Country	
1. Member State:	United Kingdom of Great Britain and Northern Ireland
General information	
2. Responsible authority:	Department for the Environment, Food and Rural Affairs (DEFRA)
3. Contributing agencies, organisations and other authorities:	Regulatory Delivery, Department for Business, Energy and Industrial Strategy (BEIS)
4. Reporting period	*12 October 2014 – 31 August 2017*

Parties to the Nagoya Protocol on Access and Benefit-sharing	
5. Is your country a Party to the Nagoya Protocol?	☒ Yes OR ☐ No └ *If selected*, please indicate if there is any national process in place towards becoming a Party? ☐ Yes └ *Please provide a summary of the status of the process:* <Text entry> OR ☐ No └ *Please provide a summary of the main difficulties and challenges encountered for becoming a Party to the Nagoya Protocol*: <Text entry>

Institutional structures and resources for the implementation of the Regulation	
6. Has your country designated one or more competent authorities as provided in Article 6?	☒ Yes └ *Please identify the designated competent authority/-ies1:* Regulatory Delivery, Department for Business, Energy & Industrial Strategy (BEIS) └ *If selected*, please fill in also section 7 OR ☐ No └ *Please provide explanation why not:* <Text entry> └ *If selected*, please move to section 8

1 If more than one competent authority established, please number them in point 6.

7. Is (one of) the competent authority (authorities) in your country responsible for:	
- receiving due diligence declarations under Article 7(1) and 7(2)	☒ Yes OR ☐ No └ *If yes and more than one competent authority established,* please indicate which institution is responsible for receiving due diligence declarations2*:* <Text entry> └ *If no,* please indicate which other institution is responsible for receiving due diligence declarations*:* <Text entry>
- transmitting information to the ABS Clearing House under Article 7(3)	☒ Yes OR ☐ No └ *If yes and more than one competent authority established,* please indicate which institution is responsible for transmitting information to ABS CH: BEIS is the UKs only Competent Authority, however the Department for Environment, Food, and Rural Affairs (DEFRA) operates as Publishing Authority for the purpose of transmitting information to the ABS Clearing House under Article 7(3). └ *If no,* please indicate which other institution is responsible for transmitting information: <Text entry>
- carrying out checks on compliance in line with Article 9	☒ Yes OR ☐ No └ *If yes and more than one competent authority established,* please indicate which institution is responsible for carrying out checks: <Text entry> └ *If no,* please indicate which other institution is responsible for checking compliance: <Text entry>
- recognition and verification of registered collections	☒ Yes OR ☐ No └ *If yes and more than one competent authority established,* please indicate which institution is responsible for recognition and verification of collections: <Text entry> └ *If no,* please indicate which other institution is responsible for recognizing and verifying registered collections: <Text entry>
- cooperation with third countries under Article 7(3)	☒ Yes OR ☐ No

2 In all point 7, if the first option is selected, it is sufficient to refer to a number/(s) corresponding to the authority indicated under point 6

- Implementation of complementary measures under Article 13 (awareness raising, training activities, guidance to users etc.)	└ *If yes and more than one competent authority established,* please indicate which institution is responsible for cooperation with third countries: <Text entry> └ *If no,* please indicate which other institution is responsible for the cooperation: <Text entry> ☒ Yes OR ☐ No └ *If yes and more than one competent authority established,* please indicate which institution is responsible for implementation of complementary measures: <Text entry> └ *If no,* please indicate which other institution is responsible for implementation of complementary measures: <Text entry>
8. Has your country designated any checkpoints beyond those envisaged in Article 7(1) –7(2) of the Regulation?	☒ No OR ☐ Yes └ *Please provide information about the additional checkpoints:* <Text entry>
9. Does your country have specific staff to administer functions directly related to the implementation of the Regulation?[3]	☒ Yes *If selected*, please indicate how many (person-months per year): BEIS: 2 full-time staff and 1 staff member focussed on ABS for the equivalent of 4 months /year are employed to administer functions directly related to the implementation of the Regulation. Defra: 1 full-time staff and 1 staff member focussed on ABS for the equivalent of 2.5 months /year are employed to administer functions directly related to the implementation of the Regulation. Involved in enforcement of the Regulation (person-months per year[4]): Within BEIS 1 full time staff member supported by manager above (4 months/year) is involved in enforcement. Involved in other activities (cooperation, awareness-raising, capacity-building, reporting) (person-months per year): Across both Defra and BEIS 2 full time staff members supported by their managers are involved in other activities. OR ☐ No └ *Please provide a summary of the main difficulties and challenges encountered in assigning specific staff to*

[3] This information could be useful for the evaluation of the effectiveness of the Regulation under Article 16.

