

The Law Amending the Seed Law
(Pyidaungsu Hluttaw Law No.5, 2015)
The 1st Waxing of Tabaung , 1376. M.E.
(18th February, 2015)

The Pyidaungsu Hluttaw hereby enacts this Law.

1. This Law shall be called **the Law Amending the Seed Law**.
2. In section 2 of the Seed Law:
 - (a) After sub-section (e), sub-section (e-1) and (e-2) shall be inserted as follows:

“(e-1) **Parental Line** means the Line used as parent to breed and produce plant variety.

(e-2) **Perennial Crop** means crop that is cultivated continually and which is enable to obtain benefit till a certain period of the category of plant respectively.
 - (b) The expression “commercial distribution” contained in sub-section (i) shall be substituted by the expression “or commercial distribution either by exporting.”
 - (c) The expression “weight or volume stipulated” contained in sub-section (j) shall be substituted by the expression “weight or volume stipulated of the crop category respectively”
3. The expression “National Seed Committee” contained in the Seed Law shall be substituted by the expression “National Seed-related Committee” .
4. The expression “Myanmar Agriculture Service” shall be substituted by the expressions “Department of Agriculture” and the expression “Managing Director” contained in the Seed Law shall be substituted by the expression “Director General” respectively.

5. After sub-section (g) of section 5, sub-section (h) of the Seed Law shall be inserted as follows and sub-section (h) contained in the original Law shall be renumbered as sub-section (i):

“(h) prescribing the registration certificate fee, the registration certificate renewal fee, licence fee, licence renewal fee and other fees with the approval of the Ministry;

6. The expression “Deputy Director General of the Department of Agriculture Research” contained in sub-section (a) of section 6 of the Seed Law shall be substituted by the expression “Director (Seed Division), Department of Agriculture”.

7. Section 8 of the Seed Law shall be substituted as follows:

“8. (a) a person desirous of importing for adaptability test to obtain recognition certificate of new plant variety shall apply to the National Seed-related Committee with complete facts together with seed sample in accord with the stipulations to obtain recommendation for new plant variety that he desires to import.

(b) The National Seed-related Committee may, in respect of application under sub-section (a), issue recommendation to import of new plant variety after causing the Technical Seed Committee to scrutinize in accord with the stipulations.

8. Section 9 of the Seed Law shall be substituted as follows:

“9. (a) Any person desirous of producing or importing the new plant variety for commercial purpose shall apply to the National Seed-related Committee in accord with the stipulation by submitting complete facts of the new plant variety together with seed sample to obtain the recognition certificate for the new plant variety which he desires to produce or import.

(b) The National Seed-related Committee shall, in respect of application under sub-section (a), assign duty to the Technical Seed Committee to submit it after adaptability test. In assigning so, adaptability test on the parental line of hybrid and perennial crop may be exempted.

9. Section 10 of the Seed Law shall be substituted as follows:

“10. The Technical Seed Committee shall:

(a) recognize as the new plant variety after adaptability test in three locations at least one season which have different ecosystem and is appropriate for the plant variety, scrutinize whether or not to recognize based on the following facts:

(i) whether or not adaptable to cultivate in local;

(ii) whether or not the adapted new plant variety has better significance than the existing plant variety and has distinct quality;

(iii) Whether or not the new plant variety may affect the natural environment and biodiversity.

(b) submit to the National Seed-related Committee together with the remarks whether or not to issue recognition certificate after scrutinizing the new plant variety under sub-section (a) or complete records of quality characters and information records relevant to parental line and perennial crops after scrutinizing.

10. The expression “recommended” contained in sub-section (a) of section 11 of the Seed Law shall be substituted by the expression “with remarks” and the expression “applied to produce or introduce” shall be deleted.

11. The expression "seed category" contained in sub-section (b) of section 16 of the Seed Law shall be substituted by the expression "crop category".

12. After sub-section (d), clause (viii) of section 18 of the Seed Law, new clause (viii-a) shall be inserted as follows.

"(viii-a) the recommendation of the Seed Quality Testing Laboratory obtained the registration certificate recognized by the National Seed-related Committee.

13. The expression "two hundred thousand kyats" contained in section 28 of the Seed Law shall be substituted by the expression "ten hundred thousand kyats".

14. The expression "one hundred thousand kyats" contained in section 29 of the Seed Law shall be substituted by the expression "ten hundred thousand kyats".

15. In section 31 of the Seed Law:

(a) the expression "distribution and sale" contained in sub-section (a) shall be substituted by the expression "distribution and sale of seed which is not for commercial purpose".

(b) the expression "not for multiplication" in sub-section (b) shall be substituted by the expression "grain not for multiplication.

16. The expression "the peasants and seed researchers who produce seed" contained in section 32 of the Seed Law shall be substituted by the expression "the farmers and seed researchers who produce seed not for commercial purpose".

17. Section 33 of the Seed Law shall be substituted as follows:

"33. The Department of Agriculture may, if the necessity of plant variety to recultivate the crop arises due to the natural disaster and other damage, allow to recultivate the grains which should be used as plant varieties.

18. The expression “any government department and organization contained in section 34 of the Seed Law shall be substituted by the expression “government departments”.

19. After the expression “desirous of introducing” contained in section 37 of the Seed Law, the expression “or desirous of exporting” shall be inserted.

20. Section 39 of the Seed Law shall be substituted as follows:

“39. (a) The office work of the National Seed-related Committee and the Technical Seed Committee shall be carried out by the Department of Agriculture.

(b) The office work of sub-committees formed under section 7 shall be carried out by the relevant department under the Ministry.

I hereby sign under the Constitution of the Republic of the Union.

Sd/ TheinSein

President

The Republic of the Union of Myanmar