

## BILL

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### THE SIERRA LEONE SEED CERTIFICATION AGENCY ACT, 2017

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#### SCHEDULE

No.



2017

**Sierra Leone**

**A BILL ENTITLED**

**The Sierra Leone Seed Certification Agency Act, 2017.**

Short title.

**Being an Act to provide for the establishment of the Sierra Leone Seed Certification Agency responsible for the control and regulation of agricultural seeds and for other related matters.**

[

] Date of commencement.

ENACTED by the President and Members of Parliament in this present Parliament assembled.

## PART I - PRELIMINARY

Interpretation. 1. In this Act, unless the context otherwise requires -

- "Agency" means the Sierra Leone Seed Certification Agency established by section 4;
- "basic seed" means any seed produced from pre-basic or breeder seed under the supervision of the Agency with the oversight of the maintainer according to the certification rules for quality control;
- "Board" means the Board of the Agency referred to in section 5;
- "certification" means the culmination of seed quality control processes in the field or in the laboratory, leading to assurance that the seeds conform to minimum standards of varietal and physical purity and germination in accordance with Regulations made under this Act;
- "Chairman" means the Chairman of the Board appointed in subsection (1) of section 5;
- "certified seed" means the approved progeny of breeder or foundation seed managed to maintain satisfactory genetic identity and purity of production which is supervised and approved by the Agency and which provides the source of the initial and recurring increase of seeds;
- "class" means the category of seeds of the same nature potentially of one or several generations;
- "commercial seed" means seed produced from the second generation certified seed which conforms to the minimum standards for that seed class and can be made available for sale;
- "dealer" means a person who imports, grows, breeds,

cleans or sells seeds in commercial quantities;

"ECOWAS" means the Economic Community of West African States;

"emergency seed" means a class of non-certified seed to be used in a case of acute seed shortage during and after a natural or man-made disaster;

"Executive-Director" means the Executive-Director of the Agency appointed in section 15;

"importer" means any person who, at the time of importation-

- (a) owns any goods imported;
- (b) carries the risk of any goods imported;
- (c) represents that or acts as if he is the importer or owner of any goods imported;
- (d) actually brings any goods into Sierra Leone;
- (e) is beneficially interested in any way whatever in any goods imported;
- (f) bears ultimate legal liability under this Act for the importation of goods;

"International Seed Testing Association" means the Association of Seed Testing Laboratories, founded during the 4th International Seed Testing Congress held in Cambridge, United Kingdom in 1924 to pursue the objectives laid out in the ISTA Constitution;

"label" means any document visibly displaying specific information in readable manner to facilitate seed identification or traceability;

"lot" means a specified quantity of seed which is homogenous and physically identifiable;

- "Member" means a member of the Board;
- "Minister" means the Minister responsible for Agriculture and Ministry shall be construed accordingly;
- "National catalogue" means the National Catalogue of Plants Species and Varieties referred to in section 67;
- "noxious weed seed" means any seed potentially injurious to agriculture so declared by the Minister by notice published in the *Gazette* to be a noxious weed seed for the purposes of this Act;
- "package" means any container notably sack, bag, barrel, case made of a variety of materials such as cotton, paper, aluminum, zinc and polyethylene in which seeds are packaged;
- "pre-basic seed" means seed that has been produced from breeder seed under the supervision of the Certification Agency with the oversight of the plant breeder for the production of basic seed;
- "prescribed seed" means any seed to which this Act applies referred to in the Schedule;
- "quality declared seed" means an optional certification system that may or may not be legislated for the determination of quality control of seeds with determined minimum quality standards;
- "sale" includes offer to sell, expose to sell or have in possession to sell and distribute;

- "seed" means the part of a plant which is or is intended to be used for propagation and includes any true seed, any vegetative material including seedling, cutting, bulb, layer, root, runner, scion, set, split, stem, stock, stump, sucker or tuber so used or deemed to be used;
- "Seed Sector Support Fund" means the seed Sector Support Fund established by the Agency for the purpose of funding development activities in the seed industry;
- "Sierra Leone Agricultural Research Institute" means the Sierra Leone Agricultural Research Institute established by the Sierra Leone Agricultural Research Institute Act, 2007 (Act No. 25 of 2007);
- "variety" means the collection of plants of the lowest known botanic taxon-
- (i) defined by using the characteristics of some genotype or a combination of genotype;
  - (ii) distinguishing from all other plant collections by at least one of these characteristics; and
  - (iii) considered as an entity given its capacity for authentic reproduction;
- "Variety Release and Registration Committee" means the Variety Release and Registration Committee established by section 81;
- "weed seed" means any plant seed injurious to agriculture, which is declared to be so by the Minister;

"West African Catalogue " means the West African Catalogue of plants species and varieties catalogue developed by the Seed and Plant Genetic Resources Service of FAO (AGPS) with the assistance of the Sahel Institute (INSAH), based on information received from the 17 member countries of the Economic Community of West African States (ECOWAS), the West African Economic and Monetary Union (UEMOA) and the Permanent Interstate Committee for Drought Control in the Sahel (CILSS).

Application of Act.

2. This Act shall apply to the species of plant seeds as set out in the Schedule referred to as prescribed seeds .

Non-Application of Act.

3. This Act shall not apply to-

- (a) non -certified seeds;
- (b) certified seeds multiplied by farmers for their farm use.

#### PART II - ESTABLISHMENT OF SIERRA LEONE SEED CERTIFICATION AGENCY

Establishment of Sierra Leone Seed Certification Agency.

4. (1) There is hereby established a body to be known as the Sierra Leone Seed Certification Agency.

(2) The Agency shall be a body corporate having perpetual succession and capable of acquiring, holding and disposing of any property, whether movable or immovable, and of suing and being sued in its corporate name and, subject to this Act, of performing all such acts as bodies corporate may by law perform.

(3) The Agency shall have a common seal, the use of which shall be authenticated by the signatures of -

- (a) the Chairman or other member of the Board authorised either generally or specially by the Board in that behalf; and

- (b) the Executive-Director or some other person authorised by the Board in that behalf.

5. (1) The governing body of the Agency shall be a Board, which shall consist of a Chairman who shall be a person with proven knowledge and experience in the seed sector, appointed by the President on the recommendation of the Minister, subject to the approval of Parliament and the following other members-

Board of Agency.

