

LAW OF THE REPUBLIC OF BELARUS

of May 7, 2021, No. 102-3

ON BREEDING AND SEED PRODUCTION OF AGRICULTURAL PLANTS

Adopted by the House of Representatives of 7 April 2021

Adopted by the Council of the Republic of 21 April 2021

This Law shall define legal and organizational frameworks for the development of plant varieties used in plant agriculture, the production and use of their seeds to provide the food security of the Republic of Belarus.

CHAPTER 1 GENERAL PROVISIONS

Article 1. Main Terms Used in this Law and their Definitions

The following main terms and their definitions shall be used in this Law:

“*Approbation of agricultural plants*” means the examination of agricultural plants, their sowing (plantings) to determine the varietal qualities of agricultural plant seeds, the infestation of the sowing (plantings) of agricultural plants with weeds and other plants, a degree of disease and pest damage to agricultural plants;

“*State Register of Agriculture Seed Producers*” means a list of data on the producers of original and elite agricultural plant seeds;

“*State Register of Agricultural Plant Varieties*” means a list of data on agricultural plant varieties that have passed the state trial of agricultural plant varieties the seeds of which are approved for realization in the territory of the Republic of Belarus, as well as for production and use in the Regions of the Republic of Belarus specified in this Register;

“*Ground control of agricultural plants*” means a method for determining the varietal purity of agricultural plant seeds by sowing (planting) the seeds of agricultural plants on special plots;

“*Refinement of agricultural plant seeds*” means a set of works on drying, sorting, calibrating and cleaning agricultural plant seeds carried out by the producer of agricultural plant seeds to ensure the production of agricultural plant seeds with the best varietal and sowing qualities;

“*Use of agricultural plant seeds*” means the sowing (planting) of agricultural plant seeds to grow agricultural plants;

“*Laboratory varietal control of agricultural plants*” means a method for determining the varietal purity of agricultural plant seeds by means of the laboratory analysis of agricultural plant

seeds;

“Original agricultural plant seeds” means agricultural plant seeds obtained as a result of the propagation of agricultural plant seeds that have characteristic distinctive features of an agricultural plant variety and are destined for the production of elite agricultural plant seeds;

“Agriculture seed batch” means a certain quantity of agricultural plant seeds homogeneous by origin and quality;

“Procedure for agricultural plant seed production” means a set of successive stages of the propagation of agricultural plant seeds;

“Sowing qualities of agricultural plant seeds” means a set of the quality indicators of agricultural plant seeds characterizing their suitability for sowing (planting);

“Agricultural plant seed producers” means legal entities and individual entrepreneurs carrying out the production of agricultural plant seeds;

“Reproductive agricultural plant seeds” means agricultural plant seeds obtained as a result of the sequential propagation of elite agricultural plant seeds;

“Agricultural plant breeding” means activities aimed at developing or identifying or improving an agricultural plant variety;

“Agricultural plants” means grain, grain legume, fodder, industrial, oilseed, potato, vegetable, melon, fruit, berry, medicinal, flower and other plants used in agriculture;

“Agricultural plant seeds” means actual plant seeds, seedlings, fruits, compound fruit parts, multiple fruits, bulbs, tubers, meristem materials and other generative and vegetative parts of agricultural plants destined for the propagation (reproduction) of agricultural plants;

“Agriculture seed production” means activities related to the production, refinement, storage, realization, transportation and use of agricultural plant seeds;

“Varietal purity of agricultural plant seeds” means a trait of varietal characteristics of agricultural plant seeds determined by the ratio of the number of agricultural plants of a certain variety or their stems to the total number of agricultural plants or their stems in the examined sowing (planting) of agricultural plants;

“Varietal qualities of agricultural plant seeds” means a set of agricultural plant characters characterizing the affiliation of their seeds to a certain variety;

“Varietal renewal of agricultural plant seeds” means the replacement of seeds of an agricultural plant variety with the seeds of the same variety of their higher propagation stages;

“Varietal replacement of agricultural plant seeds” means the replacement of agricultural plant seeds used in agricultural production of one variety with the agricultural plant seeds of another variety included in the State Register of Agricultural Plant Varieties;

“Insurance Agriculture Seed Funds” means the stocks of grain, grain legume and oilseed agricultural plant seeds belonging to varieties included in the State Register of Agricultural Plant Varieties;

“Reduction in the cost of agricultural plant seeds” means compensatory monetary payments made to the producers of agricultural plant seeds to reimburse their expenses for the production of agricultural plant seeds;

“Elite agricultural plant seeds” means agricultural plant seeds obtained as a result of the sequential propagation of original agricultural plant seeds according to the order of their production, including super-elite, elite seeds, and those destined for the production of reproductive seeds of agricultural plants.

