



## forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
**REPUBLIC OF SOUTH AFRICA**

### CHECKLIST FOR MATERIAL TRANSFER AGREEMENTS

NO	DETAILS OF THE AGREEMENT	RESPONSE	
1.	Is the agreement on the prescribed form and completed in full?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.	Have the full and accurate name(s) of the Access Provider including the address, identity number or registration number and contact details been provided?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3.	Are these details (name, address "both physical and postal", ID/Registration number and contact details) captured accurately throughout the agreement?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.	Have the full and accurate name(s) of the Recipient/Applicant including the address "both physical and postal", identity number or registration number been provided?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
5.	If the person signing the agreement for the Access Provider or Recipient/Applicant is acting in a representative capacity have they provided the power of attorney/resolution/letter of authority <sup>1</sup> or any other form of authorisation?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
6.	Have the rights and duties of the Applicant and the Access provider been clearly articulated in the agreement (i.e. rights to use the indigenous genetic and biological resource and intellectual property rights)?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
7.	Does the agreement contain a clear provision regarding the Applicant's rights to sell or transfer the indigenous genetic and biological resource?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
8.	Have the full and accurate details of the indigenous genetic and biological resources been provided? (Scientific/common name, utilisation, physical state, quantity, and locality).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
9.	Is the purpose of the "access" to the indigenous genetic and biological resource clearly articulated in the agreement?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
10.	Does the agreement have clear provisions relating to amendment, variation, and cancellation of the agreement?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
11.	If the agreement is supported by an annexure(s), is the annexure initialed by all the parties?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
12.	Is the timeframe for review of the agreement provided?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
13.	Has each page of the agreement been initialed by all the parties?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

<sup>1</sup> In case of trustee of a trust entering into an agreement, the following must accompany the application: The most recent Letters of Authority for the trust (to confirm the current trustees); A resolution of trustees (dated prior to the transaction date) authorising the transaction and specifying the trustee who will sign the contract on behalf of the trust; The trust deed (to confirm that the trust deed allows for the proposed transaction).

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14.	Have all the annexures, addendum and schedules been initialed by all the parties?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
15.	Have all the parties originally signed and dated the agreement?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
16.	Is the agreement clear, legible and readable?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**If the answer is “No” to any of the questions above please provide an explanation below (Add page(s) if the space below is not sufficient):**

**Completed form to be submitted together with permit application form to the Issuing Authority.**

**SIGNATURE OF APPLICANT**

\_\_\_\_\_  
**NAME AND SURNAME:**

**DATE:**