

## COMPLIANCE REQUIREMENTS

*(Sabah Biodiversity Enactment 2000 & other relevant governing laws)*

### ACCESS COMPLIANCE WITH LEGAL & INSTITUTIONAL REGULATIONS

1. You must ensure that you keep a copy of your access licence and comply with the Statutory Declarations that you subscribed
2. You are only authorised to access the list of biological resources and place(s) where access is permitted stipulated in your access licence
3. Apply for Professional Pass from the State Immigration of Sabah, Kota Kinabalu. Only Sabahan is exempted from this procedure. More information available on our website
4. Report to your local collaborator, to the relevant resource manager(s) or to collect the relevant entry pass before entering the area(s) as mentioned in the notice/letter of support given by the relevant authorities
5. You must comply with relevant laws, rules and regulations, code of conduct governed by the resource manager(s) and relevant authorities
6. You must submit progress report and/or final publications/ thesis to local collaborator, SaBC and relevant departments
7. Application for patent or other intellectual property rights to the relevant authority in or outside Malaysia subject to first obtaining the prior written consent of the Sabah Biodiversity Council
8. You must comply with other terms and conditions stated in your **access licence**

### TRANSFER COMPLIANCE WITH LEGAL & INSTITUTIONAL REGULATIONS

1. You are only allowed to transfer the type of biological resources including the amount/volume and execute the number of shipment listed in your transfer licence
2. Permission granted is subject to terms and conditions stated in your licence and other governing laws listed in terms and conditions no.4
  - 2.1 Information below is to guide you to fulfill terms and conditions no. 4 listed in your transfer licence (other relevant documents for transfer including but not limited to the followings):
    - **CITES Permit:** Please note for species protected under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the export of CITES specimens require the application of an additional permit (CITES permit) from Sabah Wildlife Department (animal- except fish and coral, and plant- except marine plant and timber), Sabah Forestry Department (timber), Sabah Fisheries Department (fish, coral and marine plant) after transfer licence

is issued. An import permit from the importing/ requesting country is also required.

- **Permit to take out animal etc.:** An application for a permit to take an animal, animal product or plant out of the State shall be made in Form 22 in Schedule 1 and be accompanied by the fee set out in item 13 of Schedule 2 under Wildlife Conservation Enactment 1997- Wildlife Regulations 1998. Applicant may apply from Sabah Wildlife Department either from Kota Kinabalu (HQ) office, Keningau, Lahad Datu, Kinabatangan, Sandakan or Tawau office after transfer licence is issued. An import permit from the importing/ requesting country is also required (subject to the country's requirement).
- **Phytosanitary Certificate (PC):** Plant Quarantine Act 1976- The export (including interstate within Malaysia) for any species of plants or any part thereof whether living or dead and includes the stem, branch, tuber, bulb, corm, stock, budwood, cutting, layer, slip, sucker, root, leaf, flower, fruit, seed or any other part or product whatsoever of a plant whether severed or attached but does not include any plant product (fruits, herbs, pickle, dried fermented fruit, herbal) that has undergone a process of heat and drying treatment. Herbarium specimen (silica gel, oven dried etc.), plant tissue samples (clean, cut-up, oven dried etc.), propagated plants or any part thereof are subject to PC issuance. Applicant may apply for PC from Department of Agriculture Sabah either from Kota Kinabalu (HQ) office, Lahad Datu, Sandakan or Tawau office after transfer licence is issued. An import permit from the importing/ requesting country is also required (subject to the country's requirement). *Note: PC is a patented health certificate based on the International Plant Protection Convention applied by all importing countries. PC is used to attest that consignments meet phytosanitary (regarding plants) import requirements and in accordance to the International Standards on Phytosanitary Measure no 12 (ISPM 12). (ISPM 12:2011 Phytosanitary certificates).*
- **Export of soil samples for research:** You are required to obtain import permit from the importing/ requesting country (including interstate within Malaysia from Department of Agriculture) and fully adhere to the import condition set by the importing country and the terms and conditions stated in your transfer licence.
- **Packing instructions:** You are required to adhere to packing instructions set by the International Air Transport Association (IATA).
- **Any other laws:** Information provided is only intended to be general guideline. You must perform due diligence with your local collaborator to comply with any other applicable written laws governing the transfer of the said material from Sabah to the importing countries including import permit (if applicable).

**IMPORTANT NOTE:** The transfer consent is subject to other written laws governing the transfer of the said materials from Sabah to the importing countries.

3. Your local collaborator needs to fill in the Material Transfer Declaration Form to verify the samples before you could export. Therefore, you are required to work closely with your local collaborator during this process.
4. You must comply with other terms and conditions stated in your **transfer licence**.