Article 2. Scope of this Law

This Law shall regulate relations in the field of breeding and seed production of agricultural plants and determine conditions necessary to obtain agricultural plant seeds with the best varietal and sowing qualities.

This Law shall not apply to relations arising when the production of agricultural plant seeds is carried out for own needs by individuals who do not pursue a goal of making a profit at that.

Article 3. Legal Regulation of Relations in the Field of Breeding and Seed Production of Agricultural Plants

Relations in the field of breeding and seed production of agricultural plants shall be regulated by this Law, the Acts of the President of the Republic of Belarus, other legislative acts, the international treaties of the Republic of Belarus, as well as international legal acts that constitute the Law of the Eurasian Economic Union.

Relations associated with the breeding and seed production of genetically engineered agricultural plants shall be regulated by legislation on breeding and seed production of agricultural plants, unless otherwise provided for by legislation on safety in genetic engineering activity.

Relations associated with the seed production of agricultural plants belonging to varieties registered in the State Register of Protected Plant Varieties of the Republic of Belarus shall be regulated by legislation on breeding and seed production of agricultural plants, taking into account requirements for legislation on plant variety patents.

If an international treaty of the Republic of Belarus establishes rules other than those provided for by this Law, then the rules of the international treaty shall apply.

Article 4. Subjects of Breeding and Seed Production of Agricultural Plants

The subjects of agricultural plant breeding shall include the authors (co-authors) of agricultural plant varieties, as well as legal entities and individual entrepreneurs involved in agricultural plant breeding.

Subjects of seed production of agricultural plants shall include legal entities and individual entrepreneurs involved in the seed production of agricultural plants.

Article 5. Objects of Breeding and Seed Production of Agricultural Plants

Objects of agricultural plant breeding shall include agricultural plant varieties.

Objects of the seed production of agricultural plants shall include as follows:

sowing (plantings) of agricultural plants;

agricultural plants;

agricultural plant seeds;

agricultural plant varieties;

Insurance Agriculture Seed Funds.

CHAPTER 2

STATE REGULATION IN THE FIELD OF BREEDING AND SEED PRODUCTION OF AGRICULTURAL PLANTS

Article 6. State Regulation in the Field of Breeding and Seed Production of Agricultural Plants

State regulation in the field of breeding and seed production of agricultural plants shall be carried out by the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, the Ministry of Agriculture and Food, the National Academy of Sciences of Belarus, local Councils of Deputies, local executive and regulatory bodies and other government organizations within the scope of their competence.

State regulation of the activities of the subjects of breeding and seed production of agricultural plants in the field of breeding and seed production of original and elite agricultural plant seeds shall be carried out within the framework of an operational system for the development of breeding and seed production of agricultural plants.

Article 7. System for the Development of Breeding and Seed Production of Agricultural Plants

“A system for the development of breeding and seed production of agricultural plants” means an aggregate of collaborating government bodies and other government organizations carrying out state regulation in the field of breeding and seed production of original and elite agricultural plant seeds; legal entities and individual entrepreneurs involved in the breeding and/or seed production of agricultural plants that are the producers of original and elite agricultural plant seeds.

A system for the development of breeding and seed production of agricultural plants shall operate for the purposes as follows:

long-term planning of a set of measures for the development of breeding and seed production of agricultural plants in the Republic of Belarus;

development of competitive and highly productive varieties of agricultural plants with the best varietal, economically valuable and biological characters;

development and implementation of motivational and incentive mechanisms in the field of breeding and seed production of agricultural plants aimed at the production and realization of original and elite agricultural plant seeds;

coordination of scientific research and state testing of highly productive varieties of agricultural plants with their subsequent use in agricultural production;

ensuring the production of high-quality agricultural plant seeds of highly productive varieties and their realization in the Republic of Belarus, including for export;

carrying out varietal replacement and varietal renewal in the required volumes of original and elite agricultural plant seeds;

coordination and ensured liaison between the producers of original and elite agricultural plant seeds included in the system for the development of breeding and seed production of agricultural

plants.

