

**REGULATION No. 13 OF 31 MARCH 2004 SETTING OUT THE PROCEDURE FOR
THE REGISTRATION OF TRADERS OF SEED AND PROPAGATING MATERIAL
(TITLE AMENDED, SG No. 87/2018, EFFECTIVE DATE 19.10.2018)**

Issued by the Minister of Agriculture and Forestry

Promulgated, SG No. 40 of 14 May 2004, amended, SG No.26 of 25 March 2005, amended, SG No.73 of 19 August 2008, amended, SG No.103 of 23 December 2011, amended and supplemented, SG No.87 of 19 October 2018, amended and supplemented, SG No.45 of 7 June 2019, amended and supplemented, SG No.17 of 25 February 2020

**Chapter One
GENERAL PROVISIONS**

Article 1. This Regulation shall apply to:

1. (Repealed, SG No. 87/2018, effective date 19.10.2018)
2. the procedure for registration of traders of seed and propagating material;
3. (Amended, SG No. 87/2018, effective date 19.10.2018) the procedure for record keeping by traders of seed and propagating material;
4. the procedure for keeping records of the origin and quantity of seed and propagating material.

**Chapter Two
PROCEDURE FOR THE AUTHORISATION OF THE PRODUCTION AND
HANDLING OF SEED AND PROPAGATING MATERIAL
(REPEALED, SG No. 87/2018, EFFECTIVE DATE 19.10.2018)**

Article 2. (Repealed, SG No. 87/2018, effective date 19.10.2018)

Article 3. (Amended, SG No. 103/2011, effective date 23.12.2011, repealed, SG No. 87/2018, effective date 19.10.2018)

Article 4. (Amended, SG No. 103/2011, effective date 23.12.2011, repealed, SG No. 87/2018, effective date 19.10.2018)

Article 5. (Repealed, SG No. 87/2018, effective date 19.10.2018)

Article 6. (Repealed, SG No. 87/2018, effective date 19.10.2018)

Article 7. (Repealed, SG No. 87/2018, effective date 19.10.2018)

Article 8. (Repealed, SG No. 87/2018, effective date 19.10.2018)

Article 9. (Repealed, SG No. 87/2018, effective date 19.10.2018)

Article 10. (Repealed, SG No. 87/2018, effective date 19.10.2018)

Article 11. (Repealed, SG No. 87/2018, effective date 19.10.2018)

**Chapter Three
PROCEDURE FOR THE REGISTRATION OF TRADERS OF SEED AND
PROPAGATING MATERIAL**

Article 12. Any natural person or legal person engaging in the trade in seed or propagating material, within the meaning of the SPMA, shall be subject to registration at the IASAS.

Article 13. (1) (Supplemented, SG No. 45/2019, effective date 7.06.2019) Registration shall be carried out on the basis of an application submitted in the format which is set out in Annex No. 2 by the trader in person or by proxy to the territorial unit of the IASAS at the trader's principal

place of business. The application shall be submitted in person or by proxy or electronically pursuant to Articles 5 and 22 of the E-Government Act or via a licensed postal operator.

(2) The following shall be attached to any such application:

1. (Amended and supplemented, SG No. 103/2011, effective date 23.12.2011, repealed, SG No. 87/2018, effective date 19.10.2018);
2. (Repealed, SG No. 87/2018, effective date 19.10.2018)
3. (Repealed, SG No. 103/2011, effective date 23.12.2011)
4. a document on the fee paid in accordance with the rates pursuant to Article 6(6) SPMA;
5. (New, SG No. 26/2005, amended, SG No. 87/2018, effective date 19.10.2018) a declaration in the standard form set out in Annex No. 2a on the warehouse facilities and points of sale in which trade in seed and propagating material is carried out;
6. (New, SG No. 26/2005) a title deed or a lease agreement for the facilities and points of sale referred to in subparagraph 5.

Article 14. (1) (Supplemented, SG No. 45/2019, effective date 7.06.2019) In the cases in which the application does not comply with the established format or has other non-compliances or omissions or any document referred to in Article 13 is missing, an official of the IASAS territorial unit shall notify the irregularities to the applicant within seven days as from the receipt of the documents and give the applicant ten working days to eliminate such irregularities.

(2) (Amended, SG No. 45/2019, effective date 7.06.2019) In the case of failure to eliminate the irregularities, the authorisation procedure shall be terminated.