- (a) the Chief Agricultural Officer, Ministry of Agriculture, Forestry and Food Security;
- (b) the Director of Crops, Ministry of Agriculture, Forestry and Food Security;
- (c) the Director, Domestic Commerce and Industry, Ministry responsible for trade;
- (d) the Director of Budget, Ministry responsible for finance ;
- (e) the Director-General, Sierra Leone Agricultural Research Institute;
- (f) a representative of exporters and importers of agricultural inputs appointed by the Sierra Leone Chamber of Commerce, Industry and Agriculture;
- (g) the Dean, School of Agriculture, N'jala University;
- (h) the Director, Sierra Leone Standards Bureau;
- (i) a representative each, from the National Federation of Farmers in the Northern Province, Northern Western Province, Eastern Province Southern Province and Western Area.
- (j) the Executive-Director.

Tenure of members.

6. (1) The Chairman shall hold office for a period of 3 years and shall be eligible for re-appointment once only.

(2) A person shall cease to be a member of the Board on any of the following grounds-

- (a) for his inability to perform the functions of his office by reason of infirmity of mind or body;
- (b) for proven misconduct;
- (c) if he becomes bankrupt or insolvent;
- (d) if he is convicted and sentenced for an offence involving fraud or dishonesty;
- (e) if he fails to attend three consecutive meetings of the Board without reasonable cause; or
- (f) if he resigns his office by written notice to the Minister.

Meetings of Board.

7. (1) The Board shall meet for the dispatch of its business at least 4 times annually and at such time and place as the Chairman may determine.

(2) The Chairman shall preside at every meeting of the Board, and in his absence, the members present shall appoint a member from among their numbers to preside.

(3) A minimum of five members of the Board may, by notice in writing signed by them, request the Chairman to summon a special meeting of the Board for such purposes as may be stated in the notice.

(4) The Chairman or, in his absence, the member appointed to act in his stead shall summon a special meeting within five days of his receipt of the notice referred to in subsection (3).

(5) The quorum at any meeting of the Board shall be 4 four.

(6) The Chairman or other person presiding shall have a casting vote where there is an equality of votes.

(7) Any proposal circulated among all members and agreed to in writing by a two-thirds majority of all members shall be of the same force or effect as a decision made at a duly constituted meeting of the Board and shall be incorporated in the minutes of the next succeeding meeting of the Board:

Provided that, if a member requires that such proposal be placed before a meeting of the Board, this subsection shall not apply to such proposal.

(8) The Board may co-opt any person to attend and participate in its deliberations on any matter but such person shall not vote on any issue for the decision by the Board.

(9) The Board shall cause minutes of all its meetings to be taken, signed by the Chairman and kept in proper form.

(10) Subject to this Act, the Board shall regulate its own procedures.

8. (1) Subject to this Act, the Board shall have the control and supervision of the Agency, and shall provide policy guidance and advice that will secure the efficient implementation of the objects of the Agency and enhance the overall performance of the Agency. Functions of Board.

(2) Without prejudice to the generality of subsection (1), the Board shall perform the following functions-

- (a) ensure that adequate resources are available to enable the Agency to function and conduct its activities satisfactorily to regulate the development of the seed sector;

- (b) facilitate effective linkages among stakeholders in order to enhance their collaboration for the orderly and balanced growth of the seed sector;
- (c) assist government in creating favourable conditions for private investments in variety development, seed multiplication, processing, marketing, export and other activities incidental to the development of the seed sector;
- (d) serve as a consultative platform and arbiter for the seed sector;
- (e) serve as the highest lobbying entity for policies to support the development of the seed sector;
- (f) ensure compliance with and enforcement of the rules and standards for the production, quality control, certification, and marketing of plant seeds and seedlings;
- (g) provide opinion, advice and make proposals regarding plant seeds and seedlings and update the catalogue;
- (h) ensure compliance with the technical requirements for the preparation of the applications for release and registration of varieties in the catalogue; and
- (i) monitor and evaluate the activities relating to the production and dissemination of plant seeds and seedlings;

9. (1) A member of the Board who has any interest, whether direct or indirect in any matter being considered or to be considered by the Board, shall disclose the nature of his interest to the Board and the disclosure shall be recorded in the minutes of the Board and such member shall not take part in any deliberation or decision of the Board relating to that matter. Disclosure of interest.

(2) A member of the Board who contravenes subsection (1) shall be guilty of misconduct and shall be removed from the Board.

10. (1) No action or other proceedings shall lie or be instituted against any member of the Board or member of a committee of the Board for or in respect of any act or thing done or omitted to be done in good faith in the exercise of his functions under this Act. Immunity of members of Board.

(2) No member of the Board shall be personally liable for any debt or obligation of the Agency.

11. (1) The Board may, for the discharge of its functions, appoint one or more committees to perform such functions as the Board may determine. Committees of Board.

(2) A committee shall consist of members of the Board or non-members or both as the Board may decide.

(3) A committee shall submit its report to the Board at such time as the Board may determine.

(4) Without prejudice to the generality of subsection (1), the Board shall establish the following committees -

(a) the Variety Release and Registration Committee and

(b) the Financial Resource Mobilisation and Monitoring Committee .

Remuneration of members. 12. The Chairman and other members of the Board and any person co-opted by the Board under subsection (8) of section 7 shall be paid such remuneration, fees and allowances approved by the Minister and shall be reimbursed by the Agency for expenses incurred in connection with the discharge of their functions as the Board may, with the approval of the Minister, determine.

Filling of vacancies. 13. (1) Where the Chairman or a member of the Board dies, resigns, is removed from office or is absent for a continuous period exceeding three months or is by reason of illness unable to perform the functions of his office for a continuous period of 6 months -

- (a) the members of the Board shall, as the case may be, elect one of their number to act as Chairman until such time as the Chairman resumes his office or another is appointed in his stead; and
- (b) in the case of a member, the Chairman shall, subject to this Act, have another person appointed to the Board.

(2) Where a person is appointed as Chairman or appointed as a member to fill a vacancy, he shall hold office for the remainder of the term of the previous Chairman or member, as the case may be, and shall, subject to this Act, be eligible for re-appointment.

PART III-FUNCTIONS OF THE AGENCY

Functions of the Agency. 14. (1) The object for which the Agency is established is to control and regulate the standards of seeds.

