
STATUTORY INSTRUMENTS

2015 No. 821

The Nagoya Protocol (Compliance) Regulations 2015

PART 1

Introduction

Citation and commencement

- 1.—(1) These Regulations may be cited as the Nagoya Protocol (Compliance) Regulations 2015.
- (2) Parts 1 and 2 come into force on 9th July 2015.
- (3) Parts 3 to 6 and the Schedule come into force on 12th October 2015.

Interpretation

- 2.—(1) In these Regulations—

“body corporate” includes a limited liability partnership;

“civil sanction” has the meaning given by regulation 7;

“compliance notice” has the meaning given by paragraph 1 of the Schedule;

“the EU Regulation” means Regulation (EU) No 511/2014 of the European Parliament and of the Council on compliance measures for users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilisation in the Union ^{M1}[^{F1}as it applies in the United Kingdom];

“inspector” has the meaning given by regulation 9;

“the Nagoya Protocol” means the 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 adopted at the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity on 29th October 2010 ^{M2};

“non-compliance penalty” has the meaning given by paragraph 23 of the Schedule;

“officer” in relation to a body corporate, means any director, secretary or other similar officer of the body corporate;

“partnership” does not include a limited liability partnership;

“premises” includes any vehicle, vessel, aircraft, hovercraft, tent or moveable structure;

“stop notice” has the meaning given by paragraph 12 of the Schedule;

“unincorporated association” does not include a partnership;

“variable monetary penalty” has the meaning given by paragraph 2 of the Schedule.

- (2) In paragraph (1), “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

- (3) Subject to paragraph (4), terms used in these Regulations that are used in the EU Regulation have the meaning they bear in that Regulation.

(4) For the purposes of these Regulations, the EU Regulation is to be read as though references to “traditional knowledge associated with genetic resources” include traditional knowledge described in paragraph (5).

(5) These Regulations also apply to traditional knowledge associated with genetic resources held by an indigenous or local community that is described as such in mutually agreed terms applying to the utilisation of traditional knowledge.

F1 Words in [reg. 2\(1\)](#) inserted (31.12.2020) by [The Nagoya Protocol \(Compliance\) \(Amendment\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1393\)](#), regs. 1, [2\(2\)](#); 2020 c. 1, Sch. 5 para. 1(1)

Marginal Citations

M1 OJ No L 150, 20.5.2014, p. 59.

M2 Miscellaneous series No. 5/2014: Cm 8856. ISBN 9781474102919.

Changes to legislation:

There are currently no known outstanding effects for the The Nagoya Protocol (Compliance) Regulations 2015, PART 1.