The system for the development of breeding and seed production of agricultural plants shall include as follows:

the Ministry of Agriculture and Food, which is the coordinator of this system;

the National Academy of Sciences of Belarus, scientific organizations, higher education institutions;

local executive and regulatory bodies;

the State Institution “Main State Inspectorate for Seed Production, Quarantine and Plant Protection” and its territorial organizations;

the State Institution “State Inspectorate for Testing and Protection of Plant Varieties” and its territorial organizations – state variety testing stations;

the Republican Association “Belsemena”;

legal entities and individual entrepreneurs involved in breeding and/or seed production of agricultural plants that are the producers of original and elite agricultural plant seeds information about which is included in the State Register of Agriculture Seed Producers.

A procedure for the operation system for the development of breeding and seed production of agricultural plants shall be determined by the Ministry of Agriculture and Food.

Article 8. Powers of the President of the Republic of Belarus in the Field of Breeding and Seed Production of Agricultural Plants

The President of the Republic of Belarus in the field of breeding and seed production of agricultural plants shall determine a unified state policy and exercise other powers in accordance with the Constitution of the Republic of Belarus, this Law and other legislative acts.

Article 9. Powers of the Council of Ministers of the Republic of Belarus in the Field of Breeding and Seed Production of Agricultural Plants

The Council of Ministers of the Republic of Belarus shall:

ensure the implementation of a unified state policy in the field of breeding and seed production of agricultural plants;

approve state programs, including subprograms in the field of breeding and seed production of agricultural plants;

exercise other powers in accordance with the Constitution of the Republic of Belarus, this Law, other laws and Acts of the President of the Republic of Belarus.

Article 10. Powers of the Ministry of Agriculture and Food in the Field of Breeding and Seed Production of Agricultural Plants

The Ministry of Agriculture and Food shall:

implement a unified state policy in the field of breeding and seed production of agricultural plants;

organize the development and implementation of state programs, including subprograms in

the field of breeding and seed production of agricultural plants;

carry out international cooperation in the field of breeding and seed production of agricultural plants;

exercise other powers in accordance with this Law and other legislative acts.

Article 11. Powers of Local Councils of Deputies, Local Executive and Regulatory Bodies in the Field of Breeding and Seed Production of Agricultural Plants

The local Councils of Deputies within the scope of their competence shall:

exercise measures to implement a unified state policy in the field of breeding and seed production of agricultural plants;

approve regional sets of measures that ensure the implementation of state programs, including subprograms in the field of breeding and seed production of agricultural plants that stipulate financing from local budgets;

exercise other powers in accordance with this Law and other legislative acts.

Local executive and regulatory bodies within the scope of their competence shall:

form and submit for approval to local Councils of Deputies the regional sets of measures that ensure the implementation of state programs, including subprograms in the field of breeding and seed production of agricultural plants that stipulate financing from local budgets and ensure their implementation;

exercise other powers in accordance with this Law and other legislative acts.

Regional Executive Committees, in addition to the powers provided for in part two of this Article, in accordance with this Law and together with the Ministry of Agriculture and Food, shall implement the following:

coordination and ensured liaison between the subjects of breeding and seed production of agricultural plants in their implementation of activities in the field of breeding and seed production of agricultural plants;

annual planning of the required volumes of production and realization of high-quality agricultural plant seeds of highly productive varieties to ensure the varietal replacement and varietal renewal of agricultural plant seeds.

Article 12. Powers of Other State Organizations in the Field of Breeding and Seed Production of Agricultural Plants

The State Institution “Main State Inspectorate for Seed Production, Quarantine and Plant Protection” and its territorial organizations shall exercise the following:

measures to determine varietal and sowing qualities of agricultural plant seeds, unless otherwise provided for by this Law;

certification of the producers of original and elite agricultural plant seeds together with government bodies and other government organizations specified in paragraphs two-four, six and seven of part three of Article 7 of this Law;

supervision in the field of seed production of agricultural plants.

The State Institution “Main State Inspectorate for Seed Production, Quarantine and Plant Protection” shall include in the State Register of Agriculture Seed Producers of information about the producers of original and elite agricultural plant seeds and exclude them from the Register, as well as maintain the Register.

The State Institution “State Inspectorate for Testing and Protection of Plant Varieties” and its territorial organizations – state variety testing stations – shall conduct the state testing of agricultural plant varieties and soil control of agricultural plants.

The State Institution “State Inspectorate for Testing and Protection of Plant Varieties” shall exercise an entry of agricultural plant varieties in the State Register of Agricultural Plant Varieties and their exclusion from this Register, as well as maintain the specified Register.