(2) Without prejudice to the generality of subsection (1), the Agency shall have responsibility to -

- (a) register and cancel the registration of seed operators;

- (b) conduct independent performance trials of Candidate varieties for the purpose of release by the Variety Release and Registration Committee;
- (c) register and cancel the registration of released varieties on the instruction of the Variety Release and Registration Committee;
- (d) maintain a catalogue of crop varieties throughout Sierra Leone;
- (e) recommend to the Minister, fees for the certification and testing of seeds;
- (f) inspect seed fields, seed processing factories, seed warehouses and seed selling outlets in order to ensure compliance with this Act;
- (g) licence seed processing factories, seed importers and seed operators in accordance with this Act;
- (h) conduct laboratory tests for purity, germination and moisture content of seeds in order to determine quality and authorise or refuse its sale and distribution to farmers;
- (i) certify seeds and prescribe standards and procedures for certification of seeds;
- (j) licence and accredit private laboratories and officers to execute the duties of the Agency;
- (k) publish annually a list of varieties of crops for which seed marketing is permitted;
- (l) monitor seed supply;

- (m) undertake or cause to be undertaken, periodic studies of relevant issues relating to the seed industry with the aim of obtaining necessary information to guide the Board;
- (n) conduct training of seed dealers in the seed industry;
- (o) determine the class of non-certified seeds which may be used in times of crisis; and
- (p) carry out such other functions and programmes as may be necessary for the attainment of the object stated in subsection (1).

(3) The Agency shall not be engaged in the business of growing, importing, exporting or selling of seeds.

#### PART IV—ADMINISTRATIVE PROVISIONS

Executive-Director.

15. (1) The Agency shall have an Executive-Director, appointed by the President, from among persons with proven knowledge and experience in the seed sector, after consultations with the Minister subject to the approval of Parliament, and who shall be responsible to provide overall leadership in the conduct and management of the day-to-day business or activities of the Agency.

(2) Notwithstanding the generality of subsection (1), the Executive-Director shall be responsible to-

- (a) initiate and maintain high-level contact with interested parties, both local and international, in relevant areas of the operations of the Agency;
- (b) monitor and supervise the preparation of the annual budget and reports of the Agency for the review and approval of the Board;

- (c) oversee the work and discipline of the other staff of the Agency;
- (d) perform the function of controller of seeds; and
- (d) carry out such other functions as may be assigned by the Board or necessary for the purposes of the Agency.

(3) The Agency may delegate to the Executive-Director-

- (a) the power to appointment such grade or categories of staff as the Agency may require; and
- (b) the power to enter into agreements with an independent body or agency for the purpose of carrying out the functions of the Agency.

16. (1) The Agency shall have, in addition to the Executive-Director, other technical and administrative staff, as may be required for the efficient performance of the functions of the Agency, including

Other staff of Agency.

- (a) seed inspectors who shall be responsible to inspect crop fields, seed processing and storage facilities for the purposes of checking that seed quality meet the prescribed minimum standards of the crop seeds;
- (b) seed samplers who shall be responsible to sample seeds;
- (c) seed analysts who shall be responsible to analyse seed samples and report in the prescribed form specifying the result of the analysis; and
- (d) seed technicians who shall be responsible for variety testing and applied research for the purposes of generating independent information for variety release and registration

Secondment of public officers. 17. Public Officers may, at the instance of the Agency, be seconded or otherwise render assistance to the Agency but the Agency may request the withdrawal of any such seconded staff who is unable to carry out assigned functions in a manner satisfactory to the Agency.

Protection of officers. 18. No officer or employee of the Agency or any person acting on the directions of an officer or employee of the Agency shall be liable in respect of any matter or thing done by him in good faith under this Act.

Departments of Agency. 19. The Agency shall have departments or administrative divisions including-

- (a) seed systems and inspection department;
- (b) seed testing and seed health department;
- (c) variety testing and registration department; and
- (d) human resources and finance department.

**PART V – FINANCIAL PROVISIONS**

Funds of Agency. 20. (1) The activities of the Agency shall be financed by funds consisting of -

- (a) any monies appropriated from time to time by Parliament for the purposes of the Agency;
- (b) all monies given to the Agency by way of gifts, endowments, bequests, grants or other contributions by persons and organisations for the purposes of the Agency; and
- (c) all other monies which may, from time to time, accrue to the Agency.

(2) The funds of the Agency shall be applied only for the purposes of the approved budget of the Agency.

21. (1) The Agency shall keep proper books of account and other records in relation to the activities, property and finances of the Agency in a form approved by the Auditor-General, and shall prepare in respect of each financial year of the Agency a financial statement which shall include -

Accounts and audit of Agency.

- (a) balance sheet accounts;
- (b) income and expenditure accounts; and
- (c) source and application of funds.

(2) The accounts of the Agency kept under subsection (1) shall, not later than two months after the end of each financial year, be audited by the Auditor-General or an auditor appointed by him.

(3) For the purposes of subsection (2), the Auditor-General or the auditor appointed by him shall be entitled to have access to all books of account, vouchers and other financial records of the Agency and to require such information and explanation as he may think fit.

(4) The Agency shall provide the Auditor-General or the auditor appointed by him with all necessary and appropriate facilities for the examination of the accounts and records of the Agency.

(5) The Auditor-General or the auditor appointed by him shall submit to the Agency a report on the audited accounts and the financial statements referred to in subsection (1) and shall, in his report draw attention to -

- (a) any irregularities in the accounts;
- (b) any matters that are likely to adversely affect the operations of the Agency; and
- (c) any other matter which, in his opinion, ought to be brought to the notice of the Agency.

22. The financial year of the Agency shall be the same as the financial year of the Government.

Financial year of Agency.

Annual report.

23. (1) The Agency shall, within three months after the end of the financial year, submit to the Minister a report on the performance of its functions during that year and on its policies and programmes.

(2) The annual report shall include the accounts and annual financial statement prepared under section 21 and the report of the audit thereon.

(3) The Minister shall lay copies of the annual report before Parliament within two months after he has received the report.

PART VI—SEED LICENSING

Seed dealer's licence

24. (1) Any person who wishes to import, export, grow or process seeds in commercial quantities or distribute or sell any certified seed shall apply to the Agency for a licence for that purpose.

(2) An application for a licence under subsection (1) shall be submitted to the Executive-Director in the prescribed form and shall be accompanied by the prescribed licence fee.

(3) The Agency may, after receiving an application for licence under subsection (1) -

- (a) grant a licence if it is satisfied that the applicant has complied with the requirements for the licence; or
- (b) refuse the application if it is satisfied that the applicant has not complied with the requirements for the licence.

(4) The Agency shall acknowledge receipt of the application and inform the applicant in writing of its decision within a period of not more than 14 days.

(5) The Minister shall for the purpose of this Act, prescribe the plant varieties and standards of the seeds for importation, exportation, production, processing, sale or distribution.

(6) A licence granted by the Agency under paragraph (a) of subsection (3) shall be subject to such terms and conditions as prescribed in this Act or Regulations made under this Act and shall be valid for such period as may be stated in the licence.

