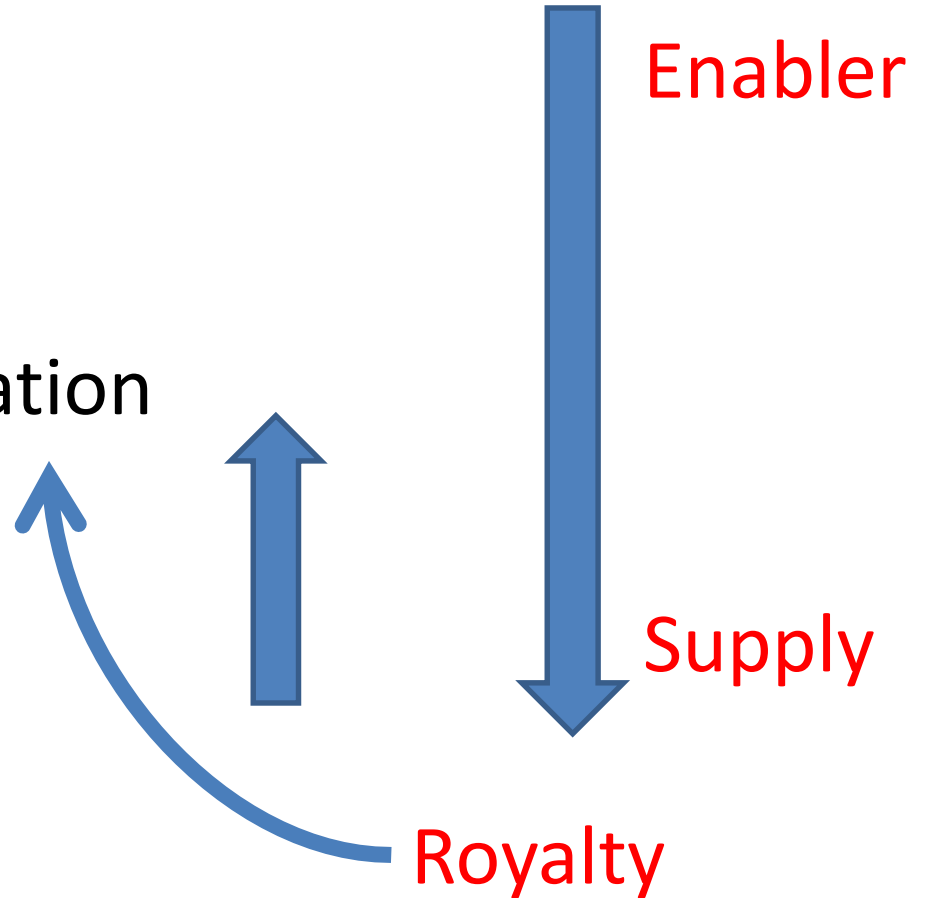


Move to business model

- BABS permit
 - MTA and BSA

- Community beneficitation

- Commercial partners



GR and GF applications

- Literature searches using various sources (Scientific Journals, Books, Internet) did not find any traditional knowledge for skin care application for both plants
- *Greyia radlkoferi* (GR) selected based on hyper-pigmentation research of *Greyia flanaganii* (GF): plant from the same family

Steps taken to identify the community

- “*Greyia flanaganii* is a rare endemic of Eastern Cape, where it is found on the grassy hillsides and among rocks on the steep slopes of the Kei River and its tributaries, the Toise and Kabusi Rivers.”
- This information was given to TDr. Thobeka Kentane - Mekwa who forms part of the Bioprospecting Platform (BP)

Steps taken to identify the community

1. Ndabakazi, a community in the Eastern Cape was identified as potential knowledge holder
 - Contacts at the Department of Traditional Affairs
 - Tribal community and authentic tribal leader was identified: Chief of Ndabakazi
2. Chief M.V. Luzipho was contacted telephonically
 - Given a brief introduction
 - Formal and detailed introductory meeting was scheduled in Eastern Cape at Ndabakazi

Steps taken to identify the community

3. **First meeting:** Introduction to the project

- UP, DST, TDr. Thobeka Kentane Mekwa
- Chief and some Headmen from different areas in the community



Steps taken to identify the community

4. **Second meeting:** Question and answer session with community members and signing of BSA and MTA documents



Steps taken to identify the community

4. **Third meeting:** Discussion of percentage royalty for Benefit Sharing Agreement

- Subsequent meeting being arranged for finalisation of percentage royalty as no legal representatives were present



