



Bushfood industry

Access and Benefit Sharing Agreements

The Department of Primary Industries and Regional Development (DPIRD) has developed *Setting up for Success: Bushfoods* and the accompanying *Protection of Indigenous Ecological Knowledge for Bushfood Businesses* guides to help Aboriginal businesses entering, or growing their existing business, in the bushfoods industry.

The guides are available on the DPIRD website agric.wa.gov.au/aboriginal-business-development-0 or by contacting the Aboriginal Economic Development unit for more information and help, email aed@dpiird.wa.gov.au or call +61 (0)459 867 908.

Access and Benefit Sharing Agreements form the foundation for good faith negotiations between Aboriginal people and external parties that wish to engage with them, their Country, or their Indigenous Ecological Knowledge.

Aboriginal and non-Aboriginal bushfood businesses should use Access and Benefit Sharing Agreements with First Nations groups to specify:

- access requirements on Country

- how native plants, animals and associated Indigenous Ecological Knowledge can be collected, stored and used, and
- how specific benefits from the use and development of the collected bushfood will benefit Aboriginal people and communities.

Access and Benefit Sharing Agreements should be documented in writing with the relevant Aboriginal community or group and require the sharing of financial and non-financial benefits that result from access and use of genetic resources.

For example, in 2013, The University of Western Australia (UWA) was awarded funding from AgriFutures Australia to undertake research on development of the Kakadu plum industry. UWA sought to obtain the free, prior, informed consent of Aboriginal communities in Western Australia and the Northern Territory by negotiating Access and Benefit Sharing Agreements.

Access and Benefit Sharing Agreement specifications

Ensure your Access and Benefit Sharing Agreement addresses the following:

- Research project details
- Community involved
- Free, prior, informed consent of the community
- Applicable customary laws and protocols to be followed
- Community consultation and participation
- Community approvals process
- Permits required
- Land or sea to be accessed
- Who can access Country, when, and with whom
- Attribution of Aboriginal community
- Reporting to Aboriginal community
- Ownership of photos, film, recordings, samples, field notes, or other data and information collected on Country or as part of the project
- Use, maintenance, and disposal of recordings and samples taken off-Country
- Benefits to the Aboriginal community, both monetary and non-monetary
- Rules concerning commercialisation opportunities and publicity.



Front cover photo: Cygnet Bay Pearl Farm, image courtesy of Tourism Western Australia; cover artwork: Damper by Beryl Ponce, image courtesy of Spinifex Hill Studio

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