

‘UNDERSTANDING THE NATIONAL AGRICULTURAL SEEDs ACT’

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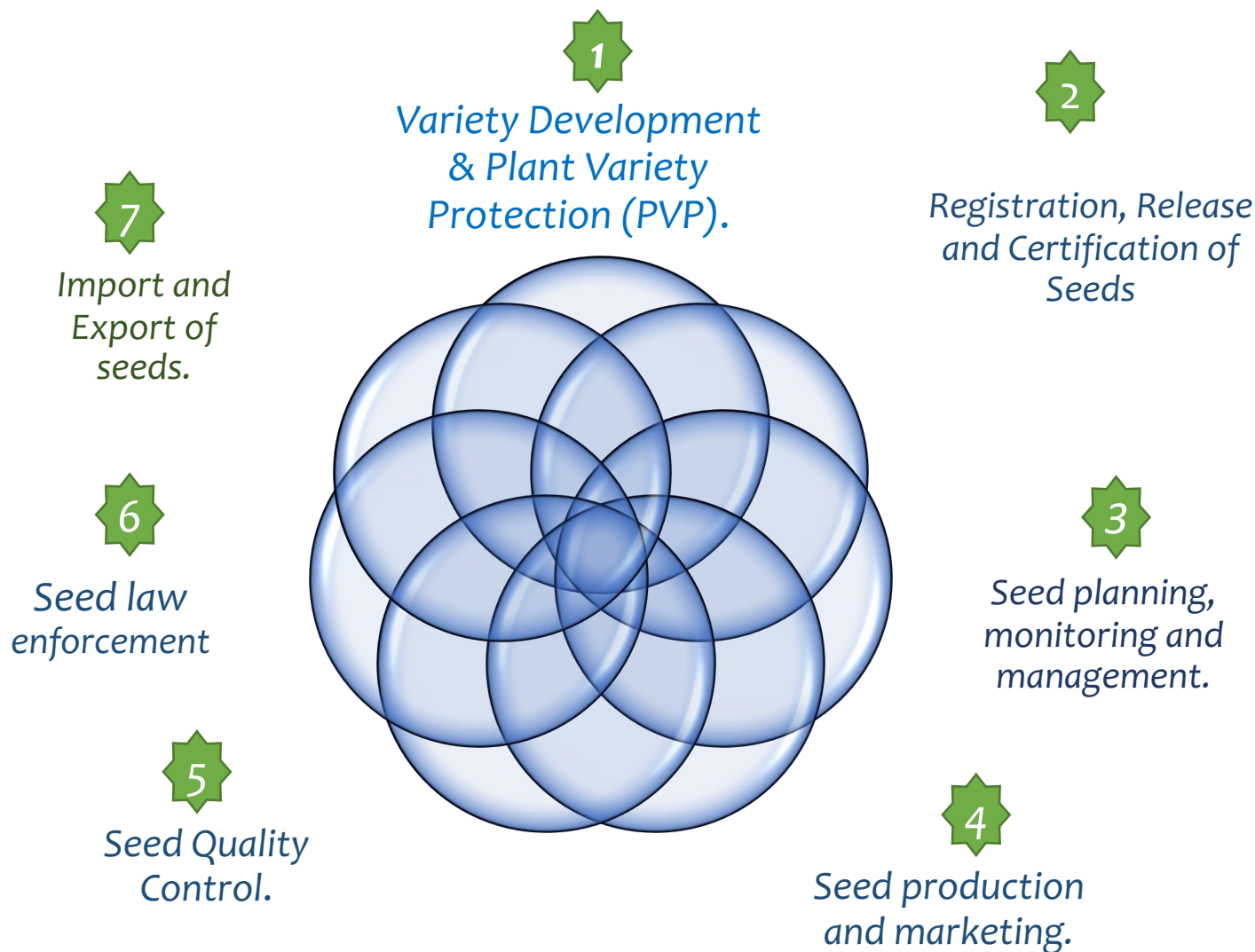
In need of
Quality Seeds ?



