



**NATIONAL AGRICULTURAL SEEDS COUNCIL**  
FEDERAL MINISTRY OF AGRICULTURE AND RURAL  
DEVELOPMENT

**CALL FOR EXPRESSION OF INTEREST**

**Project Country:** NIGERIA

**Reference Number:**

CONSULTANCY FOR THE DEVELOPMENT OF GUIDELINES AND REGULATIONS FOR PRIVATE SEED INSPECTORS – **NASC-PSI-2021-001-SDV**

**Background**

The National Agricultural Seeds Council (NASC) located at KM 29 Abuja Lokoja Highway, Sheda, Federal Capital Territory, Abuja, is the agency of government established by the Act 72 of 1992 saddled with the responsibility to coordinate and regulate the production, marketing, trade and use of seeds in Nigeria. The Council has a vision of creating a seed industry in Nigeria that is market-driven and capable of producing and distributing high quality and improved planting materials that are accessible and affordable to farmers. This is with a view to transforming the Nigerian seed system into a leading seed industry in Sub-Saharan Africa and worthy of generating foreign exchange, become a key employer of labour and contributing positively to the country's economy and key into the Green Alternative strategy of the Federal Ministry of Agriculture and Rural Development.

The Council's specific functions include, certification and quality control of seeds, Seed industry development & technical support services, coordination and monitoring of Breeder, Foundation & Certified seeds production and utilization, information, planning and data management, collaboration in the registration, release and publication of new varieties approved for commercialization in Nigeria, assistance in the development of private sector participation in seed production, receipt and processing of applications for seed import and export, seed law enforcement, capacity building and training of stakeholders in the seed industry.

### **Purpose and Objective of this Activity**

The National Agricultural Seeds Act (Now, of 2019) was enacted to provide legal framework for regulating various aspect of seed research, production, processing, marketing and quality control activities. Provisions in the NASC Seed Act covers Variety Development and Plant Variety Protection, Registration, Release and Certification of Seeds, Seed planning, monitoring and management, seed production and marketing, seed quality control, seed law enforcement, import and exports of seeds.

Under the NASC Seed Act, Part VI section 15, sub section 4 2019, which states that **“The Council may authorize private certification bodies to undertake quality control and seed certification on behalf of, and under the supervision of the Council”** empower the NASC to appoint a third party certification officer to carry out some of its seed certification and inspection functions. This was necessary due to the growing numbers of operational seed companies across the country and the growing responsibilities on the Council.

The NASC is responsible for seed law enforcement in the country, and has inspectors for this purpose. These are sworn officers for the purpose of inspecting the production, processing and marketing of seed, and for taking samples of the latter. They enjoy unhindered access to farms, selection in stations, warehouses, shops, customs sheds and other premises where seed is produced, stored or sold. Where necessary, they may call in law enforcement agencies such as the Nigerian police and the National Security and Civil Defense Corp (NSCDC). They may order a temporary prohibition of the sale of seed while analyses are carried out. If the

results of these analyses are unfavorable, NASC may order the reclassification, processing, consumption or destruction of the seed concerned.

The rules governing seed inspection and seed law enforcement have a twofold function. On the one hand they are an expression of the power of the regulating agency to coerce and at the same time, they represent the power of the regulatory agency to influence. This function can and must be an active one, making for the smooth development of the entire seed sector. For the institutions responsible for inspection and control do not confine their activities simply to policing but exert a positive influence, through the official laboratories and testing stations and through collaboration with inspectors in raising seed standards and in encouraging the right sort of awareness among farmers.

All countries have rules providing for inspection. In the United States, with its system based on the truth-in-labelling principle, seed inspection is designed to check the veracity of label statements (an exception obtains in the case of certified seed, which comes under the special control of the certifying agencies). In all other countries control concerns itself with production processes, minimum requirements regarding the seed, and the marketing stage.

At the production stage, seed law enforcement mainly takes the form of the inspection of production records and of fields where the seed is being grown, and sample taking and conducting laboratory, pre-control and post-control tests. Rules governing the marketing stage call for the inspection of premises and the firm's books by official inspectors and, sometimes, for the keeping of goods-in/goods-out registers. Sample taking and laboratory analyses also constitute a vital component of the law enforcement process and are covered in varying degrees of detail in some other parts of the world such as, in Germany, Spain and Yugoslavia.

Private Seed Inspection (PSI) is the use of trained and licensed private agents to carry out seed inspection under the NASC supervision. This is in line with global practice within the seed system as it will further open up the Nigerian seed system to high level efficiency and reduce the burden of seed inspection on the lean number of official inspectors.

Due to the growing demands in the oversight function of the NASC in its enforcement capacity, there is a need to provide a clear guide and regulations on the statutory function of

the seed law enforcement officers and the PSI that will serve as a code of conduct in enforcing its core responsibilities.

The broad objective of this consultancy is to develop guidelines and regulations for the operations of NASC Seed Law Enforcement Officers and the PSI in Nigeria. These guidelines will define the process of NASC Seed Inspectors and PSI in Nigeria.