The Republican Association “Belsemena” together with state bodies and other state organizations within the scope of their competence, in accordance with this Law and other legislative acts, shall implement the following:

coordination and ensured liaison of the producers of elite agricultural plant seeds that are part of the Republican Association, as well as planning the production and realization of elite agricultural plant seeds by them in the required volumes for the subjects of the seed production of agricultural plants to carry out the varietal replacement and varietal renewal of agricultural plant seeds;

development and implementation of motivational and incentive mechanisms in the field of breeding and seed production of agricultural plants aimed at the production and realization of original and elite agricultural plant seeds;

taking part in the certification of the producers of original and elite agricultural plant seeds to obtain the right to produce, refine, store, realize, transport, and use original and elite agricultural plant seeds;

annual reduction in the cost of original and elite agricultural plant seeds at the expense of budget funds allocated for these purposes, in the manner determined by the Ministry of Agriculture and Food;

international cooperation in the field of the seed production of elite agricultural plant seeds;

provide advisory and practical assistance with the issues related to the seed production of agricultural plants.

The National Academy of Sciences of Belarus, scientific organizations, and higher education institutions shall carry out the following:

development and implementation of scientific and technical programs;

scientific support for activities in the field of breeding and seed production of agricultural plants;

annual planning of the production of original agricultural plant seeds based on the needs of the Republic of Belarus;

activities in the field of breeding and seed production of original and elite agricultural plant seeds for the subsequent realization of those seeds to the producers of elite agricultural plant seeds in the required volumes;

providing advisory and practical assistance with the issues related to breeding and seed

production of agricultural plants;

international cooperation in the field of breeding and seed production of original and elite agricultural plant seeds.

CHAPTER 3

ORGANIZATION OF THE SEED PRODUCTION OF AGRICULTURAL PLANTS

Article 13. State Register of Agriculture Seed Producers

Information about the producers of original and elite agricultural plant seeds shall be subject to an entry in the State Register of Agriculture Seed Producers for the purposes of obtaining by the producers of agricultural plant seeds the right to produce, refine, store, realize, transport, and use original and elite agricultural plant seeds.

Including in the State Register of Agriculture Seed Producers of information about the producers of original and elite agricultural plant seeds shall be implemented based on their certification results, which involves examining the material and technical facilities of the producers of original and elite agricultural plant seeds for the presence of conditions that make it possible for them to ensure the production, refinement, storage, realization, transportation of such seeds with the best varietal and sowing characters.

Certification of the producers of original and elite agricultural plant seeds shall be carried out by the State Institution “Main State Inspectorate for Seed Production, Quarantine and Plant Protection” and its territorial organizations together with state bodies and other state organizations specified in paragraphs two-four, six and seven of part three of Article 7 of this Law, on the basis of an application and at the expense of a stakeholder.

Producers of agricultural seeds with no information included in the State Register of Agriculture Seed Producers shall have the right to be involved in the seed production of agricultural plants of only reproductive seeds of agricultural plants or elite agricultural plant seeds only for their own needs without the right to their subsequent realization.

Consultant Plus: comment.

The State Register of Agriculture Seed Producers is posted on the website of the State Institution “Main State Inspectorate for Seed Growing, Quarantine and Plant Protection” at <https://ggiskzr.by>.

Information contained in the State Register of Agriculture Seed Producers shall be posted on the official website of the State Institution “Main State Inspectorate for Seed Production, Quarantine and Plant Protection” over the global computer network Internet.

A procedure for the certification of the producers of original and elite agricultural plant seeds, a procedure and terms of including information about the producers of original and elite agricultural plant seeds in the State Register of Agriculture Seed Producers and excluding them from this Register, as well as a procedure for maintaining the specified Register, shall be determined by the Council of Ministers of the Republic of Belarus.

Article 14. State Testing of Agricultural Plant Varieties

The state testing of agricultural plant varieties shall be carried out to establish distinctiveness, uniformity and stability of agricultural plant varieties, to determine their economically valuable and biological characters for the purposes of including these varieties in the State Register of

Agricultural Plant Varieties.

The state testing of agricultural plant varieties shall be carried out by the State Institution “State Inspectorate for Testing and Protection of Plant Varieties” and its territorial organizations – state variety testing stations, in the manner determined by the Council of Ministers of the Republic of Belarus.

Article 15. State Register of Agricultural Plant Varieties

Agricultural plant seeds belonging to varieties included in the State Register of Agricultural Plant Varieties shall be allowed for realization in the territory of the Republic of Belarus, as well as for production and use in the Regions of the Republic of Belarus specified in the Register, unless otherwise provided for by this Law.