25. No licence shall be issued under section 24 unless - Conditions of licence.

- (a) a sample of the seed tested at a seed testing station reaches the prescribed standards in respect of purity and germination;
- (b) the seeds are from a crop which has reached the prescribed standards in respect of trueness to variety and free from disease;
- (c) the seed farm meets the required standards in respect of -
  - (i) physical purity;
  - (ii) health status; and
  - (iii) variety purity.

26. A seed dealer's licence shall expressly state whether it is - Types of seed operators' licence.

- (a) a general licence which entitles the seed dealer to operate throughout Sierra Leone;
- (b) a limited licence which entitles the seed dealer to operate in a specified place in Sierra Leone;
- (c) a restricted licence which entitles the seed dealer to operate either by wholesale or retail and shall specify the prescribed seed to be sold; or
- (d) an unrestricted licence which entitles the seed dealer to operate wholesale and retail and all types of prescribed seeds.

Technical competence. 27 (1) A seed dealer without the necessary technical competence shall engage the services of a seed technician from the stage of production up to sale and distribution

(2) A seed technician engaged by a seed dealer under subsection (1) shall-

- (a) oversee standing crops;
- (b) be present at each inspection visit;
- (c) tidy up the sowing, cropping, harvesting and post-harvest activities;
- (d) identify seed batches; and
- (e) store the seeds in appropriate conditions.

Seed Register. 28. (1) The Agency shall maintain a register to be known as the Seed Dealers' Register which shall be divided into the following categories -

- (a) seed importers ;
- (b) seed exporters ;
- (c) seed growers ;
- (d) seed processors ; and
- (e) seed sellers .

(2) The Seed Dealers' Register shall contain the following information -

- (a) names, addresses, places of business and other particulars of seed dealers;
- (b) types of seeds and crop varieties and their classes; sold, grown, produced, imported or exported by the seed dealers;
- (c) particulars of the location and area of land where each specified variety is grown; and

(d) any other information that the Minister considers necessary.

29. A seed licence may, at the expiration of a current licence, be renewed by the Agency, on submission of an application for renewal in the prescribed form and the payment of the prescribed fee. Renewal of seed licence.

30. A registered seed dealer shall conspicuously display his Certificate of Registration in his business premises. Certificate to be displayed.

31. (1) Subject to paragraph (a) of subsection (3) of section 24, the Agency may if it is satisfied that any condition subject to which a seed dealer was registered has not been complied with, cancel the Certificate of Registration issued to the seed dealer. Cancellation of Certificate of Re-gistration.

(2) The Agency shall not cancel the registration of a seed operator under subsection (1), unless the dealer has been given an opportunity to show cause as to why the registration should not be cancelled.

32. (1) Any person or corporate entity that feels aggrieved by the decision of the Agency under section 31 may appeal to the Board within 30 days of the cancellation. Appeals.

(2) Any person or corporate entity that is dissatisfied with any decision or action taken by the Board may appeal to the High Court.

33. A Certificate of registration under this Act shall not be transferred to any other person or corporate entity. Registration not transferable.

34. A seed dealer shall keep records of seeds produced, purchased, sold, tested, labelled and treated, and such records shall be provided to a Seed Inspector whenever requested. Records.

## PART VII—EXPORT AND IMPORT OF SEEDS

Declaration  
for export or  
import.

35. A seed exporter or importer shall at the time of export or import make a declaration to the Commissioner of the National Revenue Authority or a person authorised in his behalf stating that the seeds are for-

- (a) personal use;
- (b) commercial use; or
- (c) experimental purposes

Phytosanitary.

36. (1) A seed importer or exporter shall comply with the phytosanitary and other requirements prescribed in Regulations made under this Act.

(2). All seeds exported and imported shall be accompanied by a phytosanitary certificate issued by the Crop Protection Unit, in the crops Division of the Ministry or authority responsible for plant protection in the country of origin of seed.

(3). For the purpose of issuance of phytosanitary certificate, the Agency shall periodically conduct surveys, exchange information and draw up comprehensive inventories of the pests existing in any country exporting seeds into Sierra Leone.

(4). An inventory referred to under subsection (3) shall provide an update of the list of quarantine and non-quarantine organisms.

(5). The list of quarantine and non-quarantine organisms drawn up for the purpose of inter-community and intra-community trade and the modalities of seed phytosanitary control shall be as may be prescribed by the ECOWAS Commission.

Lots in  
transit.

37. (1) Any seed lot transiting the territory of an ECOWAS Member State shall be declared to the Agency and crop protection unit of the Ministry by the individual or corporate entity responsible for the transit.

(2) Information concerning the consignee and the country of destination shall be communicated to the Agency and crop protection unit by the individual or corporate entity responsible for the transit.

(3) Transiting seed lots shall be accompanied by a phytosanitary certificate indicating the source and destination of the seeds and the lots in question shall not be subject to quality control in the transit countries.

38. (1) Seeds imported into Sierra Leone shall not be distributed or sold unless the seeds have been tested by the Agency to determine germination, physical purity, variety purity and moisture content. Testing of imported seeds.

(2) Imported seeds that do not meet the prescribed standards set by the Agency shall not be distributed or sold in Sierra Leone.

39. A seed importer or exporter shall provide the following information to the Agency regarding the seed batch- Import and export procedures.

- (a) individual or corporate name;
- (b) name and address of consignee or supplier;
- (c) species and variety as registered in the National Catalogue and West African Catalogue ;
- (d) category and generation;
- (e) batch number;
- (f) declared batch weight;
- (g) number of packages;
- (h) unit weight of packages;
- (i) number of labels specifying first and last figures; and

- (j) chemical treatment if any with the name of the active ingredients used

Notice to import or export.

40. A seed importer or exporter shall apply to the Agency for a 'Notice of Importation or Exportation of Seed' to enable him apply for an import or export permit to the Commissioner of National Revenue Authority.

Power to impound seeds.

41. (1). An imported or exported seed batch that is suspected of fraud shall be considered as suspect and provisionally impounded.

(2) A sample of the seeds impounded under subsection (1), shall be taken by the Agency for investigation.

(3) Where the result of the investigation under subsection (2) fails to match the specification on the documents accompanying the seed, the seed batch shall be confiscated by the Agency and the labels withdrawn and destroyed.

PART VIII-SEED QUALITY AND PRODUCTION CONTROL

Minimum quality seeds.

42. A seed dealer shall operate on the basis of attaining the minimum quality standards for both field inspection and laboratory tests as may be prescribed by regulations made under this Act.

Quality control.