National Agricultural Seeds Act, 2019

The National Agricultural Seeds Act (**Now, of 2019**) was enacted to provide legal framework for regulating various aspect of seed research, production, processing, marketing and quality control activities.

Provisions in the National Agricultural Seeds Act covers



National Agricultural Seeds Act

The Act is divided into Thirteen (13) Parts, two (2) Schedules and 55 Sections.

Part 1 – Establishment
of the **NASC**

Part 2 – Functions of the
Council

Part 3 – Appointment of the
Director General

Part 4 – Appointment of Seed
Inspectors

Part 5 – Seed Registration and
Release

Part 6 – Seed Certification and
Quality Control

Part 7 – Seed Production and
Processing

Part 8 – Support to Plant Variety
Development and Plant Breeders
Rights.

Part 9 – Infringements and Offences

Part 10 – Establishment of the Seed
Fund.

Part 11 – Establishment of
Departments and Zones

Part 12 – Powers to Prosecute

Part 13 – Miscellaneous

WHAT IS NASC?

National Agricultural Seeds Council (NASC)

...an Agency of the Federal Government, Under the
Federal Ministry of Agriculture and Rural Development.

The National Agricultural Seeds Council (NASC) is
the apex regulatory body for the Nigerian Seed
Industry



Mission

To transform the Nigerian Seed System into a leading seed industry in Sub-Saharan Africa worthy of generating foreign exchange, key employer of labor and contributing positively to the country's economy.

Vision

To build a market-driven seed industry for the production and distribution of high quality and improved planting materials that are available, accessible and affordable to all farmers.

National Agricultural Seeds Council (NASC)

The National Agricultural Seeds Council (NASC), established by Act 72 of 1992 (Now 2019) is an agency of the government saddled with the responsibility to regulate the production, marketing, trade and use of seeds in Nigeria.

NASC is at the center of Nigeria's seed sector as the principal institution for the implementation of national seed policy

Section 49 (1)

“....any person who sells, keeps for sale, barter or otherwise supplies any seed of any variety or hybrid shall apply to the council for grant of certification for the purpose...”

In other words, no seeds shall be commercialized in Nigeria unless sanctioned by the Council

FUNCTION OF THE NASC

Amongst Others, the Council shall –

“..analyze and formulate programs, policies, and actions regarding seed development and the seed industry in general, including legislation and research on issues relating to seed testing, registration, release, production, marketing, distribution, certification, quality control, supply and use of seeds in Nigeria, importation and exportation of seeds, etc.....”

FUNCTION OF THE NASC....