Article 15. (1) (Amended, SG No. 26/2005, amended, SG No. 87/2018, effective date 09.10.2018) The applicant shall be entered into the register within 14 days of the date of submission of the application to the IASAS provided that the application and the documents attached thereof are complete and regular. A hard copy registration certificate shall be issued only on request.

(2) (Repealed, SG No. 17/2020, effective date 25.02.2020)

(3) (New, SG No. 26/2005, amended, SG No. 103/2011, effective date 23.12.2011, repealed, SG No. 87/2018, effective date 19.10.2018)

(4) (New, SG No. 26/2005, amended, SG No. 103/2011, effective date 23.12.2011, repealed, SG No. 87/2018, effective date 19.10.2018)

(5) (Ex Paragraph 3, SG No. 26/2005, amended, SG No. 87/2018, effective date 19.10.2018) Any explicit or tacit refusal within the time limits referred to in paragraph 1 shall be subject to appeal in accordance with the Administrative Procedure Code.

Article 16. (Repealed, SG No. 87/2018, effective date 19.10.2018)

Chapter Four

KEEPING THE REGISTER; MODIFICATION OF ENTRIES

(Supplemented, SG No. 2008/19, effective date 08.2008.2007)

Article 17. (Amended, SG No. 103/2011, effective date 23.12.2011, amended, SG No. 87/2018, effective date 19.10.2018) The Executive Agency for Variety Testing, Field Inspection and Seed Control shall maintain a public national electronic register of persons trading in seed and/or propagating material on its website.

Article 18. The register shall contain the following details:

1. Registration number and date of entry into the register;
2. (Amended, SG No. 87/2018, effective date 19.10.2018, amended and supplemented, SG No. 17/2020, effective date 25.02.2020) Unique identification number (EIK) of the sole proprietor or legal person;

3. (Amended, SG, No. 87/2018, effective date 19.10.2018, amended and supplemented, SG No. 17/2020, effective date 25.02.2020) Name of the legal person or sole proprietor or first name and family name of the natural person; office telephone number;
4. (Repealed, SG No. 87/2018, effective date 19.10.2018)
5. (Repealed, SG No. 87/2018, effective date 19.10.2018)
6. (Amended, SG No. 17/2020, effective date 25.02.2020) Settlement at the trader's principal place of business.

Article 19. A registration file with all documents received shall be kept for each registered person.

Article 20. (Repealed, SG No. 87/2018, effective date 19.10.2018)

Article 21. (Amended, SG No. 87/2018, effective date 19.10.2018) (1) Registered persons shall declare any change of circumstances to the IASAS territorial unit concerned within 14 days of its occurrence.

(2) The persons referred to in paragraph 1 shall submit an application for modification of an entry, stating the following:

1. Name of the natural person or legal person;
2. Registration number (or number of the certificate, if any);
3. Description of the change of circumstances.

(3) All documents certifying the change of circumstances shall be attached to the application referred to in paragraph 2.

Article 21a. (New, SG No. 73/2008, effective date 19.08.2008) (1) (Amended, SG No. 103/2011, effective date 23.12.2011, amended, SG No. 87/2018, effective date 19.10.2018) Within 14 days of the date of submission of the application, the declared new circumstances shall be verified by an inspector from the IASAS territorial unit.

(2) (Amended, SG No. 103/2011, effective date 23.12.2011) Where any irregularity in the application or the documents attached thereto is observed, the time limit referred to in paragraph 1 shall commence after the elimination of that irregularity.

(3) (Amended, SG No. 103/2011, effective date 23.12.2011) The verification check referred to in paragraph 1 shall be carried out in the presence of the applicant or an authorised representative of the applicant.

Article 21b. (New, SG No. 73/2008, effective date 19.08.2008, repealed, SG No. 87/2018, effective date 19.10.2018)

Article 21c. (New, SG No. 73/2008, effective date 19.08.2008, amended, SG No. 87/2018, effective date 19.10.2018) (1) (Amended, SG No. 17/2020, effective date 25.02.2020) Where it is found by the verification check referred to in Article 21a that the trader has declared new circumstances which comply with the requirements, the Executive Director of the IASAS shall re-issue the certificate, if any.

(2) (Amended, SG No. 17/2020, effective date 25.02.2020) The certificate shall be issued within 14 days of the date of receipt of the documents by the IASAS.

