

Government Notice No. 227 of 2022

THE SEEDS ACT

Regulations made by the Minister, after consultation with the National Plant Varieties and Seeds Committee, under sections 12, 22 and 33 of the Seeds Act

1. Short title

These regulations may be cited as the Seeds (Registration of Seed Dealer and Seed Producer) Regulations 2022.

2. Interpretation

In these regulations –

“Act” means the Seeds Act;

“applicant” means a person who makes an application to register as a seed dealer or seed producer under regulation 5.

3. Application of regulations

(1) These regulations shall apply only to a person who handles or produces seeds for commercial purposes.

(2) For the purpose of section 12 of the Act, every person who trades in, exports or imports any seed shall be registered as a seed dealer.

(3) For the purpose of section 22, registration as a seed producer shall not be compulsory unless, in the case of a crop that is grown on contract, such registration is required by the owner of the crop.

4. Guidelines

NPVSO shall prepare and publish guidelines in relation to the procedures for registration as seed dealers and seed producers.

5. Application for registration as seed dealer or seed producer

(1) A person who wishes to be registered as a seed dealer or seed producer, as the case may be, shall make an application to NPVSO in the form set out in the First or Second Schedule, as applicable.

(2) On receipt of an application made under paragraph (1), NPVSO shall –

- (a) send a written confirmation of receipt of the application to the applicant;
- (b) examine the application to confirm whether the requirements specified in the First or Second Schedule, as the case may be, have been complied with;
- (c) in case of any omission in the application form, contact the applicant promptly to obtain the necessary information or documentation;
- (d) undertake such investigations and inspections as may be required to confirm any information provided by the applicant.

6. Grant or refusal of application

(1) Where NPVSO is satisfied that the application form is complete and all information provided is correct, NPVSO shall –

- (a) inform the Seeds Committee that it intends to issue a certificate of registration to the applicant; or

- (b) indicate any concerns that may affect the issue of such a certificate and request advice from the Seeds Committee.

(2) Where NPVSO grants an application under paragraph (1), it shall, on payment of the appropriate fee specified in the Third Schedule and on such terms and conditions as it may determine, register the applicant for a period of 3 years as –

- (a) a seed dealer and issue a certificate of registration in the form set out in the Fourth Schedule; or
- (b) a seed producer and issue a certificate of registration in the form set out in the Fifth Schedule.

(3) NPVSO shall, as soon as it issues a certificate of registration, enter such particulars in a register of seed dealers or seed producers, in accordance with section 12(6) or 22(4) of the Act, as the case may be.

(4) A seed dealer shall display the certificate of registration in a prominent place within the principal place of business.

(5) (a) Where NPVSO rejects an application under paragraph (1), it shall, within 10 days of its decision, inform the applicant in writing, stating the reasons for the rejection.

(b) Where the applicant is aggrieved by the decision of NPVSO, he shall, within 30 days of receipt of the decision, make an appeal to the Minister in accordance with the Seeds (Appeal Board) Regulations 2022.

7. Obligations of registered seed dealers

A registered seed dealer shall –

- (a) keep adequate records of the seed lots he holds, including the source of seed, the date of acquisition and documents confirming the quality status of the seed lots intended for sale; and
- (b) upon request by an official inspector or sampler, grant access to the company premises so that records of seed lots can be inspected and samples taken, as the case may be.

8. Obligations of registered seed producers

A registered seed producer shall –

- (a) keep adequate records of the seed crops that are grown and be able to demonstrate traceability through the production process;
- (b) comply with any technical guidelines relating to the production of the seed crop;
- (c) ensure that all harvested seed crops are stored in secure and clearly labelled containers while they are in premises of the producer; and
- (d) upon request by an official inspector or sampler, grant access to the fields or premises so that seed crops or seed lots can be inspected and samples taken, as the case may be.

9. Cancellation or suspension of registration

(1) NPVSO may –

- (a) pursuant to section 12(7) of the Act, suspend or cancel the registration of a seed dealer; or
- (b) pursuant to section 23 of the Act, suspend or cancel the registration of a seed producer.

(2) No such cancellation or suspension shall be made unless the holder of the registration certificate has been given a reasonable opportunity of being heard in respect of the grounds of such cancellation or suspension, as the case may be.

(3) (a) NPVSO shall, within 30 days of any decision made under paragraph (1), inform the holder of the certificate in writing, stating the reasons for the suspension or cancellation.

(b) Where the holder of the certificate is aggrieved by the decision of NPVSO, he shall, within 30 days of receipt of the decision, make an appeal to the Minister in accordance with the Seeds (Appeal Board) Regulations 2022.