[4] Note that this information can be provided in a aggregated format (average per year for the reporting period);

	administer functions related to the implementation of the Regulation: <Text entry>
10. An estimate of external annual budget for implementation of the Regulation	An estimate for total external[5] annual budget for EU ABS Regulation implementation, including cooperation, awareness-raising, capacity-building, reporting: £200,000 (223,228 EUR*) **Correct 13/10/2017 oanda.com*
11. Additional information	*Please provide any additional relevant information, including – where relevant – a summary of the main difficulties and challenges encountered when establishing the institutional structure for the implementation of the Regulation:* <Text entry> An additional payment of £38,467 was also made in 2016/17 to the UK HM Courts and Tribunals Service incorporating the Nagoya protocol into a UK statutory instrument and ensuring a robust and sound legislative instrument the creation of a new right to appeal had to be established as well. The cost covered elements such as cost of updating IT systems, accommodation and establishing administrative and judicial arrangements and judicial training. Countries who are yet to fully implement may need to take this in to consideration.

Legislative measures	
Penalties (Article 11)	
12. Has your country set up a penalty system as required by Article 11?	☒ Yes └ *If selected,* please fill in sections 13-15 OR ☐ No └ *If selected,* please explain why not and provide a timetable for adoption of penalties: <Text entry>
13. What are the types of penalties foreseen for infringements of Article 4 and 7 of the Regulation?	☒ Notice of remedial action ☒ Administrative fines ☒ Criminal sanctions ☐ Others

5 Such as public procurement procedures, consultancies, studies, outsourced communication campaigns, etc.

	└ *If selected,* please specify: <Text entry>
14. What is the level of penalties established for breaches of the Regulation?	A person guilty of an offence including failure to comply with a compliance notice or a stop notice within the time specified is liable: - On summary conviction to a fine not exceeding £5000 or to a term not exceeding three months, or to both - On conviction on indictment, to a fine or to a term of imprisonment not exceeding two years, or both. A person guilty of an offence under Article 4(6) of the EU Regulation is liable on summary conviction to a fine not exceeding £5000. Penalties range from warning letters and formal notices through to court action. These will be applied proportionately depending on the offence. *Please provide examples for penalties applicable to offences that are considered to be severe, medium, and of lower importance.*
15. Additional information	*Please provide any additional relevant information, including – where relevant – a summary of the main challenges when putting penalty systems in place*: <Text entry> *Please provide link(s) to the relevant legislation:* https://www.gov.uk/guidance/abs where there is a link to the UK Statutory Instrument (The Nagoya Protocol (Compliance) Regulations 2015)

Administrative measures put in place for implementation of the Regulation	
Monitoring of user compliance (Article 7)	
16. Has your country put in place measures to ensure that a request is made to all recipients of research funding involving utilisation of genetic resources and traditional knowledge associated with genetic resources, to declare that they exercise due diligence?	☒ Yes └*If selected,* please fill in section 17 below OR ☐ No └*If selected, please explain why not and indicate if there is any other way of ensuring compliance with Article 7(1):* <Text entry>
17. How is the request under Article 7(1) made?	☐ By law or other legislative measures └*If selected, please provide reference to relevant legal provisions:* <Text entry> OR/ AND ☒ By direct requests to applicants for funding └ *If selected, specify which organization is responsible for making the request:* Regulatory Delivery (BEIS)

