2025 Access and Benefit Sharing Regulation

Prelims: Bio-diversity | Current events of national and international importance

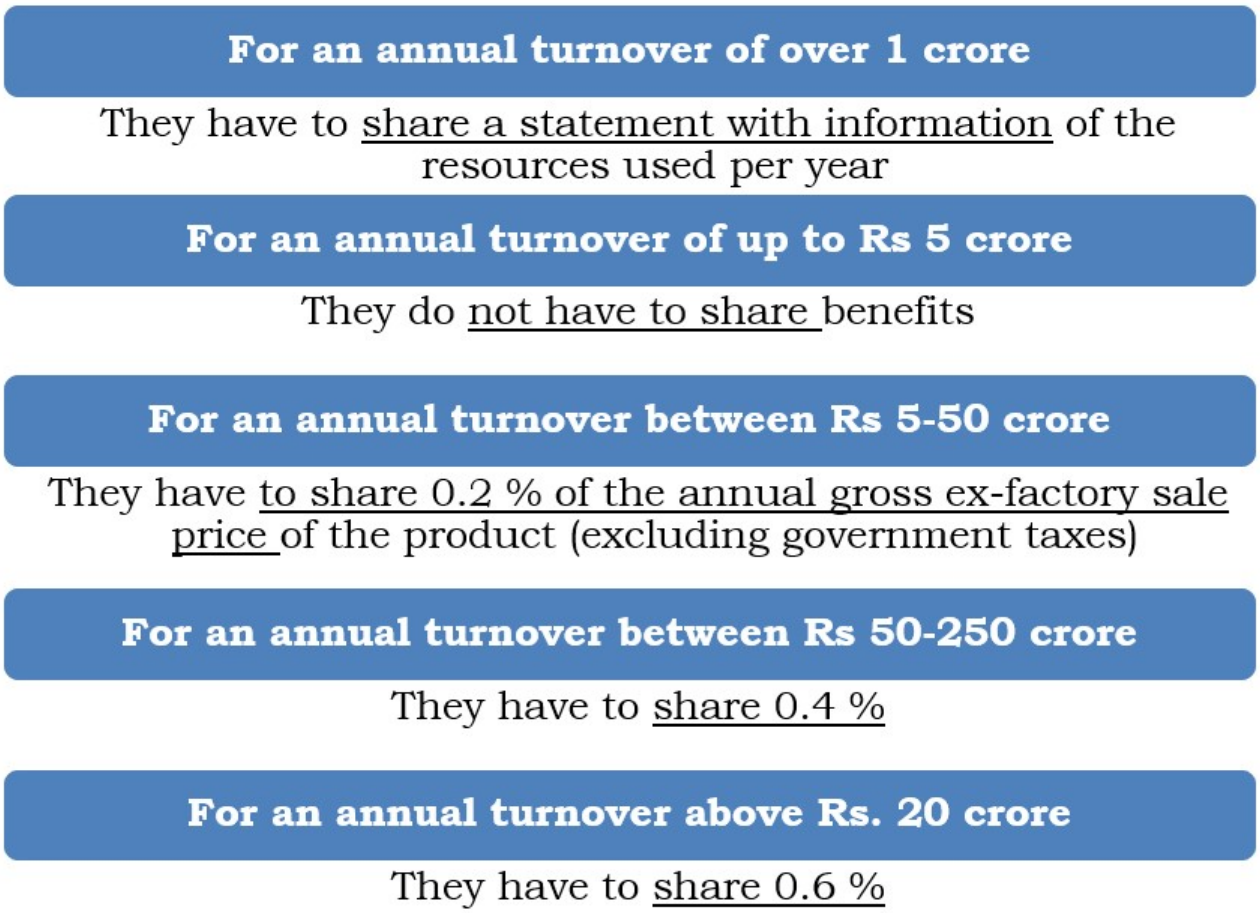
Why in News?

The National Biodiversity Authority has released a new set of rules to manage sharing of benefits generated through the use of biological resources.

- **New regulation** – The *Biological Diversity* (Access to biological Resources and Knowledge Associated thereto and Fair and Equitable Sharing of Benefits) Regulation 2025.
- It will guide the sharing of benefits for the use of biological resources, ***including digital sequence information*** associated with it.
- It puts in place, the requirements for *benefit sharing by researchers* and for those who want to apply for intellectual property rights.
- It also outlines how benefits would be shared with the claimants.

Biological Diversity Regulation 2025 replaces 'The Guidelines on Access to Biological Resources and Associated Knowledge and Benefits Sharing Regulations 2014', which did not include digital sequence information in the ambit of genetic resources.

- **Benefit sharing slabs** – It has set ***slabs based on the annual turnover*** of the person or the industry accessing the resource.



- **For high conservation or economic value resources** - The benefit *sharing shall not be less than 5 % of the proceeds* of the auction or sale amount or the purchase price.
    - For example, red sanders, sandalwood, agarwood and threatened species notified under Biodiversity Act 2002.
- The benefit sharing component could go *up to more than 20 % in case of commercial use.*
- **Exemptions** - The extent of benefits the medicine manufactures would need to share is not clear as the Regulation ***exempts users of cultivated medicinal plants.***
    - **Top companies** – Patanjali, Baidyanath, Dabur India
- It is in line with the controversial *Biological Diversity (Amendment) Act 2023*, which had replaced the Biological Diversity Act of 2002.
- 2025 notification indicates that *in case a product contains both cultivated and uncultivated plants,* benefits would not need to be shared on products identified.
- **Fund collected** - Of the total collected, around *10-15 % would be retained by the National Biodiversity Authority.*

Quick facts

- **Benefit sharing on the use of digital sequence information** - A multilateral mechanism for sharing benefits accrued from the use of digital sequence information was put in place *during COP16 of the Convention on Biological Diversity in Cali, Colombia*, last year.
    - Users of biodiversity such as *pharmaceuticals, cosmetics, agriculture, and the biotechnology industry*.
- **National Biodiversity Authority** – It was established in 2003 to implement India's

Biological Diversity Act (2002).

- It is a statutory body and that performs facilitative, regulatory and advisory function for Government of India on issue of *Conservation, sustainable use of biological resource and fair equitable sharing* of benefits of use.

References

Down to Earth| Notification of Access and Benefit Sharing Regulation 2025

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