Article 21d. (New, SG No. 73/2008, effective date 19.08.2008, amended, SG No. 103/2011, effective date 23.12.2011) The registrar shall enter the modifications within 14 days of the receipt of the documents referred to in Article 21b(2) at the IASAS and add the new documents to the file.

Article 22. (1) Any further modifications shall be entered without prejudice to the entries already made.

(2) (Repealed, SG No. 87/2018, effective date 19.10.2018)

(3) (Repealed, SG No. 87/2018, effective date 19.10.2018)

Article 23. (Repealed, SG No. 87/2018, effective date 19.10.2018)

Article 24. (Repealed, SG No. 87/2018, effective date 19.10.2018)

CHAPTER FIVE DEREGISTRATION

(TITLE AMENDED, SG NO. 87/2018, EFFECTIVE DATE 19.10.2018)

Article 25. (Repealed, SG No. 87/2018, effective date 19.10.2018)

Article 26. (1) In accordance with Article 86(2) SPMA, a trader of seed or propagating material shall be deregistered for a three-years period at an order by the Executive Director of the IASAS.

(2) (Amended, SG No. 87/2018, effective date 19.10.2018) The deregistration order shall be subject to appeal in accordance with the Administrative Procedure Code.

Article 27. (Amended, SG No. 87/2018, effective date 19.10.2018) Without prejudice to Article 26, deregistration shall be carried out in any of the following cases:

1. (Amended, SG No. 103/2011, effective date 23.12.2011) on request by the registered person;
2. upon the death of the natural person and upon the winding up of the legal person.

Chapter Six

RECORDS OF THE TRADE IN SEED AND PROPAGATING MATERIAL

(TITLE AMENDED, SG NO. 87/2018, EFFECTIVE DATE 19.10.2018)

Article 28. (1) (Supplemented, SG No. 26/2005, amended, SG No. 87/2018, effective date 19.10.2018) Traders shall keep records of the marketed seed and propagating material, maintaining separate records for each point of sale.

(2) Records shall be kept in the format set out in Annex No. 3.

(3) The record keeping shall be checked by an official from the IASAS territorial unit.

Article 29. (Amended, SG No. 26/ 2005, amended and supplemented, SG No. 73/2008, effective date 19.08.2008, amended, SG No. 87/2018, effective date 19.10.2018) Traders shall make the records available on request by the IASAS control bodies and send xeroxed copies of the records to the IASAS for reference and information purposes, and store the records for five years after the termination of their activities.

SUPPLEMENTARY PROVISIONS

§ 1. For the purposes of this Regulation:

1. (Repealed, SG No. 45/2019, effective date 7.06.2019)

2. (Repealed, SG No. 45/2019, effective date 7.06.2019)

3. (Repealed, SG No. 45/2019, effective date 7.06.2019)

4. "Point of sale" means a specialised store to sell seed or propagating material or a specialised stall in a store or a market hall or a trestle market stall or a storage facility for wholesale or retail trade in seed or propagating material.

FINAL PROVISIONS

§ 2. This Regulation is issued pursuant to Article 28(5) of the Seed and Propagating Material Act.

§ 3. The implementation of this Regulation shall be assigned to the Executive Director of the Executive Agency for Variety Testing, Field Inspection and Seed Control.

§ 4. Regulation No. 3 of 1997 on the production, handling and marketing of seed and propagating material and the licensing of legal persons and natural persons engaged in these

activities, which was issued by the Minister of Agriculture and Food Industry (SG, No. 41/1997; Amended, SG No. 73/1997), is hereby repealed.

Final Provisions

AMENDING REGULATION TO REGULATION No. 13 OF 2004 SETTING OUT THE CONDITIONS AND PROCEDURES FOR THE ISSUANCE OF AUTHORISATION TO PRODUCERS AND HANDLERS OF SEED AND PROPAGATING MATERIAL OR FOR REGISTRATION OF TRADERS OF SEED AND PROPAGATING MATERIAL

(PROMULGATED, SG No. 73/2008, EFFECTIVE DATE 19.08.2008)

§ 6. This Regulation shall enter into force on the day of its publication in The State Gazette.