43. (1) The Agency shall operate a quality control system which shall have the following complementary control procedures-

- (a) minimum standards for determining the quality of seeds;
- (b) non-mandatory seed certification for open pollinated and self-pollinated varieties;
- (c) mandatory seed certification for hybrid varieties; and

- (d) accreditation of non-governmental and private bodies and individuals for delegation of quality control responsibilities.

(2) Sampling and testing of seeds shall be conducted in accordance with International Seed Testing Association rules.

44. (1) No seed dealer shall produce, process, distribute, sell or advertise any seed as certified seed unless- Seed certification.

- (a) the crop from which the seeds were obtained was inspected in the field by a Seed Inspector;
- (b) a sample of the seed has been tested at a seed testing laboratory;
- (c) a certificate in the prescribed form and containing the prescribed particulars in respect of the variety, moisture content, trueness to variety, physical purity and germination of the seeds has been issued; and
- (d) the seed is a certified seed.

(2) Notwithstanding subsection (1), nothing in this Act shall be construed as preventing the sale of quality declared seeds to a neighbouring farmer, whereby such seeds are grown by a smallholder farmer for use as seeds in his own farm.

(3) Any person who contravenes this section commits an offence and shall be liable on conviction to a fine not exceeding 10 million Leones or to a term of imprisonment not exceeding 6 months or to both such fine and imprisonment.

45. (1) No person shall sell, expose, offer or advertise for sale, deliver or buy any noxious weed seeds. Noxious weed seeds.

(2) Any person who contravenes this section commits an offence and shall be liable on conviction to a fine not exceeding 10 million Leones or to a term of imprisonment not exceeding 6 months or to both such fine and imprisonment.

Varieties to be multiplied.

46. (1) Only seeds of the varieties registered in the National Catalogue or the West African Catalogue of Plant Species and Varieties shall be eligible for multiplication for the purposes of certification.

(2) The characteristics of the varieties referred to in subsection (1) shall be consistent with the sample deposited at the time of reregistration.

Seed categories.

47. For the purposes of this Act, there shall be the following categories of seeds -

- (a) parent material  $G_0$ -the initial material, production of which shall be based on well-defined methodology for pedigree seed production;
- (b) pre-basic or breeder seed ( $G_1, G_2$  and  $G_3$ )- the seed generations between parent material and basic seed, which shall be produced directly by the breeder of the variety or his authorised agent;
- (c) basic or foundation seed ( $F_s$ ) - seed produced from pre-basic/breeder seed;
- (d) certified seed-the seed resulting directly from the first, second or third multiplication of foundation seed such as;
  - (i) certified seed first generation ( $R_1$ ) to be produced from foundation seed;
  - (ii) certified seed second generation ( $R_2$ ) to be produced from  $R_1$  or higher seed class;

(iii) certified seed third generation ( $R_3$ ) to be produced from  $R_2$  or higher seed class.

- (e) commercial seed (D) - seed produced from R3 in the event of shortage of certified seed;
- (f) quality declared seed - seed produced from certified seed and with the standards as prescribed by Regulations made under this Act;
- (g) emergency seed (E) - seed to be mobilised from commercial crops on the approval of the Minister in the event of acute shortage of certified seed, when a national disaster has been declared by the President of the Republic of Sierra Leone.

48. Control shall be undertaken at all stages of seed production, packaging, storage, transportation, marketing and utilisation. Control periods.

49. (1) Seed storage facilities shall have an appropriate temperature and humidity, be regularly disinfected and shall be kept tidy and well aerated for effective seed storage. Storage facilities.

(2) Seed bags or containers shall be placed on pallets or duckboards and shall not be in direct contact with the ground or walls.

(3) Seed batches shall be arranged in a way that allows a passage between piles of seeds to facilitate control sampling.

50. Seed batches shall be physically identifiable by a number which shall be in the form of a figure or letter or both. Constitution of seed batch.

51. The size of a seed batch shall depend on the species. Size of seed batch.

Identification of seed batches. 52. From harvest to packaging, raw seed batches of all categories whether bagged or loose shall be identified by label, harvest tag or other appropriate document to avoid accidental mix up.

Sampling. 53. (1) The Agency shall take samples for laboratory testing to determine the value of seed batches.

(2) Laboratory test sampling shall be carried out in accordance with international standards prescribed by the International Seed Testing Association.

(3) The sample weight for each species shall be as prescribed in Regulations made under this Act.

(4) The samples shall be placed in sachets bearing the following information-

- (a) Sierra Leone Seed Certification Agency;
- (b) name of producer;
- (c) species and variety;
- (d) category;
- (e) batch number;
- (f) batch weight or number of units in the batch;
- (g) treatment and products used if any;
- (h) sampling date; and
- (i) name of agent of the Agency.

Laboratory control. 54. (1) A seed batch submitted for certification shall be tested in a seed testing station.

(2) Laboratory control shall consist of the following five key areas-

- (a) analytical or physical purity;
- (b) water or moisture content;
- (c) germination test;
- (d) health status test; and
- (e) variety or cultivar purity.

(3) The laboratory control of analytical purity referred to in paragraph (a) of subsection (2) shall determine-

- (a) the composition by weight of the analysed sample; and
- (b) the identity of the seed specie and the inert particles that constitute the sample.

(4) The laboratory control of water content referred to in paragraph (b) of subsection (2) shall determine moisture content using appropriate methodology.

55. All laboratory test results shall be indicated in a seed Laboratory. analysis report.

**PART IX –PACKAGING, SPLITTING AND REPACKAGING**

56. (1) Certified seed lots shall be packaged in containers Packaging of seeds. securely closed and sealed by a seed inspector and labelled with a certification label.

(2) Where certified seed lots have to be repackaged, the repackaging shall be done with the approval of the Agency and under the Agency's supervision.

(3) The packaging shall be clean, resistant and appropriate for seed protection and viability.

57. (1) Seed dealers shall mark the packages of their Package markings. seeds.

(2) The package markings shall indicate in clear and legible print-

- (a) name and address of the producer or distributor;
- (b) logo or trade name, (where applicable);
- (c) name of the species;
- (d) category, generation and production cycle;
- (e) net weight;
- (f) certification label; and
- (g) name of the product used for treatment (if any).

Labelling. 58. (1) Where a batch is split or repackaged, the new labels shall bear the same particulars as the original labels, with additional annotation indicating that the batch has been repackaged.

(2) Splitting or repackaging of already assembled and labelled seed batch shall be undertaken in the presence of a seed inspector, failing which, the seed batch concerned shall be rejected.

