

Model contractual clauses for the collection of native plant materials from Indigenous land

ARC Industrial Transformation Training Centre for Uniquely Australian Foods

1. Consent for the collection of the samples of native plant materials

The Indigenous partner has been informed about the Project described in Appendix 1, and agrees to provide access to the native plant materials listed for stated purposes.

2. Purpose of the collection of the samples of native plant materials

The Training Centre will only use the native plant materials for the purposes listed in Appendix 1.

3. Ownership in the collected materials and their transfer to third parties

The Training Centre will not seek exclusive rights over the collected materials, nor will they transfer the collected materials to anyone outside the project team listed in Appendix 1.

4. Access and use of Indigenous knowledge associated with the collected materials

Indigenous knowledge associated with the collected materials will only be used with the prior informed consent of the Indigenous partner.

5. Project generated intellectual property

5.1 Any intellectual property arising from the Project will be owned by the Indigenous partner. This does not apply to theses, reports and publications produced under the Project, where the copyright will remain with the authors.

5.2 The Indigenous partner agrees to grant a license to the University of Queensland to use intellectual property arising from the Project for non-commercial education, training, teaching, and research.

6. Prior informed consent for publications, geographical details, quotes, and photographs

6.1 Indigenous knowledge will not be included in Project publications without the prior informed consent of the Indigenous partner.

6.2 Specific geographical details about the location where plant materials were obtained will not be disclosed without the prior approval of the Indigenous partner.

6.3 Quotes from the Indigenous partner will not be included in Project publications without the prior approval of the Indigenous partner.

6.4 Photographs of Indigenous partners and photographs taken on Indigenous land will not be included in Project publications, without the prior approval of the Indigenous partner.

7. Storage and management of the collected materials and derived data

Upon the completion of the Project, the collected materials and derived data will be stored and managed, or disposed of, according to the Project described in Appendix 1.

8. Sharing of the benefits resulting from the Project

The Training Centre will:

- 8.1 share Project publications, research outputs, and research results with the Indigenous partner;
- 8.2 acknowledge the role played by the Indigenous partner in all Project publications and research outputs;
- 8.3 provide the Indigenous partner with the opportunity to be named as co-author(s) of the resulting Project publications;
- 8.4 undertake capacity building programs for the Indigenous partner; and
- 8.5 provide education and training for the Indigenous partner.

Appendix 1: Project Description

1. Overview of the Training Centre and project

- A brief description of this project
- Project timeline
- Project participants

2. Details about the plant materials

- Plant materials to be used in the project
- Who will collect the materials, from where, and in what quantities?
- Is there a fee for the materials? If so, what is it, when and how will it be paid?

3. Details about the research

- Describe the research to be undertaken?
- Who will be doing the research?
- How will the plant materials be used in the research?

4. Details about the storage and management of the plant materials and derived data

- How will the collected plant materials and derived data be handled and stored during the project period?
- Who will have access to the collected plant materials and derived data?
- How will the collected plant materials and derived data be managed or disposed of upon the completion of this project?

5. Details about the sharing of research results with the Indigenous partner

- What are the proposed means of sharing research results?