	└*If selected, please indicate how many requests have been made so far:* None OR/ AND ☒ By means of a website └*If selected, please provide URL and explain the reasons for the choice of that site:* https://www.gov.uk/guidance/abs OR/ AND ☐ By other means └*If selected, please specify:* <Text entry>
18. Additional information	*Please provide any additional relevant information, including – where relevant – a summary of the main difficulties related to implementing a request referred to in Article 7(1):* <Text entry>
Risk-based plan for checks on user compliance (Article 9(3)(a))	
19. Has your country developed a plan as referred to in Article 9(3)(a)?	☒ Yes └*If selected,* please fill in sections 20 to 22 below OR ☐ No └ *Please explain why not and provide a timeline for when the plan is expected to be developed:* <Text entry>
20. What are the risk factors applied in the preparation of the plan and any other criteria considered in its development?	Please describe the risk factors: The risk analysis is based on both the hazard associated with non-compliance and the likelihood of non-compliance. The sectors and their activities (factors) identified as relevant to ABS implementation were analysed in this regard to identify those areas of highest risk and therefore priority targets. Examples of relevant factors include R&D activities and trends, length of value chain, level of awareness and engagement along with hazards such as size of company and internal resources to comply. This is an on-going process with priorities changing over time. Please describe any other criteria: Internal risk factors are also considered in the preparation of a plan and include staffing resources and expertise in ABS.
21. Which period does the current plan cover? When and how often will the plan be revised?	The current plan is effective from 1st October 2015 to 30th September 2018.
22. Additional information concerning development of the plans	*Please provide any additional relevant information, including – where relevant – a summary of the main difficulties and challenges when preparing the plan*: A challenge in developing the plan is identifying the user groups and individual user companies / organisations. This is necessary to

	be able to understand the sector, its activities and conduct the risk analysis. It should be noted that the enforcement approach and plan is subject to ongoing review to address new risks as and when they arise. *Please provide link to the plan:* <URL and website name> *and/or* <Attachment>

Enforcement and compliance measures	
Monitoring of user compliance (Article 7)[6]	
23. How many due diligence declarations have been received based on Article 7(1)?	None
24. How many due diligence declarations have been received based on Article 7(2)?	None
25. Number of checkpoint communiques transferred to the ABS Clearing House	None
26. Number of checkpoints communique transferred to the competent authority referred to in Article 13(2) of the Protocol for confidentiality reasons	None
27. Additional information	*Please provide a summary of the main difficulties related to monitoring of user compliance as per Article 7(1), if any: <Text entry>* *Please provide a summary of the main difficulties and challenges in relation to implementation of Article 7(2), if any: <Text entry>* In regard to both Article 7(1) and 7(2), the underlying reasons for the lack of due diligence declarations is understood to be the relatively low level of awareness among stakeholders and, in many cases, genetic resources accessed before 12th October 2014 are still being used in R&D. Other challenges raised by potential users include the lack of clarity around some key definitions and issues of scope, and subsequent delays in sector guidelines.

[6] With regard to Questions 23 to 25, information needs to be provided for the current reporting period, while in the future it will need to be provided only if the DECLARE system was not used.

Checks on users (Article 9)	
28. How many checks have been carried out during the reporting period?	None – the first user check is planned for 16th October 2017.
29. What types of checks were carried out?	☐ Examination of documents provided upon request ☐ On-site visits ☐ Inspections ☐ Other └ *Please specify:* <Text entry>
30. Were all the checks carried out in line with the plan developed based on Article 9(3)(b)?	☐ Yes OR ☐ No └ *Please specify what were the reasons/triggers for carrying out the other checks:* <Text entry>
31. In how many situations the checks were initiated due to substantiated concerns as referred to in Article 9(3)(b)?	N/A
32. In how many cases were shortcomings identified?	N/A
33. Additional information	*Please provide a summary of the main types of shortcomings identified:* N/A *Please provide a summary of the main difficulties and challenges in relation to checks*: During the reporting period, attention was focussed on awareness raising and supporting user capacity to comply rather than conducting individual user checks.
Penalties (Article 11)	
34. Penalties imposed during the reporting period	*Please specify if your country imposed any penalties* ☐ Notice of remedial action └ *If selected,* please specify how many: <Text entry> ☐ Fines └ *If selected,* please specify how many: <Text entry> ☐ Criminal sanctions └ *If selected,* please specify how many: <Text entry> ☐ Others └ *If selected,* please specify how many: <Text entry>
35. If penalties were applied during the reporting period, which types of infringements were penalised?	Infringement of duties stemming from: ☐ Article 4 – due diligence

