

ANNEX I

OVERVIEW OF CONDITIONS FOR APPLICABILITY OF THE EU ABS REGULATION

		Within scope (cumulative conditions (*))	Outside of scope
Geographic scope (provenance of GR (**))	<i>Access in ...</i>	Areas within a country's jurisdiction	Areas beyond national jurisdiction or covered by Antarctic Treaty System
	<i>Provider country is ...</i>	Party to the Nagoya Protocol	Not a Party to the Protocol
	<i>Provider country has ...</i>	Applicable access legislation	No applicable access legislation
Temporal scope	<i>Access ...</i>	On or after 12 October 2014	Before 12 October 2014
Material scope	<i>Genetic resources</i>	Not covered by a specialised international ABS instrument	Covered by a specialised international ABS instrument
		Non-human	Human
		Obtained as commodities but subsequently subject to R & D	Used as commodities
	<i>Utilisation</i>	R & D on genetic and/or biochemical composition	No such R & D
Personal scope		Natural or legal persons utilising GR	Persons <i>only</i> transferring GR or commercialising products based on it
Geographic scope (utilisation)	<i>R & D ...</i>	Within the EU	<i>Exclusively</i> outside of the EU

(*) To be within the scope, all conditions must be fulfilled.

(**) GR = genetic resource; to be read as also including 'traditional knowledge associated with genetic resources', where appropriate.