PART X- SEED TESTING STATIONS

Official Seed Testing Station. 59. (1). There is hereby established a National Seed Testing Station which shall be responsible for the testing of seeds in order to determine their quality for germination, purity and moisture content.

(2) The Board shall after consultations with the Minister, appoint a Seed Tester who shall be responsible for the management of the Seed Testing Station referred to under subsection (1).

Application for seed testing licence. 60. (1) Any person who wishes to establish a seed testing station shall apply to the Agency for a licence for that purpose.

(2) An application for licence under subsection (1) shall be submitted to the Executive-Director in the prescribed manner and shall be accompanied by the prescribed registration fee.

(3) The Board may, on receipt of an application for a licence under subsection (1) -

- (a) grant the licence subject to such terms and conditions as may be specified in the licence; or
- (b) refuse the application.

61. A licence for a seed testing station granted under paragraph (a) of subsection (3) of section 60 shall be valid for the period expressed in Regulations made under this Act.. Duration of licence.

62. A seed testing station operator shall conspicuously display his licence in his business premises. Licence to be displayed.

63. (1) Subject to paragraph (a) of subsection (3) of section 60, the Board may cancel the licence if it is satisfied that any conditions subject to which a seed testing station was licensed have not been complied with. Cancellation of licence.

(2) The Board shall not cancel the licence of a seed testing station under subsection (1), unless the owner has been given an opportunity to show cause as to why the registration should not be cancelled.

64. (1). Any person or corporate entity that is aggrieved by the decision of the Board under section 60 may appeal to the Minister within 30 days of the cancellation. Appeals

(2) Any person or corporate entity that is dissatisfied with any decision or action taken by the Minister under subsection (1), may appeal to the High Court.

65. A licence under this part shall not be transferred to any other testing station. Licence not transferable.

Seed testing  
station rules.

66. (1) A person who wishes to have any sample of seeds tested at a seed testing station, shall deliver a statement in writing specifying the origin, kind, variety and quantity of seeds to be sampled and upon delivery shall pay the prescribed fee.

(2) The seed testing station shall then take samples for laboratory testing to determine the value of seed batches.

(3) Sampling shall be carried out in accordance with the international rules developed by the International Seed Testing Association.

(4) The sample weight for each species shall be as may be prescribed in Regulations made under this Act.

(5) Seed samples tested under subsection (1), shall be placed in sachets bearing the following information-

- (a) name of the seed testing station;
- (b) name of producer;
- (c) species and variety;
- (d) category;
- (e) batch number;
- (f) batch weight or number of units in the batch;
- (g) treatment and products used;
- (h) sampling date; and
- (i) name of agent of the seed testing station.

## PART XI-NATIONAL CATALOGUE OF PLANT SPECIES AND VARIETIES

67. (1) The Agency shall maintain a catalogue known as the National Catalogue of Plants Species and Varieties which shall be the official document containing the list of all registered varieties. National Catalogue of Plant-Species and Varieties.

(2) The National Catalogue shall contain the following lists -

- (a) List A - which shall contain the approved varieties whose seeds can be multiplied and marketed within the territory of the Member States of ECOWAS;
- (b) List B - which shall contain the approved varieties whose seeds can be multiplied within the territory of the Member States with a view to export outside the territory; and
- (c) List C - which shall contain names of traditional or local varieties.

68. (1) Subject to subsection (2) of section 67 a new variety shall meet the following criteria before it is registered under List A- Criteria for List A.

- (a) recognised as distinct, uniform and stable through examination protocol or testing of the distinct characteristics, homogeneity and stability;
- (b) recognised as having sufficient value for cultivation and use when compared to the range of the varieties mostly used and without significant flaws for users through a value for cultivation and use testing protocol; and
- (c) designated by a denomination approved by the Board.

(2) Varieties of vegetable species shall only meet the criteria referred to in paragraphs (a) and (b) in order to be registered under list A.

Criteria for List B. 69. A new variety shall meet the following criteria before it is registered under List B-

- (a) recognised as distinct, uniform and stable through examination protocol; and
- (b) designated by a denomination approved by the Board.

Criteria for List C. 70. A local or traditional variety shall meet the following criteria before it is registered under List C-

- (a) widely recognised for its organoleptic properties;
- (b) have seeds of the variety available and in use; and
- (b) well characterised by the Sierra Leone Agricultural Research Institute.

Distinct, uniform and stable testing. 71. The distinct, uniform and stable testing shall be used to establish -

- (a) that the variety belongs to the specified species;
- (b) that the variety is distinct, uniform and stable; and
- (c) an official description of the variety when it is determined that it meets the criteria under paragraphs (a) and (b).

Value for cultivation and use. 72. The value for cultivation and use testing shall be used to -

- (a) study the productivity of the plant variety in its planting area and the factors of yield regularity; and
- (b) assess the technological value and the value for use.

73. The Variety Release and Registration Committee referred to in section 81 shall perform the distinct, uniform and stable value for cultivation and use tests. Performance of test.

74. (1) A variety submitted for registration shall be designated with a denomination proposed by the applicant and approved by the Board. Denomination.

(2) The denomination shall clearly identify the variety and shall not be the same as an existing variety of the same botanical species or of a related species.

(3) A variety from another country shall bear the same denomination as in the country of origin.

75. (1) The registration of a variety in the National Catalogue shall be subject to such fees and conditions as may be prescribed by Regulations made under this Act. Pricing.

(2) The registration fees referred to in subsection (1) shall include -

- (a) administration fees;
- (b) distinct, uniform and stable fees;
- (c) value for cultivation and use testing fees;
- (e) annual fees for identity control;
- (f) special testing fees.

76. Genetically modified variety shall be registered after authorisation by the competent authority in accordance with Regulations made under this Act. Registration of genetically modified variety.

Publication in Gazette. 77. A variety registered in the National Catalogue shall be published in the *Gazette*

Duration of registration. 78. The registration of a variety in the National Catalogue shall be valid for ten years and may be renewed for a further term of five years.

Maintenance. 79. (1) An applicant for the registration of a variety in the National Catalogue shall ensure that the variety is maintained in accordance with its identity established during the registration process.

(2) The Agency shall regularly check registered varieties in order to verify their varietal identity.