	☐ Article 7 – duty to file due diligence declaration ☐ Other └ *Please specify:* <Text entry>
36. Additional information:	*Please provide a summary of the main difficulties and challenges concerning enforcement measures (if any)*: <Text entry>
Register of collections (Article 5)	
37. Are you aware of any interest by institutions in your country to become a registered collection?	☒ Yes └ *Please indicate how many collections expressed their interest:* Regulatory Delivery held a workshop for collections and there was some informal interest expressed here. There has also been informal interest expressed by other small, university based collections. Estimating approximately 3 collections have expressed some low-level interest. OR ☐ No
38. Number of applications received	None
39. Number of verifications carried out	None
40. Additional information	*Please provide any additional information, including on what might explain the level of interest in becoming a registered collection:* The low level of interest in becoming a registered collection may be explained by concerns of collections about additional administrative burdens and liability. Collections have said they fail to see a viable business case until there is greater demand for genetic resources from such collections. It is expected that this will change as the level of awarness of ABS obligations increases and the demand for 'compliant' genetic resources increases.

Cooperation and complementary measures	
Cooperation (Article 12)	
41. Has your country7 cooperated with competent authorities or other relevant organizations in other EU Member States?	☒ Yes └ *Please specify countries with which the cooperation was undertaken:* - All EU Member States who have taken part in CA meetings, notably Germany, Sweden, Denmark, Belgium, Poland, The Netherlands. └ *Please provide examples of such cooperation:* - Contributing to meetings of CNA (notably the meeting on Vilm in March 2017); - Sharing tools and materials such as presentations; - Sharing approaches and experiences; - Addressing shared challenges together through Cap4Dev platform. OR ☐ No
42. Has your country cooperated with (third countries') competent national authorities referred to in Article 13(2) of the Protocol?	☒ Yes └ *Please specify the countries with which the cooperation was undertaken:* Several countries but specifically South Africa, Guatemala, Ethiopia and Kenya. In addition, the UK has participated in several meetings designed to bring competent national authorities from 'provider' and 'user' countries together for open discussions and sharing of national approaches. This inlcudes meetings of the ABS Capacity Devleopment Iniative held in Mexico City, Isle of Vilm in Germany, and Paris. Relationships were continuoulsy strengthened during these workshops. └ *Please specify areas of cooperation:* This has largely consisted of discussions to facilitate access to genetic resources by UK users and on discussions of approaches to information sharing. Was the cooperation related to any identified shortcomings? ☐ Yes OR ☒ No └ *If yes, please specify the shortcomings:* <Text entry> OR ☐ No
Complementary measures (Article 13)	
43. Has your country carried out any training and awareness-raising activities to assist the stakeholders	☒ Yes └ Please specify type and number of activities carried out:

7 When reference to "country" is made in this part, it shall be understood as covering activities carried out by the authorities, or carried out on their behalf;

and interested parties in building understanding of their obligations arising from the EU ABS Regulation and relevant provisions of the Protocol and the Convention? 8	Training sessions: 24 Workshops: 12 Conferences: 16 Others: Meetings with individual companies / organisations (often includes aspects of training): 44 └ Please estimate the number of users that participated in the activities carried out or that received other assistance (e.g. in the form of responses to requests for clarification etc.): > 1000 OR ☐ No
44. Has your country organized any activities addressed specifically to academic, university and non-commercial researchers, and small and medium enterprises?	☒ Yes └ Please specify type and number of activities carried out: Of the different activities the UK has carried out, as set out in the above response the following number were specifically targeted at academic, university and non-commercial researchers, and small and medium enterprises: Training sessions: 9 Workshops: 6 Conferences: 2 Others: Meetings with academic / non-commercial entities: 24 Figures above are inclusive of those under 43. └ Please estimate number of users that participated in the activities carried out/ that received assistance: >400 OR ☐ No
45. Have any complaints been received from users in relation to implementation of the EU ABS Regulation?	☒ Yes └Please summarise the nature of complaints received: Potential users have raised concerns over the lack of clarity around some key definitions and issues of scope, and subsequent delays in sector guidelines. OR ☐ No

Submission addresses:

This form should be completed and sent ***by email*** *to* ENV-F3-NAGOYA-ABS@ec.europa.eu

8 See also response to question 54 from the Nagoya Protocol reporting format