

**NATIONAL ASSEMBLY SECRETARIAT****REPORT OF THE STANDING COMMITTEE ON NATIONAL FOOD SECURITY AND RESEARCH ON THE SEED AMENDMENT BILL, 2014 (THE SEED ACT, 1976)**

I, the Chairman, Standing Committee on National Food Security and Research, have the honor to present this report on the Bill further to amend the Seed Act, 1976 [The Seed (Amendment) Bill, 2014] referred to the Standing Committee on the 8<sup>th</sup> August, 2014.

2. The Committee comprises the following members:-

1.	<b>Malik Shakir Bashir Awan</b>	<b>Chairman</b>
2.	Capt. (Retd.) Muhammad Safdar	Member
3.	Chaudhary Nazeer Ahmed	Member
4.	Chaudhary Iftikhar Nazir	Member
5.	Mr. Tahir Iqbal Ch.	Member
6.	Dr. Hafeez-ur-Rehman Khan Drishak	Member
7.	Mir Dostain Domki	Member
8.	Rao Muhammad Ajmal Khan	Member
9.	Syed Iftikhar-ul-Hassan	Member
10.	Ms. Shahnaz Saleem	Member
11.	Ms. Khalida Mansoor	Member
12.	Mr. Muhammad Siddique Khan Baloch	Member
13.	Mr. Abdul Sattar Bachani	Member
14.	Pir Shafqat Hussain Jilani	Member
15.	Mr. Faqir Sher Muhammad Bilalani	Member
16.	Makhdoom Shah Mahmood Hussain Qureshi	Member
17.	Mr. Junaid Akbar	Member
18.	Mr. Muhammad Salman Khan Baloch	Member
19.	Dr. Fouzia Hameed	Member
20.	Mr. Sikandar Hayat Khan Bosan	Ex-Officio Member
	Minister for National Food Security & Research	

3. The Committee in its meeting held on 15<sup>th</sup> October, 2014 considered the said Bill in detail and approved with overwhelming majority. The Committee proposed the following amendments therein:-

(1)

**Clause 2**

In clause 2,-

- (i) in paragraph (2), clauses (b), (c), (d), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), and (u) shall be renumbered as clauses (iii), (iv), (vi), (xii), (xiii), (xv), (xvi), (xvii), (xviii), (xx), (xix), (xxi), (xxii), (xxiii), (xxiv), xxvi, (xxviii), (xxx) and (xxxiii) respectively.

(ii) in paragraph (9), sub-paragraphs (i),(iii), (vi) and (x),-- after the words "plant variety" the words "or hybrid" shall be inserted;

(iii) in paragraphs (17) and (18), sub-paragraphs (xxxi) and (xxxii),--- after the word "variety" and before the words "of seed" the words "or hybrid" shall be inserted;

(2) **Clause 3**

In clause 3,-

in clause 3, in the proposed section 3, for the words "of Agriculture" the words "the Ministry concerned" shall be substituted;

(3) **Clause 7**

In clause 7,-

(i) in clause 7, in the proposed section 11, in the heading, for the word "notified" the word "plant" shall be substituted;

(ii) in paragraph (b), sub-paragraph(2), after the words "plant variety" the words "or hybrid" shall be inserted;

(4) **Clause 10**

In clause 10,-

in proposed section 21, in paragraph (1), for the words "notified" the words "notified or enlisted" shall be substituted;

(5) **Clause 11**

In clause 11,-

(i) in proposed section (22A), in paragraphs (1), (2), (3) and (4), after the words "plant variety" the words "or hybrid" shall be inserted;

(ii) in proposed section (22A), in paragraphs (5) and (6), after the words "plant varieties" the words "or hybrids" shall be inserted;

- (iii) in proposed section (22E), in paragraphs (b) and (c), after the word "variety" the words "or hybrid" shall be inserted;
- (iv) in proposed section (22A), in paragraph (4), after the word "registration" the words "or enlisting" shall be inserted;
- (v) in proposed section (22A), in paragraphs (3), (5) and (6), for the word "registered" the words "or enlisted" shall be inserted;
- (vi) in proposed section (22A), in paragraph (2), after the word "register" the words "or enlist" shall be inserted;
- (vii) In proposed section (22E), in paragraph (b), after the words "registered" the words "or enlisted" shall be inserted;
- (viii) in proposed clause 11, the following shall be substituted; namely:-  
Amendments in clause 11 "Amendment of section (22F), Act XXIX of 1976.--- in the said Act, in section (22F), the following shall be substituted; namely:-  