### **Duties and Responsibilities**

The scope of work for the consultancy includes:

- Familiarize with the updated NASC Seed Act, NASC strategic Roadmap and the National Seed Roadmap for Nigeria and identify changes and other implications that they bring to the current processes of seed law enforcement and seed inspection in Nigeria.
- Review the OECD guidelines for Authorization of Third Party Seed Inspection Organization (ATPSIO) and document findings, recommendation
- Hold discussions and interviews with key stakeholders in the law enforcement agencies such as the Nigerian police, NSCDC and NASC seed law enforcement department in identifying bottlenecks, challenges and expectation as regards seed quality assurance and inspection in the Nigerian seed industry.
- Propose operational innovations for the private seed inspectors and NASC law enforcement department that will enhance some key processes such as raiding, transportation, storage, sample collection, detention and as may be required of the seed law enforcement body in a manner that will not compromise or overlap with the current activities of respective bodies.
- Identify barriers resulting from incoherent and inconsistent policy, legal or regulatory rules that may result in duplication and conflict of mandates and functions between NASC Seed Inspectors officers and PSI.
- Identify conditions for eligibility to apply as an authorized seed inspection company (ASIC) and licensed seed inspector (LSI).
- Develop and review procedures for seed testing, surveillance and monitoring, auditing, re-examination of PSI and withdrawal of licenses of ASIC and LSI.

- Based on the finding, reviews and procedures developed, the consultant is to develop a clear and detailed guideline and regulation for the operations of Seed Law Enforcement Officers and PSI in Nigeria.
- Conduct any other activities related to this assignment as may be required

### Deliverables

- Inception report (including proposed methodology, data sources and initial (rough) findings).
- The Consultant must present the Draft of the PSI application guidelines and regulations to the NASC office and incorporate comments and written feedback from the office in the Final submissions.
- The Final copy of the PSI guidelines and regulation must be submitted to the National Agricultural Seeds Council (NASC) office in Word and PDF formats

### Duration

The consultants will be engaged for a total of 30 days each from the date of commencement of assignment. The consultancy is expected to commence immediately after the award.

### Criteria for Assessment and Selection of Applicants

	Evaluation Criteria	Score(Point)
1.	<b>Consultant Academic and Professional Qualification:</b> At least an Advanced university degree in Agriculture, seed technology or related field. Bidder must attach academic and professional certificates	20%
2.	<b>Consultant Work Experience:</b> This involves consultant's work experience in carrying out similar assignment or experiences in the field of	25%
3.	<b>Communication Skills and Language Requirements:</b> Excellent oral and written communication skills in English. Knowledge of Kinyarwanda is of added advantage.	15%
4.	Technical Approach, Methodology and Work plan	40%
	<b>Total</b>	<b>100%</b>

## Required Expertise

The Consultant is expected to provide different skills but the minimum competencies to be provided by the team together must include:

- I. Significant (at least 15 years') experience in the seed sector policy development and regulation in the Nigeria context, with demonstrable competence in improving access for smallholder farmers to improved varieties;
- II. Clear understanding and experience in the role of the private sector in the seed industry development and access to quality seeds by smallholders across Nigeria and Sub Saharan Africa;
- III. Deep understanding of the new NASC Seed ACT and its implications on the public and private Nigeria Seed Industry
- IV. Seed market dynamics and development of transboundary market linkages
- V. Deep understanding of Plant Breeder's Right, Seed Quality Assurance and Seed Breeding Technology.
- VI. Fluency in written and spoken English. Preferably a strong academic background in seed sector research
- VII. The expression of interest shall not exceed 30 pages. Interested consultants may obtain further information at the email address provided below.

## How to Apply

- This invitation is open to consulting companies (who are registered in Nigeria under the CAC and all necessary body); and independent consultants who are nationals of Nigeria.
- Consultant must demonstrate their knowledge of the assignment by clearly interpreting the terms of reference and providing a methodology and approach that will be adopted in undertaking the assignment.

- Consultant must provide a clear work plan that will be used in undertaking the assignment. A provisional work plan including a proposed timeframe for the assignment should be enclosed.
- A financial proposal on fees, air and local travel, subsistence and other costs must be attached to the proposal.
- If consulting companies they must provide the name and profile of the lead consultant to carry out the assignment and also names and profiles of any others personnel with their roles in the project, their respective levels of effort and their CVs.
- Consultant should attach his/her resume indicating previous similar jobs in the past; consulting companies should also attach their company profile/capability statement to the proposal.

Qualified and experienced company or consultants that meet the specifications above should forward their CV and expression of interests, describing how their qualifications and experiences match NASC's expectation. Interested consultant(s) should submit an Expressions of interest to: [fspkelola@gmail.com](mailto:fspkelola@gmail.com) by close of business on **March 12, 2021 at 1700 Hours**) clearly marked **"DEVELOPMENT OF PRIVATE SEED INSPECTORS GUIDELINES AND REGULATION"**

#### **Non-Discriminatory Clause**

NASC provides equal opportunity in employment and engagement for all persons, vendors, and contractors, and prohibits unlawful discrimination and harassment in all aspects of a contractual engagement or employment because of age, sex, gender, marital status, disability, nationality, race, religion or any fact.