Current status of Permit Applications

- Completed Permits were submitted in August 2013
- A revised application was then submitted after some recommendations by DEA
- A Community Resolution document was then requested and signed by UP and the Ndabakazi Chief and submitted
- DEA has now asked for an Amendment in the application to describe how the Ndabakazi will benefit from the partnership between the ARC and UP (the applicant)
 - Amendment was signed and submitted



BIOPROSPECTING PERMIT

(Issued in terms of the Regulation 11 of the Bioprospecting, Access and Benefit Sharing Regulations under the provisions of the National Environmental Management: Biodiversity Act 2004, Act 10 of 2004)

Permit No. BP0015

NAME OF ISSUING AUTHORITY
Name: D.G. (Director-General) (Acting)
Address: Environment House
473 Steve Biko Road,
Arcadia, Pta. 0001

1. DETAILS OF PERMIT HOLDER

Name: University of Pretoria ID/Passport No.: 5812080270187
Surname: Prof. B Wingfield E-mail: namrita.lall@up.ac.za
Tel./Cell No. 012 420 2524 Fax: 012 362 5099
Postal Address: University of Pretoria, Dept. of Plant Sciences, office 3-39, Plant Science Campus
Residential Address:
Name and ID No./Passport No. of person in charge of Bioprospecting (if different from permit holder): Prof. Namrita Lall 6807100115189

2. DETAILS OF OTHER APPLICANTS (IF APPLICATION WAS A JOINT APPLICATION)

Name: ID/Passport No.:
Surname: E-mail:
Tel./Cell No. Fax:
Postal Address:
Residential Address:

Not Applicable

3. NATURE OF PERMIT

THIS PERMIT AUTHORISES THE PERMIT HOLDER TO USE THE FOLLOWING INDIGENOUS BIOLOGICAL RESOURCES FOR THE PURPOSES OF BIOPROSPECTING IN THE QUANTITIES SPECIFIED AND COLLECT THE INDIGENOUS BIOLOGICAL RESOURCES IN THE AREAS SET OUT BELOW:

Type of organism	Family, genus or species (scientific and common names) (if possible)	Part of organism to be collected	Quantity	Full locality data (GIS readings if possible)
EXAMPLE: PLANT	ALOE FEROX	LEAVES	6 kg	HEIDELBERG AREA
Plant	Greya flanaganii	leaves and petioles	210kg	Plot 23 Boekenhoutfontein, Cullinan; Mothong Trust Section J, Mamelodi West, University of Pretoria, Le de Villiers experimental farm; ARC and Ndabakazi, EC

4. PERMIT VALIDATION

PERIOD OF VALIDITY From: 17 June 2015 To: 16 June 2020 Application Reference No.: BABS/001714P

5. BENEFIT SHARING AGREEMENTS AND MATERIALS TRANSFER AGREEMENTS

THIS PERMIT MUST BE READ WITH THE FOLLOWING BENEFIT SHARING AGREEMENTS AND MATERIAL TRANSFER AGREEMENTS ENTERED INTO WITH STAKEHOLDERS ENVISAGED IN SECTION 82(1) OF THE BIODIVERSITY ACT.

four BSA's and MTA's concluded between University of Pretoria and Mothong Trust, ARC, Afriflowers and Ndabakazi Community

DEPT. VAN OMGEWINGSAKE
PRIVAATSAK/PRIVATE BAG X 447

2015-06-17

PRETORIA 0001

If insufficient space is provided in this permit, additional information may be included by way of annexures.

DEPT. OF ENVIRONMENTAL AFFAIRS

SIGNATURE OF THE ISSUING OFFICER



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PERIOD OF VALIDITY From: 17 June 2015 To: 16 June 2020 Application Reference No.: BABS/000613P

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EN/HN Multiple communities

- **Problems with indigenous knowledge holders**
 - No community could be identified, **or**
 - More than one community could be identified



Communities involved

- Tsonga, Venda, Shangan, Zulu etc.



EN/HN Multiple communities

- **Possible solution**

- Letter directed at the Minister of Environmental Affairs, identifying the problem of selecting a community
- Asking that the monetary benefits generated from the biological source be kept in trust until the rightful owner of the knowledge can be identified



EN/HN Multiple communities

- **Benefits from this approach**

- If multiple communities hold the knowledge, benefits can be shared.
- The trust can be used to improve communities
- Commercialization of a product from a biological source can take place and there is no set-back from difficulties identifying a community
- By granting a bio-prospecting permit, benefits can be generated to support multiple communities



EN/HN Multiple communities

- **Application**

- The final application was submitted with 4 benefit sharing agreements, 4 material transfer agreements, letter addressed to the Minister and final application

- **Submitted**

- Final application submitted in Nov 2014

- **Outcome**

- Decision pending