(22F) Establishment of seed testing laboratories.--- The Federal Government may, by notification in the official Gazette, allow accredited seed laboratories in the public and private sector to carry out analysis of seed of any kind of plant variety or hybrid under this Act in such manner as may be prescribed;
- (ix) in section (22G), in paragraph (b), after the word "variety" the words "or hybrid" shall be inserted;
- (x) in section (22G), in paragraph (b), after the words "that the" and before the word "genetically" the words "traits of" shall be inserted;
- (xi) in section (22I), after the words "Provincial Agriculture Departments" and before the words "Progressive farmers" the words "Public and Private seed sectors" shall be inserted;

(6)

**Clause 12**

In clause 12,-

In clause 12, in proposed section (23),

- i) in paragraph (b), (c), after the words "plant variety" the words "or hybrid" shall be inserted;

- ii) in paragraph (e), sub-paragraph (i), for the figures "twenty five thousand rupees" the figures "two hundred thousand rupees" shall be substituted;
- iii) in sub-sections (e), sub-paragraph (ii), for the figures "two hundred thousand rupees" the figures "six hundred thousand rupees" shall be substituted;

4. The Committee recommends that the Bill as reported by the Standing Committee placed at (Annex-A) may be passed by the National Assembly. The Bill as introduced in the National Assembly is placed at (Annex-B).

sd/-  
**(MOHAMMAD RIAZ)**  
Secretary  
Islamabad, the 30<sup>th</sup> December, 2014.

sd/-  
**(MALIK SHAKIR BASHIR AWAN)**  
Chairman

## [AS REPORTED BY THE STANDING COMMITTEE]

A

## BILL

*to amend the Seed Act, 1976*

WHEREAS it is expedient to amend the Seed Act, 1976 (XXIX of 1976), for the purposes hereinafter appearing;

AND WHEREAS the Provincial Assemblies of Balochistan, Khyber Pakhtunkhwa, Punjab and Sindh have passed resolutions under Article 144 of the Constitution of the Islamic Republic of Pakistan to the effect that Majlis-e-Shoora (Parliament) may suitably amend the aforesaid Act;

It is hereby enacted as follows:—

1. **Short title and commencement.**-- (1) This Act may be called the Seed (Amendment) Act, 2014.

(2) It shall come into force at once.

2. **Amendment of section 2, Act XXIX of 1976.**—In the Seed Act, 1976 (XXIX of 1976), hereinafter called as the said Act, in section 2,—

(1) for clause (a), the following shall be substituted, namely:—

“(i) “accredited laboratory” means any seed testing laboratory established in public sector or private sector and accredited by an appropriate organization as may be prescribed;

(ii) “approved seed” means seed true to species as approved by the Federal Seed Certification and Registration Department;”;

(2) clauses (b), (c), (d), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), and (u) shall be renumbered as clauses (iii), (iv), (vi), (xii), (xiii), (xv), (xvi), (xvii), (xviii), (xx), (xix), (xxi), (xxii), (xxiii), (xxiv), (xxvi), (xxviii), (xxx) and (xxxiii) respectively.

(3) Clause (e) shall be omitted.

(4) for clause (iii), renumbered as aforesaid, the following shall be substituted, namely:—

“(iii) “basic seed” means progeny of the pre-basic seed produced by any public sector or private sector organization and certified by the Federal Seed Certification and Registration Department;”;

(5) in clause (iv), renumbered as aforesaid, for the word "Agency", the words "and Registration Department" shall be substituted;

(6) after clause (iv), renumbered and amended as aforesaid, the following new clauses shall be inserted, namely:--

"(v) "enlisted variety" means a variety enlisted by the Federal Seed Certification and Registration Department under Section 22A;

(7) in clause (vi), renumbered as aforesaid, for the word "Agency", the words "and Registration Department" shall be substituted;

(8) after clause (vi), renumbered as aforesaid, the following new clauses shall be inserted, namely:--

"(vii) "Federal Seed Committee" means Federal Seed Committee constituted under section 22 I;

(viii) "genetically modified variety" means plant varieties which have been bred by genetic engineering involving molecular techniques that modify, recombine and transfer genes or segments of genetic material and includes recombinant deoxyribonucleic acid (DNA) techniques that transfer genes or segments of genetic material between genotype and also apply to plant varieties derived from a living modified organism;

(ix) "horticulture nursery" means any grounds or premises on which nursery plants are propagated, grown or procured for resale and held for sale throughout the year;

(9) after clause (ix), inserted as aforesaid, the following clauses shall be inserted, namely:--

"(x) "hybrid" means (1) the first generation offspring of a cross between two individuals (plants) differing in one or more genes; (2) the progeny of a cross between species of the same genus or of different genera;

(xi) "misbranded seed" means a seed if--

(i) it is a substitute for, or resembles in a manner likely to deceive, another plant variety or hybrid of seed under the name of which it is sold, and is not plainly and conspicuously labelled so as to indicate its true nature;

(ii) it is falsely stated to be the product of any place or country;