10. Renewal of registration

(1) An application for the renewal of a certificate of registration issued under these regulations shall be made by the holder of the certificate in the form set out in the First or Second Schedule, as applicable, not later than 3 months before the date of its expiry.

(2) NPVSO may renew a certificate of registration on payment of the appropriate renewal fee specified in the Third Schedule and on such other terms and conditions as it may determine.

11. Right of inspection

Pursuant to sections 17 to 20 of the Act, NPVSO may inspect the premises of a seed dealer or seed producer to ensure that the terms and conditions of registration and these regulations are being complied with.

12. Transitional provisions

Any person who, at the coming into operation of these regulations, acts as a seed dealer, shall within 12 months from the

coming into operation of these regulations, make an application to NPVSO to be registered as such under these regulations.

13. Offences

Any person who contravenes these regulations shall commit an offence and shall, on conviction, be liable to a fine not exceeding 10,000 rupees or to imprisonment for a term not exceeding 6 months.

14. Commencement

These regulations shall come into operation on 1 September 2022.

Made by the Minister, after consultation with the National Plant Varieties and Seeds Committee, on 4 July 2022.

FIRST SCHEDULE
[Regulations 5 and 10]

**APPLICATION TO BE REGISTERED AS A SEED DEALER/
TO RENEW A CERTIFICATE OF REGISTRATION**

Name of applicant

Business address of applicant

Business Registration no.

Phone no. Mobile no.

Fax no. Email address

Activities of applicant with regard to seeds*

Import Export Production

Processing Storage Packaging

Selling wholesale Selling retail

Main crops handled by applicant*

Vegetable seeds Flower seeds Cereal seeds

Seed potatoes Garlic Ginger

Fruit tree plants Ornamental plants Other

I confirm that the above information is correct and that I am aware of the responsibilities of seed dealers under the Seeds (Marketing) Regulations 2022.

I undertake to –

- (a) provide such other information as the National Plant Varieties and Seeds Office may require in connection with this application; and
- (b) authorise inspection of my premises by staff of the office when so required.

I hereby apply to be registered as a seed dealer and I agree to pay the required fee.**

If this application is for the renewal of registration, please state the number and date of the current certificate.**

Certificate no.

Date

.....
Name

.....
Signature

.....
Designation

.....
Date

.....
Office stamp

* Tick as appropriate

** Delete as appropriate

SECOND SCHEDULE

[Regulations 5 and 10]

**APPLICATION TO BE REGISTERED AS A SEED
PRODUCER OR TO RENEW A REGISTRATION**

Name of applicant

Address of applicant

Address/location of farm or main production site(s)

Business registration no. *(if applicable)*

Phone no. Mobile no.

Fax no. Email address

Main crops produced*

Vegetable seeds Flower seeds Cereal seeds

Seed potatoes Garlic Ginger

Fruit tree plants Ornamental plants Other

I confirm that the above information is correct and that I am aware of the regulations made under the Seeds Act with regard to seed production and certification.

I agree to provide any other information that may be requested by the National Plant Varieties and Seeds Office in connection with this application and to allow inspection of my premises and production fields by staff of the office.

I hereby apply to be registered as a seed producer and I agree to pay the required fee.**

If this application is for the renewal of registration, please state the number and date of the current certificate.**

Certificate no.

Date

.....
Name

.....
Signature

.....
Designation

.....
Date

.....
Office stamp

** Tick as appropriate*

*** Delete as appropriate*

THIRD SCHEDULE

[Regulation 6(2)]

FEES

	(Rs)
1. Registration fee (seed producer)	75
2. Registration fee (seed dealer)	1,000
3. Renewal fee	50

FOURTH SCHEDULE

[Regulation 6(2)(a)]

CERTIFICATE OF REGISTRATION AS SEED DEALER

This is to certify that the individual/company/entity named below has been registered as a seed dealer with the National Plant Varieties and Seeds Office

Name of seed dealer

Address

Date of issue of certificate

Certificate no.

.....
Name of Head of NPVSO

.....
Signature

.....
Date

.....
Office stamp

FIFTH SCHEDULE

[Regulation 6(2)(b)]

CERTIFICATE OF REGISTRATION AS SEED PRODUCER

This is to certify that the individual/company/entity named below has been registered as a seed producer with the National Plant Varieties and Seeds Office.

Name of seed producer

Address (residential or business)

Date of issue of certificate

Certificate no.

.....
Name of Head of NPVSO

.....
Signature

.....
Date

.....
Office stamp

