*Extraordinary*




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# NATIONAL AGRICULTURAL SEEDS COUNCIL ACT, NO. 21, 2019

## NATIONAL EARLY GENERATION SEED PRODUCTION (LIBERALISATION) REGULATIONS, 2025

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S. I. No. 32 of 2025

# NATIONAL AGRICULTURAL SEEDS COUNCIL ACT, NO. 21, 2019

## NATIONAL EARLY GENERATION SEED PRODUCTION (LIBERALISATION) REGULATIONS, 2025

[11*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 — OBJECTIVE AND APPLICATION

Objective

**1.** The objective of these Regulations is to liberalise the production of Early Generation Seeds "EGS" in Nigeria by enabling qualified private sector actors, plant breeders, and seed scientists, to engage in the production of breeder and foundation seeds, for the purpose of increasing the availability, accessibility, and quality of EGS to support a robust and competitive seed industry.

### PART II — LICENSING OF EGS PRODUCTION

Eligibility to to produce EGS

**2.** Subject to the provisions of the Act and these Regulations, the following entities are eligible to apply for a license to produce EGS, any —

(*a*) seed company incorporated in Nigeria;

(*b*) agricultural research institution and tertiary institution;

(*c*) plant breeder and seed scientist, individually or through a registered enterprise;

(*d*) farmers' cooperative and association with demonstrated technical capacity; and

(*e*) other entity approved by the Council.

Application for an EGS producer licence

**3.**—(1) An application for a licence to produce EGS shall be made to the Council in the form, as may be prescribed by the Council.

(2) The application shall be accompanied by —

(*a*) proof of registration of the business with the Corporate Affairs Commission "CAC", where applicable;

(*b*) details of the applicant's technical capacity, including curriculum vitae of key technical personnel such as the plant breeder and seed scientists;

(*c*) evidence of access to suitable land, facilities, and isolation distances for the target crop species;

(*d*) details of processing and storage facilities;

(*e*) a detailed work plan for the proposed EGS production; and

(*f*) payment of the prescribed application fee as specified in the Schedule to these Regulations.

Criteria for issuance of EGS producer license

**4.** The Council shall grant a license where it is satisfied that the applicant —

(*a*) possesses the requisite technical expertise and experience in plant breeding and seed production;

(*b*) has access to appropriate land and facilities that meet the standards prescribed by the Council for EGS production;

(*c*) has the financial and operational capacity to undertake a sustainable EGS production; and

(*d*) has sourced or has lawful access to the initial breeder seed or propagating material from a recognised National Agricultural Research System institution or a holder of plant breeders' rights.

Grant or refusal of licence

**5.**—(1) The Council shall notify the applicant of its decision to grant or refuse the application within 60 days of receiving a completed application.

(2) Where an application is refused, the Council shall provide the applicant with written reasons for the refusal.

Validity and renewal of license

**6.**—(1) A license granted under these Regulations shall be valid for a period of three years and may be renewed upon application.

(2) An application for renewal shall be submitted to the Council at least three months before the expiration of the current license.

Suspension and withdrawal of license

**7.** The Council may suspend or withdraw a license granted under these Regulations in accordance with the reasons specified under section 21(6) and (7) of the Act, including, consistent failure to meet quality standards, violation of the terms of the Material Transfer Agreement "MTA", or fraudulent practices.

Appeals

**8.** A person aggrieved by a decision of the Council under these Regulations may appeal to the Minister responsible for Agriculture and Food Security in accordance with the provisions of section 43 of the Act.

PART III — OBLIGATIONS AND CONTROLS OF AN EGS PRODUCER

General obligations of an EGS producer

**9.** A licensed EGS producer shall —

(*a*) adhere strictly to the technical protocol and standard for EGS production as approved by the Council;

(*b*) maintain accurate record of any production activity, including field history, seed source, and sales, for a minimum period of five years;

(*c*) allow Seed Inspectors appointed under section 9 of the Act, free and unhindered access to any production and storage facility for inspection and sampling; and

(*d*) ensure that any EGS produced is clearly labelled and traceable.

Source of breeding material

**10.**—(1) An EGS producer shall obtain initial breeder seed or nuclear propagating material from a source approved by the Council, such as a National Agricultural Research Institution or the holder of a protected variety under the relevant legislation.

(2) The EGS producer shall enter into a MTA with the source institution or rights holder, defining the terms of use and multiplication.

Inspection and control

**11.** The production processes of a licensed EGS producer shall be subject to official field inspections, seed sampling, and laboratory testing by the Council's Official Certification Service or an approved private certification body, as outlined in sections 28 and 29 of the Act.

Record keeping and traceability

**12.** A licensed EGS producer shall maintain a system that ensures full traceability of all seed lots from the source of the breeding material to the point of sale to a licensed seed producer.

PART IV — MISCELLANEOUS

Issuance of guidelines and manuals

**13.** The Council may issue guidelines and operational manuals necessary for the effective implementation of these Regulations.

Interpretation

**14.** In these Regulations, —

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

"*breeder seed*" means seed or vegetative propagating material directly controlled by the breeder or institution for the purpose of producing foundation seed;

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

"*Early Generation Seeds "EGS*"" includes breeder seed and foundation seed;

"*foundation seed*" means the progeny of breeder seed, produced by or under the responsibility of the breeder or institution, or by an accredited EGS producer under these Regulations, to be used for the production of certified seed;

"*Minister*" means the Minister charged with the responsibility for agricultural development;

"*private sector actor*" includes a seed company, corporate entity, cooperative, and non-governmental organisations; and

"*Qualified Crop Breeder or Seed Scientist*" means an individual who has worked in a public or private breeding institution and who possesses a minimum of 10 years of verifiable experience in plant breeding and seed science, and is recognised by the Council as competent.

Citation

**15.** These Regulations may be cited as the National Early Generation Seed Production (Liberalisation) Regulations, 2025.

SCHEDULE

[*regulation* 4(2)(*f* )]

PRESCRIBED FEES

| *Description* | *Fee (Naira)* |
|---|---|
| Application Fee for EGS Producer Licence | 250,000 |
| Licence Grant Fee (per crop species) | 250,000 |
| Annual Licence Renewal Fee (per crop species) | 500,000 |
| Field Inspection Fee (per hectare, per inspection) | 20,000 |
| Laboratory Analysis Fee (per sample) | 50, 000 |

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

FATURU MUHAMMED
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*National Agricultural Seeds Council*