- (iii) it is sold by a name which belongs to another kind or plant variety or hybrid of seed;
- (iv) false claims are made for it upon the label or otherwise;
- (v) when sold in a package which has been sealed or prepared by, or at the instance of, the person engaged in seed business and which bears his name or address, the contents of each package are not conspicuously and correctly stated on the outside thereof within the limits of variability prescribed under this Act;
- (vi) the package containing it or the label on the package, bears any statement, design or device regarding the quality or the kind or plant variety or hybrid of seed contained therein, which is false or misleading in any material particular or if the package is otherwise deceptive with respect to its contents;
- (vii) it is not registered in the manner required by or under this Act;
- (viii) its label contains any reference to registration other than registration number;
- (ix) its label does not contain a warning or caution which may be necessary and sufficient, if complied with, to protect human, animal and plant life and health or to avoid serious prejudice to the environment;
- (x) the package containing it or the label on the package bears the name of a fictitious individual or company as the dealer of the kind or plant variety or hybrid; or
- (xi) it is not labelled in accordance with the requirements of this Act or the rules made thereunder;

(10) after clause (xiii), renumbered as aforesaid, the following new clauses shall be inserted, namely:--

“(xiv) “person” means any natural or legal entity and includes an association of persons, firm, partnership, society, group of persons, a public or private limited company, corporation, cooperative society or any other body corporate;”;

(11) in clause (xx), renumbered as aforesaid for the words and figure “National Registration Agency under section 8”, the words and figure “Federal Seed Certification Department under section 22A” shall be substituted;

(12) for clause (xxiii), renumbered as aforesaid, the following shall be substituted, namely:-

“(xxiii) “seed” means any of the branded reproductive or vegetative propagating material of the plants of field crops, vegetable crops, fruits, spices, medicinal herbs, flowers, shrubs, forest

trees, other plant species and mushroom spawn used for sowing or planting the genera or species prescribed by the Federal Government;”;

(13) after clause (XXIV), renumbered as aforesaid, the following new clause shall be inserted, namely:—

“(xxv) “seed business” means any commercial operation of seed involving production, processing, conditioning, packaging, distribution, import and export of seeds;

(14) After clause (xxvi), renumbered as aforesaid, the following new clause shall be inserted, namely:--

(xxvii) “seed dealer” means any person registered as seed dealer under this Act”;

(15) after clause (xxviii), renumbered as aforesaid, the following new clause shall be inserted, namely:—

“(xxix) “seed processing” means the process by which seeds and planting materials are dried, threshed, shelled, ginned or delinted (in cotton), cleaned, graded or treated;”

(16) in clauses (xxx), renumbered as aforesaid, the word “and”, occurring at the end, shall be omitted;

(17) after clause (xxx), renumbered and amended as aforesaid, the following new clause shall be inserted, namely:--

“(xxx) “terminator technology” means genetic modification that includes gene or gene sequences which restrict germination of the seed produced by the plant variety or hybrid during the next subsequent year of planting;”;

(18) after clause (xxx), renumbered and inserted as aforesaid, the following new clause shall be inserted, namely:-

“(xxxii) “truthfully labelled seed” means seed of a registered variety or hybrid produced locally or imported and which conforms to standards as prescribed under the rules;”;



- (19) in clause (xxxiii), renumbered as aforesaid, for full stop at the end a semicolon and word “; and” shall be substituted and thereafter the following new clause shall be added, namely:—

“(xxxiv) “variety evaluation committee” means the committee constituted for evaluation of candidate crop varieties in the country as may be prescribed.”.

3. **Amendment of section 3, Act XXIX of 1976.** -- In the said Act, in section 3, for the words “of Agriculture” the words “the Ministry concerned” shall be substituted.

4. **Amendment of section 5, Act XXIX of 1976.**-- In the said Act, in section 5, for the word “Agency”, the words “and Registration Department” shall be substituted.

5. **Amendment of section 6, Act XXIX of 1976.**-- In the said Act, in section 6,-- in the marginal note for the word “Agency” the words “and Registration Department” shall be substituted.

(1) in the marginal note, for the word “Agency”, the words “and Registration Department” shall be substituted;

(2) for the word “Agency”, the words “and Registration Department” shall be substituted;

(3) in clause (i), for the words and semicolon “seed Certification Officer; and”, the words and semicolon “persons engaged in the seed business;” shall be substituted; and

(4) in clause (j), for full stop at the end, a semicolon and the word “; and” shall be substituted and thereafter the following new clauses shall be added, namely:--

“(k) conduct pre-registration checking of varieties of both public and private sectors submitted for the purpose of--

(i) determining agronomic value regarding regional suitability for registration as a plant variety or hybrid evaluated by variety evaluation committee;

(ii) providing definitive botanical description of plant varieties; and

(iii) providing information on genetic suitability and adaptability of varieties;

(l) register seed varieties after conducting pre-registration checking under clause (k);

