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NATIONAL AGRICULTURAL SEEDS COUNCIL ACT, NO. 21, 2019

THIRD-PARTY SEED (CERTIFICATION) REGULATIONS, 2025

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S. I. No. 33 of 2025

NATIONAL AGRICULTURAL SEEDS COUNCIL ACT, NO. 21, 2019

THIRD-PARTY SEED (CERTIFICATION) REGULATIONS, 2025

[22*nd Day of December*, 2025]

Commencement

In exercise of the powers conferred on it by section 51 of the National Agricultural Seeds Council Act, No. 21, 2019 and all other powers enabling it in that behalf, the National Agricultural Seeds Council, makes the following Regulations —

PART I — OBJECTIVES AND APPLICATION

Objectives

1. The objectives of these Regulations are to —

(*a*) provide a framework for the authorisation and regulation of private entities to undertake seed certification activities on behalf of the Council;

(*b*) strengthen Nigeria's seed quality assurance system through private–public partnership;

(*c*) operationalise the National Seed Policy provisions on efficiency, transparency, and farmer protection; and

(*d*) align with the ECOWAS Harmonised Seed Regulations to facilitate mutual recognition of certification and regional trade.

Application

2. These Regulations apply to ASCCs, ASTLs, LSFIs, LSAs and for all crops listed in the Nigerian National Seed Catalogue and the West African Catalogue of Plant Species and Varieties "WACPSV".

PART II — AUTHORISATION FRAMEWORK

Criteria for eligibility

3.—(1) An entity which applies to be an ASCC or ASTL shall be a company registered with the Corporate Affairs Commission "CAC".

(2) An individual who applies to be an LSFI or LSA shall be employed by an ASCC or ASTL and shall —

(*a*) be of good character, evidenced by affidavit of good character from the Federal High Court;

(*b*) possess a minimum qualification of an Ordinary National Diploma "OND" or its equivalent in Agriculture or a related field;

(*c*) have at least one year experience in the seed industry or a related field;

(*d*) be independent from any form of seed trade that may warrant conflict of interest; and

(*e*) have passed the prescribed qualification examinations.

Application for authorisation of an ASCC or ASTL

4.—(1) An application for a Certificate of Authorisation shall be submitted to the Director-General of the Council in the form prescribed by the Council.

(2) The application shall be accompanied by —

(*a*) a copy of the CAC Certificate of Incorporation;

(*b*) the company's Memorandum and Articles of Association;

(*c*) a detailed company profile;

(*d*) evidence of payment of the prescribed application fee as prescribed by the Council; and

(*e*) any other document required by the Council.

Issuance and validity of Certificate of Authorisation for ASCC or ASTL

5.—(1) The Council shall issue a Certificate of Authorisation to an entity upon satisfactory assessment of the application, premises, and technical capacity of the entity.

(2) The Certificate of Authorisation shall be valid for a period of three years from the date of issue and may be renewed by the Council upon application by the entity.

Application for powers of authorisation for LSFI or LSA

6.—(1) An ASCC or ASTL shall apply to the Council for power of authorisation for its qualified staff to act as LSFIs or LSAs in the form prescribed by the Council.

(2) The application shall be accompanied by the candidate's credentials, certificate of good conduct, and evidence of payment of the prescribed fee.

Training, examination, and attachment for LSFI or LSA

7.—(1) The Council shall conduct training for prospective LSFIs and LSAs on relevant standards, including OECD Seed Schemes, ISTA Rules, and Nigerian Minimum Certification Standards.

(2) A candidate shall pass a written and practical examination with a minimum score of 70%.

(3) A successful candidate shall undergo a three-month attachment under an official seed inspector or analyst of the Council.

Issuance and validity of powers of authorisation for LSFI or LSA

8.—(1) The Council shall issue powers of authorisation to a candidate, upon successful completion of training, examination, and attachment.

(2) The powers of authorisation or certification shall —

(*a*) specify the scope of authorisation such as crops, ecological zone; and

(*b*) be valid for two years and renewable upon application.

Renewal of authorisation

9. An application for the renewal of a Certificate of Authorisation or powers of authorisation shall be submitted to the Council at least 60 days before expiration, accompanied by the prescribed renewal fee.

Suspension of authorisation

10. The Council may suspend the authorisation of an ASCC, ASTL, LSFI, or LSA for a period not exceeding six months for non-compliance that is capable of being corrected, pending investigation or corrective action.

Withdrawal of authorisation

11. The Council shall withdraw authorisation where, —

(*a*) false information is provided in the application or report;

(*b*) there is consistent failure to meet technical standards, such as failing check tests three consecutive times;

(*c*) there is gross misconduct or any action which compromises seed quality;

(*d*) there is violation of the confidentiality or integrity of the National Seed Tracker; or

(*e*) there is failure to renew authorisation upon expiry after 30 days.

Voluntary withdrawal of authorisation

12. An authorised entity or person may voluntarily relinquish their authorisation by submitting a written notice to the Director-General of the Council.