Deletion. 80. (1) A registered variety shall be deleted from the National Catalogue on any of the following grounds -

- (a) if the holder so requests;
- (b) if the variety ceases to be distinct, stable or sufficiently uniform;
- (c) if it is no longer economically viable to grow due to susceptibility to diseases or pests;
- (d) if it ceases to meet other criteria for registration; or
- (e) if false or fraudulent information was supplied during the registration

(2) A registered variety deleted from the National Catalogue shall be published in the *gazette*

**PART XII-VARIETY RELEASE AND REGISTRATION COMMITTEE**

Variety Release and Registration Committee. 81. (1) The Variety Release and Registration Committee established under subsection (4) of section 11 shall be responsible for-

(a) evaluating the information from national performance trials as presented by the Agency from compilations of independent trials conducted by the Agency;

(b) releasing or rejecting the proposed variety;

(c) registering the variety in the National Catalogue

(d) creating and updating the national varieties list;

(e) reviewing the history and performance records of selected varieties of seeds;

(f) determining the contribution of varieties of seeds to agricultural development;

(g) establishing standards of varieties of seeds eligible for seed certification;

(h) formulating policies on allocation of seeds to growers for multiplication of seeds;

(i) giving advice to plant breeding stations on market and farmers; and

(j) recommending any matter for approval by the Board regarding the release and registration of varieties.

(2) The Variety Release and Registration Committee shall consist of the Dean, School of Agriculture, N'jala University who shall be Chairman and the following other members-

(a) Director-General, Sierra Leone Agricultural Research Institute;

(b) Director of Crops, Ministry of Agriculture, Forestry and Food Security;

- (c) Director of Extension, Ministry of Agriculture, Forestry and Food Security;
- (d) a representative of exporters and importers of agricultural inputs appointed by the Sierra Leone Chamber of Commerce, Industry and Agriculture;
- (e) the Co-ordinator, Seed Multiplication Programme, Sierra Leone;
- (f) the President, National Federation of Farmers of Sierra Leone; and
- (g) The Director, Sierra Leone Seed Certification Agency, who shall be secretary to the Committee.

(3) The Chairman shall hold office for a term of three years and shall be eligible for re-appointment for a further term of three years only.

(4) The Variety Release and Registration Committee shall meet at least once every year to consider release of varieties and extra-ordinary meetings may be called on, at least one month notice to members and shall be paid such remuneration, fees and allowances approved by the Minister.

(5) The Committee may, for the discharge of its functions, co-opt one or more persons to provide such technical support and expertise as the Board may determine including technical assistants and experts with the following specialisation-

- (a) breeder;
- (b) agronomist;
- (c) seed technologist;
- (d) entomologist;

- (e) pathologist;
- (f) socio-economist; and
- (g) nutritionist.

(6) The Variety Release and Registration Committee shall, for the purposes of carrying out its functions, be supported by such secretarial and other staff as the Board may determine.

### PART XIII - SEED INSPECTORS

82. The Board shall, after consultations with the Minister, appoint persons with qualifications in the seed sector to be Seed inspector. Appointment of Inspectors.

83. (1) A Seed Inspector may, at any time enter any premises where he reasonably believes that there is any seed to which this Act applies, and may open any package found in such place that he has reasonable grounds to believe contain seeds, and may sample the seed for the purpose of ensuring that this Act or Regulations made under it are being complied with. Powers of Inspectors.

(2) A Seed Inspector may, for the purposes of ensuring compliance with this Act or of detecting and establishing any breach of this Act -

- (a) conduct field inspections and take samples of any seed found in any package or place and submit such sample to the official seed testing station;
- (b) inspect crop fields, premises, buildings or selling outlets;
- (c) surveillance seed crops throughout the growing cycle;

- (d) require any person to produce for inspection or for the purpose of obtaining copies of extracts, any book, shipping bill, bills of lading or other documents or papers relating to any seed to which this Act applies;

(3) seize any machinery, equipment, seed, record or document which is an evidence of contravention of the Act or Regulations made under the Act.

(4) A Seed Inspector who seizes any equipment or seed under subsection (3), shall give a signed receipt of the equipment or seed seized to the person from whom the equipment or seeds were seized

(5) The owner or person in charge of any premises under this section and every person found in such premises, shall give to a Seed Inspector all reasonable assistance to enable the Official Seed Inspector to carry out his duties and functions under this Act.

(6) A Seed Inspector shall before inspection of any premises, take reasonable steps to afford the owner of any equipment or seed an opportunity to be present while an inspection is carried out.

Inspection report.

84. (1) A Seed Inspector shall submit to the Agency a report containing observations during the inspection.

(2) A report under subsection (1), shall contain, among other things, technical recommendations or directives.

Obstruction of Inspectors.

85. Any person, being the owner or person entrusted with the charge and custody of any equipment or seed who-

- (a) refuses to allow a seed Inspector to take samples of the seed from any premises which he is authorised to take a sample;

- (b) wilfully delays or obstruct a Seed Inspector; or

- (c) wilfully makes false or misleading statement either verbally or in writing to a Seed Inspector or other official carrying out his duties or functions under this Act,

commits an offence and shall be liable on summary conviction to a fine not exceeding 5 million Leones or to a term of imprisonment not exceeding 3 months or to both such fine and imprisonment.

PART XIV- MISCELLANEOUS PROVISIONS

86. A person who commits an offence under this Act for which no penalty is stipulated shall on conviction be liable to a fine not exceeding 5 million Leones or to a term of imprisonment not exceeding 3 months or to both such fine and imprisonment. General penalty.

87. (1) The Court may in addition to any penalty imposed under this Act order any equipment or seed in respect of which such offence has been committed or which has been used for the commission of the offence to be forfeited to the Government. Additional penalty.

(2) The Board shall be responsible for the disposal of anything forfeited to the Government under subsection (1).

(3) Where an offence has been committed and by reason of that commission any other person has suffered a direct damage or loss of his property, the court may, in addition to the penalty provided for under this Act, order the offender to compensate the person who has suffered such loss or damage.

(4) The Board may in the case of a persistent offender, in addition to penalties provided for under this Act, withdraw any licence issued to the offender.

Obstruction. 88. Any person who obstructs a Seed Inspector or a duly authorised officer in exercising any powers conferred under this Act or Regulations made under this Act, or wilfully makes a false or misleading statement to an Official Seed Inspector or a duly authorised officer, commits an offence and shall be liable on summary conviction to a fine not exceeding 5 million Leones or to a term of imprisonment not exceeding 3 months or to both such fine and imprisonment.

Tampering with samples. 89. Any person who fraudulently tampers with any seed sample that is submitted for analysis commits an offence and shall be liable on summary conviction to a fine not exceeding 5 million Leones or to a term of imprisonment not exceeding 3 months or to both such fine and imprisonment.

Offence by body of persons. 90. Where an offence under this Act is committed by-

- (a) a body corporate, every Director or officer of that body shall be deemed to have committed the offence;
- (b) a firm, every partner of that firm shall be deemed to have committed that offence:

Provided that no such person referred to in paragraph (a) or (b) shall be deemed to have committed an offence under this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of the offence.