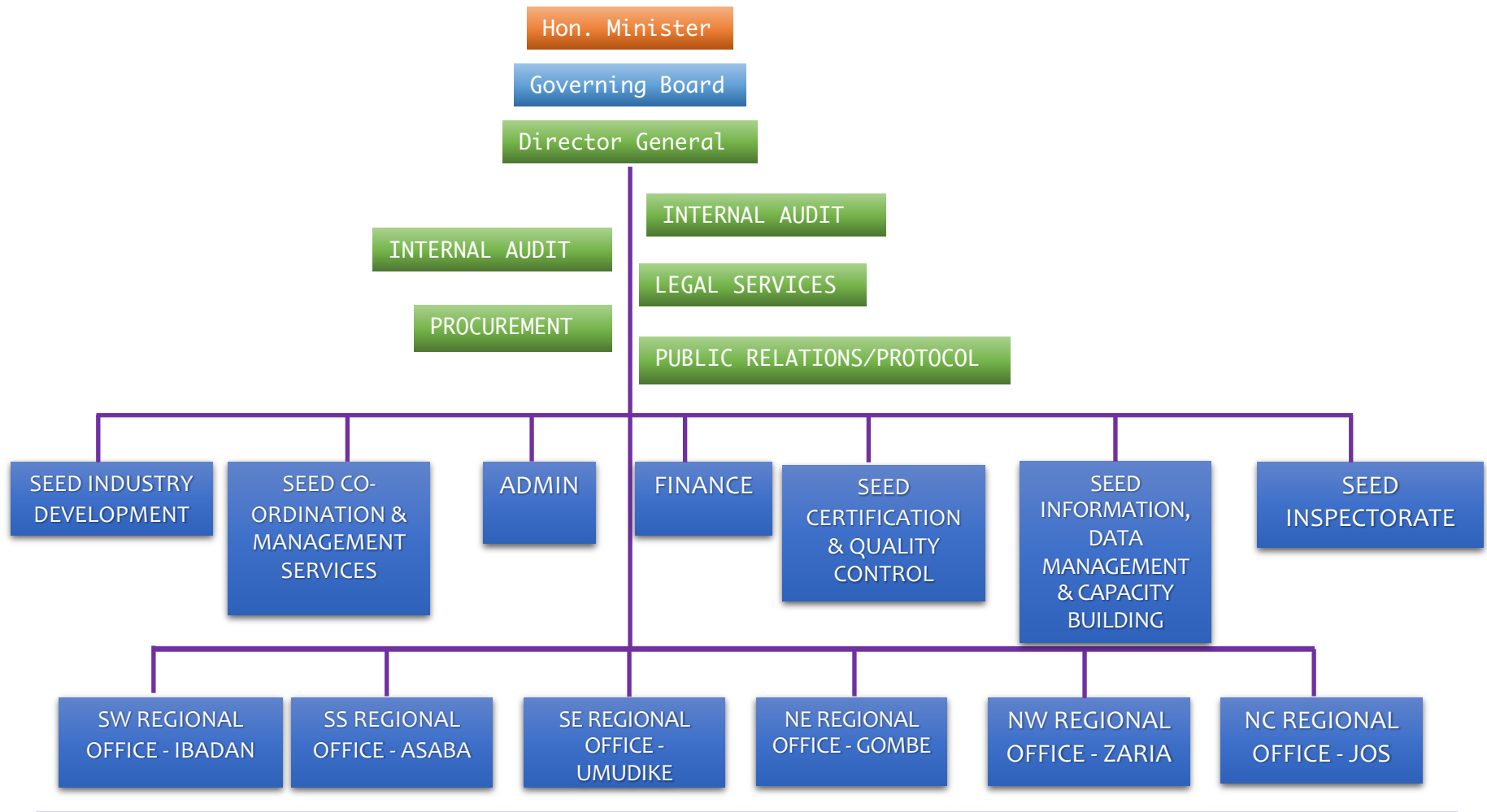
“..advise the Federal Government on the organization, management and financing of seed programs.....”

“..approve seed standards..”

“... Advise the national research system on the changing pattern of seed demand and farmers needs...”

“.. Regulate the seed industry in Nigeria..”

Structure of the Council....



....In addition to the zonal/regional offices, we have Officers located in all states of the Federation...

What are the Legal and Regulatory Framework?

The National Agricultural
Seeds Council Act ('Seed Law')

Seed Policy

Seed Rules and Regulations.
(ECOWAS Seed Rules & Regulations)

REVISION OF THE SEED ACT

In order to make the Seeds Law consistent with the current dynamics in the global seed trade and create a better conducive atmosphere for private sector participation in the nation's seed industry, the Seeds Act was reviewed and amended through a series of processes involving national and international bodies

Consequent upon these, the 8th National Assembly passed the Bill for an Act to repeal and Re-Enact the National Agricultural Seeds Act No. 72 of 1992 and for other related matters, 2018.

KEY IMPROVEMENTS ON THE NATIONAL AGRICULTURAL SEEDS ACT

Modification of penalty for infringements:

to ensure that it serves as deterrent. In the old draft, under PART IV —APPOINTMENT OF SEED INSPECTORS under section titled “Offences and penalties page 11, stipulates 500 Naira fine for first offender and 1,000 naira for a repeat offender or ... “imprisonment for a term which may extend to six (6) Months” or both.

The new draft Section 42 “Penalties” changes this to 1,000,000 naira and 2,000,000 naira respectively and a prison term not exceeding One (1) year.

