## Material Transfer Agreement Description

Material Transfer Agreement (MTA) is an agreement negotiated between the holder of an access permit and a relevant lead agency or community on terms of transfer and use of genetic material (Downloadable template). In circumstances under which the project is designed to export GR out of Kenya, the applicant is required to execute MTA with relevant government institution or community. MTA is a requirement for grant of an export permit or licence.

### Contents of Material Transfer Agreement

A typical MTA should contain the following clauses:

1. A preamble statement providing context,
2. A definition of the material to be transferred,
3. Justification for transfer,
4. User and provider obligations,
5. Purpose or use: taxonomy, collection, research, commercialization and expected outputs,
6. Restrictions and stipulations on how it will be used,
7. Commencement and termination dates,
8. Termination clauses,
9. Ownership of IPRs,
10. Applicable law,
11. Fate of genetic material after the project life,
12. Treatment of confidential information
13. Dispute resolution provisions, and
14. Benefit sharing arrangements.