PART III — RIGHTS, OBLIGATIONS, AND SCOPE OF WORK

Power of a LSFI

13. A LSFI shall, within their authorised scope, exercise the powers conferred upon a seed inspector under section 28 of the Act, including the power to —

(*a*) receive and scrutinise any application for certification from a seed producer;

(*b*) verify seed source;

(*c*) carry out field visits to ensure standards meet variety, physical purity, weeds and health status;

(*d*) produce inspection reports;

(*e*) inspect at post harvest stages, processing and packaging; and

(*f*) inspect the labelling of packages.

Scope of authorised activities for ASCC and LSFI

14.—(1) An ASCC and its LSFIs are authorised to carry out certification activities only for the "Certified" seed class.

(2) The activities of an authorises ASCC and its LSFIs includes —

(*a*) field inspection of seed crops;

(*b*) supervision of seed processing and conditioning;

(*c*) seed sampling and re-sampling; and

(*d*) supervision of seed packaging, labelling, and sealing using official certification labels provided by the Council.

Scope of authorised activities for ASTL and LSA

15. An ASTL and its LSAs are authorised to carry out seed testing for all classes of seeds, in accordance with the rules and methods approved by the Council and ISTA.

Obligations of authorised ASTL and LSAs

16. An authorised entity or person shall —

(*a*) use the National Seed Tracker "NST" for any certification documentation and activity;

(*b*) adhere strictly to the procedures and standards set by the Council;

(*c*) maintain independence and integrity in their operations;

(*d*) promptly remit all prescribed fees and charges to the Council; and

(*e*) inform the Council immediately of any change in staff, address, or operational status.

PART IV — SUPERVISION, SURVEILLANCE AND AUDIT

Supervision by the Council

17.—(1) The Council shall exercise authority and supervision over any third-party certification activity.

(2) The Official Certification Service of the Council shall be solely responsible for the certification of Nucleus, Breeder (Pre-Basic), and Foundation (Basic) seed classes.

Surveillance mechanisms

18. The Council shall monitor the performance of any authorised entity and person through —

(*a*) spot inspections, where a proportion of fields inspected by LSFIs shall be re-inspected by official inspectors;

(*b*) check sampling and testing, where a proportion of samples drawn by LSFIs shall be re-sampled and tested in official laboratories;

(*c*) proficiency tests, where ASTLs shall participate in annual proficiency tests to be administered by the Council; and

(*d*) pre-and-post control plots, where the Council establishes control plots to validate the performance of seeds certified by LSFIs.

Audit of authorised entities and persons

19. The Council shall conduct an annual audit of each ASCC, ASTL, LSFI, and LSA to assess compliance with these Regulations, technical competence, and adherence to documented procedures.

PART V — MISCELLANEOUS

Appeal procedure

20.—(1) A person aggrieved by a decision of the Council under these Regulations may appeal to the Authorised Seed Certification Appeals Committee "ASCAC" within 14 working days of being notified of the decision.

(2) A further appeal from the decision of the ASCAC lies with the Governing Board of the Council, whose decision shall be final.

Liability for actions or omissions of an ASCC, ASTL, LSFI, and LSA

21.—(1) The Council shall not be held liable for any injury, claim, suit, loss, or damage arising from the actions or omissions of an ASCC, ASTL, LSFI, or LSA.

(2) An authorised entity shall be solely responsible for its actions and those of its employees.

Revocation and Savings

22.—(1) Upon the commencement of these Regulations, the Guidelines for Seed Certification by NASC Authorized Agents in Nigeria, 2023 is revoked.

(2) The revocation of the Guidelines for Seed Certification by NASC Authorized Agents in Nigeria, 2023 shall not invalidate or prejudicially affect any done or purported to be done under the revoked Guidelines.

Interpretation

23. In these Regulations, —

"*Act*" means the National Agricultural Seeds Council Act, No. 21, 2019;

"*ASCC*" means an Authorised Seed Certification Company licensed by the Council under these Regulations;

"ASTL" means an Authorised Seed Testing Laboratory licensed by the Council under these Regulations;

"*LSFI*" means a Licensed Seed Inspector authorised by the Council under these Regulations;

"*LSA*" means a Licensed Seed Analyst authorised by the Council under these Regulations;

"*Council*" means the National Agricultural Seeds Council established under section 1 of the Act;

"*Certificate of Authorisation*" means a document issued by the Council to an ASCC or ASTL;

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

"*powers of authorisation*" means a document issued by the Council to an LSFI or LSA;

"*National Seed Tracker* "*NST*"" means the official web-based platform for seed value chain management designated by the Council; and

"*Official Certification Service*" means the seed certification and quality control service of the Council as defined in section 15 of the Act.

Citation

24. These Regulations may be cited as the National Third-Party Seed (Certification) Regulations, 2025.

MADE at Abuja this 22nd day of December, 2025.

FATUHU MUHAMMED
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National Agricultural Seeds Council