

Data and Material Transfer Agreement in Tanzania: Condition of Use, Achievement and Operational Challenges

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TanZamBo Workshop on Health Ethics, August 21-22, 2012
Protea Hotel, Moshi

outline

- **Applicable situation**
 - **Definition of MTA & DTA**
 - **Importance of MTA & DTA**
- **Achievements**
- **Challenges**
- **Conclusions**
- **Way forward**

Applicable situation:

What is Material/data transfer Agreement?

- Is a binding legal agreement between the provider of research materials/data and the recipient of the materials/data that sets forth conditions of transfer and use

Types of Materials

- **The types of materials transferred under MTAs:**
 - **Biological materials**
 - **Herbal products**
 - **Physical materials**
 - **Transgenic animals**
 - **Chemical compounds**
 - **Pharmaceuticals**
 - **Types of software**



Type of data

- **Data has intrinsic value as well as having added value as a byproduct of information processing**
- **Research data include:**
 - **Laboratory/case notes**
 - **Records that are necessary for reconstruction and evaluation of reported results of research and the events and processing leading to those results, regardless of the form or the media on which they may be recorded and stored**

Why Are MTAs/DTAs Important? (1)

- MTAs/DTAs are important because they delineate the rights, obligations, and restrictions of both the provider and recipient:
 - Ownership of materials/data
 - Limits on the recipient's use and related liability
 - Restrictions on the recipient's ability to transfer, modifications, and derivatives to third parties

Why Are MTAs/DTAs Important? (2)

- Rights to inventions resulting from the use of the materials/data
- Rights to publish results obtained through the use of the materials/data
- Reporting and confidentiality obligations

Why transfer of Materials?

- **Technology advancement**
 - Training of students and researchers or technologists for new advanced techniques
- **Inadequate of technical knowhow and equipment in our laboratories**
 - Limited skills in particular techniques
 - Inadequate of specific lab. equipments
 - No accreditation of most laboratories

Why transfer of Data?

- **Collaborative research**
 - **Sharing of data**
 - **Limitation in data analysis capacity**
 - **Limited technical knowhow**
 - **Statistical Programs**
- **Students**
 - **Analysis under supervision in universities registered**

Achievements: MTAs

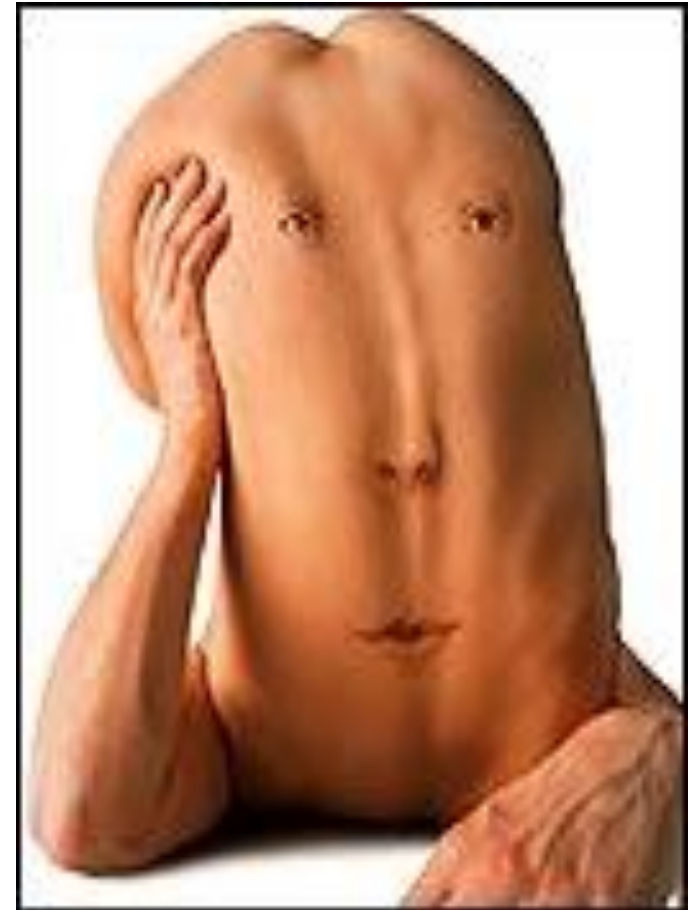
- **MTAs has been developed and operational**
 - **Under major review**
- **Transfer agreement is signed when a need for exporting material outside Tanzania**
 - **Provider : (Researcher/Institution or organization)**
 - **Recipient : (Researcher/Institution or organization)**
 - **Government (NIMR)**

Challenges: MTAs

- **Compliance by both providers and recipients**
 - **Incompleteness**
 - **Frequency each transfer need a new filling**
 - **Filling requirements details**
 - **Annex page details**
- **Keeping a copy materials transferred**
 - **National sample repository**
- **Returning sample after use**
 - **Review of MTA**
 - **Storage facilities**

Challenges: MTAs

- **Some samples are transferred without our knowledge**
 - **no MTAs**
- **Some collaborators want to use their MTAs, modifies the template provided**



Achievements: DTA

- DTA has been developed operational
 - Under major review

Challenges: DTA

- **Unique access of data: 1 year**
- **Review**
 - **Time for unique access: Scientific evidence on how to arrive on timeframe**
 - **Example: proposed**
 - **12 months projects/programs validity 36 years**
 - **≥ 36 months projects/programs validity 5 years**



Challenges: DTA

- **Handling different data sources:**
 - **Web-based data collection and transfer including handling other data capture systems such as mobile phones and PDAs.**
 - **Post-graduate students**
- **Contravene with laws of other countries**



Conclusions

- **Is material and data transfer phenomenon reversible ?**
 - **Collaborative studies**
 - **Students**
- **How could MTA and DTA be done efficiently?**
- **How alert is other sectors in the issue of transferring samples?**



Way forward

- **Sensitizing the need and importance MTAs/DTAs**
 - **Providers**
 - **Recipients**
 - **Community**
- **Devising monitoring mechanism at point of exit**
 - **Show the filled in MTAs/DTAs**
 - **Inspection point?**
- **Initiate MTAs/DTAs between Tanzanian Institutions**



**THANK YOU VERY MUCH FOR YOUR
ATTENTION**