AMENDING REGULATION TO REGULATION No. 13 OF 2004 SETTING OUT THE CONDITIONS AND PROCEDURES FOR THE ISSUANCE OF AUTHORISATION TO PRODUCERS AND HANDLERS OF SEED AND PROPAGATING MATERIAL AND FOR REGISTRATION OF TRADERS OF SEED AND PROPAGATING MATERIAL

(PROMULGATED, SG No. 103/2011, EFFECTIVE DATE 23.12.2011)

§ 6. The words "Administrative and Financial Services Directorate of" shall be deleted everywhere in the text.

§ 7. The word(s) "(the) request" shall be replaced by the word(s) "(the) application" and the word(s) "(the) requester" shall be replaced by the word(s) "(the) applicant".

Final Provisions

AMENDING REGULATION TO REGULATION No. 13 OF 2004 SETTING OUT THE CONDITIONS AND PROCEDURES FOR THE ISSUANCE OF AUTHORISATION TO PRODUCERS AND HANDLERS OF SEED AND PROPAGATING MATERIAL OR FOR REGISTRATION OF TRADERS OF SEED AND PROPAGATING MATERIAL

(PROMULGATED, SG No. 103/2011, EFFECTIVE DATE 23.12.2011)

§ 8. This Regulation shall enter into force on the day of its publication in The State Gazette.

Final Provisions

AMENDING REGULATION TO REGULATION No. 13 OF 2004 SETTING OUT THE CONDITIONS AND PROCEDURES FOR THE ISSUANCE OF AUTHORISATION TO PRODUCERS AND HANDLERS OF SEED AND PROPAGATING MATERIAL OR FOR REGISTRATION OF TRADERS OF SEED AND PROPAGATING MATERIAL

(PROMULGATED, SG No. 87/2018, EFFECTIVE DATE 719.10.2018)

§ 33. This Regulation shall enter into force on the day of its publication in The State Gazette.

Final Provisions

AMENDING REGULATION TO REGULATION No. 4 OF 2011 MARCH 2011 SETTING OUT THE PROCEDURE AND CONDITIONS TO CONDUCT COMPETITIVE EXAMS FOR FIELD INSPECTORS

(PROMULGATED, SG No. 45/2019, EFFECTIVE DATE 07.06.2019)

§ 11. This Regulation shall enter into force on the day of its publication in The State Gazette.

			material (whole plants, rootstocks, scions, tubers, bulbs, etc.)	number); seed producing crop (0.1 hectares)	inspection statement		material (units, kg)	discarded in the handling process (units, kg)	Type of packaging	Number of packages	Net weight (bulbs, tubers AND others)	(corporate document)	discarded in the quality grading process (units, kg)
1	2	3	4	5	6	7	8	9	10	11	12	13	14

Date of receipt	Owner of the seed	Species	Variety	Category	Gross quantity to be handled (kg)	Quantity discarded in the handling process (kg)	Quantity handled (kg)	Type of packaging	Number of packages	Net weight of packaged seed (kg)	Other information
1	2	3	4	5	6	7	8	9	10	11	12

Date of repackaging of the seed	Lot No.	Species	Variety	Category	Packaging for small packages		Small packages			Certificate/Document No. of small packages	Other information
					Number of packages	Net weight of packaged seed (kg)	Type of packaging	Number of packages	Net weight of the packaging (kg, g)		
1	2	3	4	5	6	7	8	9	10	11	12

Trader's records

I. Wholesale trade

A. Seed

Lot No.	Species	Variety	Category	Quantity of seed			Movement of seed (sales)	Date	Client	Remaining quantity	Other information
				Own	Purchased	Preceding years					
1	2	3	4	5	6	7	8	9	10	11	12

B. Planting material

Type of propagating material - whole plants, rootstocks, scions, tubers, cuttings, etc.	Variety	Category	Quantity of propagating material			Movement of propagating material (sales)				Remaining quantity			Other information		
			Own		Purchased	Preceding years	Units, number of packages	Net weight (kg)	Client	Date	Units, number of packages	Net weight (kg)			
			Units, number of packages	Net weight (kg)	Units, number of packages							Net weight (kg)		Units, number of packages	Net weight (kg)
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

II. Retail trade

Date of receipt	Lot No.	Species	Variety	Category	Quantity of seed			Movement of seed (sales completed)		Remaining quantity	Other information
					Own	Purchased	Preceding years	15th day of the month	30th day of the month		
1	2	3	4	5	6	7	8	9	10	11	12