KEY IMPROVEMENTS ON THE NATIONAL AGRICULTURAL SEEDS ACT

More options for quality assurance :

Provision made for quality assurance of seed produced by CBOs through the introduction of a provision for quality control based on truth of labelling concept under section 35 titled “informal seed” in the new draft. This is absent from the old draft.

The NASC is also considering out-sourcing of Seed Certification.

KEY IMPROVEMENTS ON THE NATIONAL AGRICULTURAL SEEDS ACT

Plan for certification of planting materials :

Section 18 “seed categories” on page 8 of the new draft recognizes ‘planting materials’ as a certifiable entity and empowers the Minister to approve categories of planting materials for certification purposes.

There is no recognition of planting materials in the old draft. In the light of the importance that planting material in Agricultural Promotion Policy e.g. cassava, Banana, etc.

KEY IMPROVEMENTS ON THE NATIONAL AGRICULTURAL SEEDS ACT

Plant Variety Protection (PVP):

On page 15 of the new draft - Sections 39 “Protection of Breeders’ Rights (PBR) and “Temporary measures to protect Plant Breeders’ Rights “gives the Ministry the mandate to approve separate Plant variety legislation to support plant variety development to regulate plant breeders’ rights.

COST – BENEFIT ANALYSIS

Based on

The Report of a Regulatory Impact Assessment of the
Revised Seed Act

Submitted by

African Center for Shared Development Capacity Building

to

Alliance for Green Revolution in Africa
(AGRA)

(March 2017)

COST – BENEFIT ANALYSIS

Smallholder farmers

- ✓ The implementation of the revised seed bill will afford farmers to have access to improved seeds, and this will have impact on the yields obtained from crops. The yield gaps for major staples in Nigeria is presented in Table A. The table reveals that there is a significant difference increase in crop yields by adopting the use of improved seeds and complementary inputs.

Other benefits to be derived from using improved seeds include increased participation in farmers' associations and enhanced social and business relations among stakeholders.

Crop	Actual Yield	Potential Yield	Yield Gap	Actual as a % of Potential yield	Yield Gap in %
Maize	1.78	5	3.22	35.6	181
Rice	1.98	6	4.02	33.0	203
Sorghum	1.5	5	3.5	30.0	233
Cassava	13.4	28.4	15	47.2	112
Millet	1.1	2.4	1.3	45.8	118
Yam	11.8	18	6.2	65.6	53
Soya Bean	0.93	2	1.07	46.5	115

Source: Report on regulatory Impact Assessment of the revised Seed Act

COST – BENEFIT ANALYSIS...

The Government

A number of benefits will accrue as a result of implementing the revised Seed Bill. The major benefits include revenue earned from activities of the NASC, foreign exchange earnings resulting for exports of seeds from Nigeria, reduction in Nigeria's food import bill, conserving foreign exchange, improvement in national food security, employment creation and reduction in social vices.

First

- ✓ First, the implementation of the revised seed bill is expected to yield net benefit income of N205.673 Million Naira to the government. This revenue will be generated from the activities of the NASC, such as registration of seed companies, issuance of certifications, sales of seed tags, taxes and levies, and so on.

COST – BENEFIT ANALYSIS...



The Government

Second

- ✓ Since the seed bill will be harmonized with ECOWAS seed law and regulations, it is anticipated to create additional market outlets for sales of seeds within the ECOWAS region. Hence, there is scope for exports of seeds from Nigeria with benefits of earning foreign exchange to the economy.

Third

- ✓ Implementation of the seed bill will boost production of crops, which effectively reduces the level of food imports, especially rice, maize, soybeans, vegetable oils, and so on.

COST – BENEFIT ANALYSIS...

The Government

Fourthly

- ✓ The increased productivity and resulting increase in national output of food crops effectively increases the availability of food in the national economy, and enhanced food security.

Finally

- ✓ There is expected to be increase in employment opportunities, especially along the seed value chain and generally in the agricultural sector



Thank You!