The basis for including agricultural plant varieties in the State Register of Agricultural Plant Varieties shall be the passed state testing of agricultural plant varieties.

Based on the results of the state testing of agricultural plant varieties, the State Institution “State Inspectorate for Testing and Protection of Plant Varieties” shall carry out the following:

including agricultural plant varieties in the State Register of Agricultural Plant Varieties;

determining the Regions of the Republic of Belarus in the territory of which the production and use of agricultural plant seeds of certain agricultural plant varieties are allowed.

Information on the inclusion of agricultural plant varieties in the State Register of Agricultural Plant Varieties and on their exclusion from the Register shall be published in the printed edition of the State Institution “State Inspectorate for Testing and Protection of Plant Varieties” and posted on its official website over the global computer network Internet.

A procedure for including agricultural plant varieties in the State Register of Agricultural Plant Varieties and excluding them from the Register, as well as a procedure for maintaining the specified Register, shall be determined by the Council of Ministers of the Republic of Belarus.

CHAPTER 4 MAIN REQUIREMENTS FOR THE SEED PRODUCTION OF AGRICULTURAL PLANTS

Article 16. Requirements for the Production, Use and Realization of Agricultural Plant Seeds

In the production and use of agricultural plant seeds by the producers of agricultural plant seeds:

varietal qualities of agricultural plant seeds shall be confirmed by the approbation act for agricultural plants;

sowing qualities of agricultural plant seeds shall be confirmed by a quality certificate for agricultural plant seeds.

When using agricultural plant seeds produced in the Republic of Belarus by persons who are not their producers, the varietal and sowing qualities of agricultural plant seeds shall be confirmed by a certificate for agricultural plant seeds.

When using agricultural plant seeds imported into the Republic of Belarus:

varietal qualities of agricultural plant seeds shall be confirmed by documents on the varietal qualities of imported agricultural plant seeds issued in the country of origin of these seeds;

sowing qualities of agricultural plant seeds shall be confirmed by a quality certificate for agricultural plant seeds or a certificate for agricultural plant seeds issued in accordance with legislation of the Republic of Belarus.

When realizing agricultural plant seeds:

produced in the Republic of Belarus, as well as imported into the Republic of Belarus from the territory of the non-member State to the Eurasian Economic Union, information on the varietal and sowing qualities of those seeds shall be confirmed by documents issued in accordance with legislation of the Republic of Belarus;

imported into the Republic of Belarus from the territory of the member State to the Eurasian Economic Union, information about the varietal and sowing qualities of these seeds shall be confirmed by documents issued by the member State to the Eurasian Economic Union according to the list approved by the Eurasian Economic Commission. In the case of the partial realization of a batch of agricultural plant seeds imported into the Republic of Belarus from the territory of the member State of the Eurasian Economic Union, a person realizing agricultural plant seeds in the Republic of Belarus shall provide certified copies of documents issued by the member State of the Eurasian Economic Union to the purchaser of agricultural plant seeds.

The following shall be prohibited, unless otherwise provided for by this Law:

production, use, realization of agricultural plant seeds the varietal and sowing qualities of which are not confirmed by the documents specified in parts one to four of this Article, as well as those belonging to varieties not included in the State Register of Agricultural Plant Varieties;

production, use of agricultural plant seeds in the territory other than that of the Regions of the Republic of Belarus specified in the State Register of Agricultural Plant Varieties for a certain agricultural plant variety;

realization of agricultural plant seeds by persons who are not subjects of the seed production of agricultural plants.

The production of agricultural plant seeds shall be carried out in accordance with the procedure established by the Ministry of Agriculture and Food.

Article 17. Refinement, Storage, Realization, Transportation, Packaging and Labeling of Agricultural Seeds

To ensure the proper quality of agricultural plant seeds, their refinement, storage, realization, transportation, packaging and labeling shall be carried out in the manner established by the Ministry of Agriculture and Food.

When treating agricultural plant seeds with chemical or biological agents, their storage, realization and transportation in the territory of the Eurasian Economic Union shall be carried out in the packaged form with an indication, in the accompanying documents for these seeds and on their marking (label), of information on the name of a chemical or biological agent.

Article 18. Import into the Republic of Belarus and/or Export from the Republic of Belarus of Agricultural Plant Seeds

Import into the Republic of Belarus and/or export from the Republic of Belarus of agricultural plant seeds shall be regulated by the international treaties of the Republic of Belarus, international legal acts that constitute the Law of the Eurasian Economic Union, as well as legislation on customs regulation and foreign economic activity.