Regulations. 91. (1) The Minister may, after consultations with the Board, by statutory instrument, make Regulations for giving effect to this Act.

(2) Without prejudice to the generality of subsection (1), the Minister may make Regulations prescribing -

- (a) the manner in which -
  - (i) returns and information shall be submitted;

- (ii) seeds intended for sale shall be packed, labelled, marked or sealed.
- (b) the methods by which seed analysis are to be carried out under this Act;
- (c) the terms and conditions and the manner in which seeds may be inspected, classified or tested;
- (d) the minimum standards for the various classes of seeds;
- (e) crops eligible for certification;
- (f) the minimum standards of purity, germination, moisture content and disease of seeds;
- (g) standards for seed testing stations, processing factory, seed warehouse, seed selling or distribution points;
- (h) procedures for the establishment of quality declared seed production;
- (i) the various forms to be used under this Act;
- (j) fees to be charged for services rendered under this Act;
- (k) anything which requires to be prescribed under this Act.

SCHEDULE section 2

PRESCRIBED SEEDS

1. Cereal seeds - maize, rice, sorghum and millet.
2. Legume seeds- groundnut, soya bean, cowpea, sesame and pigeon pea.
3. Roots and tubers - cassava, sweet potato and yam.
4. Market gardening seeds and vegetables -tomatoes, onions, cabbage, carrot, cauliflower, cucumber, eggplant, kale, leek, lettuce; okra, pepper, pumpkin, radish water melon, and other local vegetables such as greens, sorrel, krain-krain etc.
5. Any other seeds that may be prescribed in the Regulation made under this Act..

## MEMORANDUM AND OBJECTS OF REASONS

The purpose of this Bill is to establish a Seed Certification Agency which would be responsible for the control and regulation of agricultural seed and other related matters. The Bill is divided into fourteen parts.

Part one deals with preliminary provisions. Clause one defines words and phrases used throughout the Bill. Clauses two and three deals with application and non-application of the Bill.

The Bill applies to the following seeds -

- (a) Cereal seeds - maize, rice, sorghum and millet;
- (b) Legume seeds- groundnut, soya bean, cowpea, sesame and pigeon pea.
- (c) Roots and tubers - cassava, sweet potato and yam.
- (d) Market gardening seeds and vegetables -tomatoes, onions, cabbage, carrot, cauliflower, cucumber, eggplant, kale, leek, lettuce; okra, pepper, pumpkin, radish water melon, and other local vegetables such as greens, sorrel, krain-krain etc.

Part two deals with the establishment of the seed certification Agency. Clause five establishes the governing body of the Agency which is the Board consisting of a Chairman and the following members-

- (a) the Chief Agricultural Officer of the Ministry
- (b) the Director of Crops of the Ministry;
- (c) the Director of Extension of the Ministry ;
- (d) the Director of Environment, Ministry responsible for lands,
- (e) the Director, Domestic Commerce and Industry, Ministry responsible for trade;
- (f) the Director of Budget, Ministry responsible for finance

;

- (g) the Director-General, Sierra Leone Agricultural Research Institute;
- (h) a representative of exporters and importers of agricultural inputs appointed by the Sierra Leone Chamber of Commerce, Industry and Agriculture;
- (j) the Co-ordinator, Seed Multiplication Programme, Sierra Leone;
- (k) The Dean, School of Agriculture, N'jala University;
- (l) the Executive-Secretary, Sierra Leone Chamber of Agribusiness Development;
- (m) the Director, Sierra Leone Standards Bureau;
- (n) the President, National Federation of Farmers of Sierra Leone; and
- (o) the Executive-Director.

The main function of the Board is to control and supervise the Agency and provide policy guidance and advice that will secure the efficient implementation of the objects of the Agency and enhance the overall performance of the Agency. Clause eleven deals with committees of the Board, it stipulates that the Board may appoint Committees for the discharge of its functions. It further establishes the Variety Release and Registration Committee and the Financial Resource Mobilisation and Monitoring Committee.

Part three deals with the functions of the Agency. Clause 14 stipulates that the object for which the Agency is established is to control and regulate the standards of agricultural seeds.

Part four deals with administrative provisions. Clause fifteen provides for the office of the Executive-Director of the Agency who should be appointed by the President from among persons with proven knowledge and experience in the agricultural seed sector, after consultations with the Minister subject to the approval of Parliament. The Bill further provides that the Agency should have other technical and administrative staff including seed inspectors, seed samplers, seed analysts and seed technicians.

Part five deals with financial provisions.

Part six deals with the procedures for obtaining licences. Clause twenty-four stipulates that persons wishing to import, export, grow or process seeds in commercial quantities or distribute or sell certified seeds should apply for a licence. Clause twenty-six outlines the various types of seed operators' licence. The licenses are as follows-

- (a) general licence which entitles the seed operator to operate throughout Sierra Leone;
- (b) limited licence which entitles the seed operator to operate in a specified place in Sierra Leone;
- (c) restricted licence which entitles the seed operator to operate either by wholesale or retail and shall specify the prescribed seed to be sold; or
- (d) unrestricted which entitles the seed operator to operate wholesale and retail and all types of prescribed seeds.

Part seven deals with the procedures for the export and import of seeds.

Part eight deals with seed quality and production control. Clause 42 states that seed operators should operate on the basis of attaining the standards for both field inspection and laboratory test as may be determined by regulations made under the Act.

Part nine deals with packaging, splitting and repacking of seeds.

Part ten deals with seed testing stations. Clause 59 establishes a Seed Testing Stations which should be responsible the testing of seeds in order to determine their quality for germination, purity and moisture content. It further provides for the appointment of an Official Seed Tester.

Part eleven deals with the national catalogue of plants species and varieties .

Clause sixty-seven provides that the Agency should maintain a catalogue known as the National Catalogue of Plants Species and Varieties which should be the official document containing the list of all registered varieties.

Part twelve deals with the variety release and registration committee. Clause eighty-one outlines its functions which includes releasing or rejecting proposed variety and registering varieties in the catalogue.

Part thirteen deals with seed inspectors. Clause eighty-two provides for the appointment of persons qualified to be seed inspectors.

Part fourteen deals with miscellaneous provisions. Clause ninety-one provides that the Agency should make regulations in order to implement the provisions of the Bill.

MADE this 1st day of November, 2016.

PROF. MONTY PATRICK JONES,  
*Minister of Agriculture Forestry and Food Security.*

FREETOWN,  
SIERRA LEONE