Article 19. Insurance Agriculture Seed Funds

Producers of agricultural plant seeds involved in the production and use of grain, grain legume and oilseed agricultural plant seeds shall be required to form their Insurance Agriculture Seed Funds in the amount of at least 20% of an annual demand for these seeds to use them for sowing.

Article 20. Specifics of Use or Realization of Agricultural Plant Seeds Belonging to Varieties Not Included in the State Register of Agricultural Plant Varieties, as well as Not Authorized for Production and Use in the Territory of the Regions of the Republic of Belarus Specified in this Register

Agricultural plant seeds belonging to varieties not included in the State Register of Agricultural Plant Varieties, as well as not authorized for production and use in the Regions of the Republic of Belarus specified in this Register, can be used or realized:

when carrying out scientific research work, including agricultural plant breeding;

during the state testing of agricultural plant varieties;

for exhibiting agricultural plant seeds;

in the production of agricultural plant seeds with their subsequent realization outside the Republic of Belarus in accordance with foreign trade agreements;

legal entities and individual entrepreneurs on the basis of permits of the Ministry of Agriculture and Food – in the event of failure or damage to the crops (plantings) of agricultural plants as a result of hydrometeorological phenomena or emergencies of a natural and man-made nature; in the event of a shortage or absence of agricultural plant seeds in the Insurance Agriculture Seed Funds.

A procedure for issuing permits for the use or realization of agricultural plant seeds belonging to varieties not included in the State Register of Agricultural Plant Varieties, as well as not authorized for production and use in the Regions of the Republic of Belarus specified in this Register shall be determined by the Council of Ministers of the Republic of Belarus.

Agricultural plant seeds belonging to varieties excluded from the State Register of Agricultural Plant Varieties can be used for sowing (plantings), production, and realization within the next two years from the date of exclusion of these varieties from the specified Register.

CHAPTER 5 DETERMINING VARIETAL AND SOWING QUALITIES OF AGRICULTURAL PLANT SEEDS

Article 21. General Requirements for Varietal and Sowing Qualities of Agricultural Plant Seeds

Varietal and sowing qualities of agricultural plant seeds destined for production, realization and use must comply with the requirements established by the Ministry of Agriculture and Food and be confirmed by the documents specified in parts one to four of Article 16 of this Law, unless otherwise provided for by part two of this Article.

Requirements stipulated by part one of this Article shall not apply to agricultural plant seeds destined for scientific research, including agricultural plant breeding, state testing of agricultural plant varieties, and exhibiting agricultural plant seeds.

Agricultural plant seeds with an indicator of the sowing qualities of agricultural plant seeds (germination) less than the established requirements for up to 3% can be used or realized on the basis of permits of the Ministry of Agriculture and Food.

A procedure for issuing permits for the use or realization of agricultural plant seeds with an indicator of the sowing qualities of agricultural plant (germination) seeds less than the established requirements for up to 3% shall be determined by the Council of Ministers of the Republic of Belarus.

Article 22. Determining Varietal Qualities of Agricultural Plant Seeds

Varietal qualities of agricultural plant seeds shall be determined during the approbation of agricultural plants, the soil control of agricultural plants or the laboratory varietal control of agricultural plants.

The approbation of agricultural plants shall be carried out by the State Institution “Main State Inspectorate for Seed Production, Quarantine and Plant Protection” and its territorial organizations on the basis of an application and at the expense of a stakeholder. Based on the approbation results of agricultural plants, a stakeholder shall be issued with an approbation act for agricultural plants.

The producers of agricultural plant seeds shall be authorized to carry out the approbation of agricultural plants the seeds of which are destined for their own use with drawing up an approbation act for agricultural plants.

When carrying out the approbation of agricultural plants included in a list of agricultural plants the original and elite seeds of which, in the case of their realization, are subject to the mandatory soil control of agricultural plants or the laboratory varietal control of agricultural plants, their varietal purity shall be determined by conducting the soil control of agricultural plants or the laboratory varietal control of agricultural plants.

The soil control of agricultural plants shall be carried out by the State Institution “State Inspectorate for Testing and Protection of Plant Varieties” and its territorial organizations – state variety testing stations, on the basis of an application and at the expense of a stakeholder. Based on the results of the soil control of agricultural plants, a stakeholder shall be provided with a protocol on the soil control of agricultural plants.

The laboratory varietal control of agricultural plants shall be carried out by organizations specified in a list of organizations authorized to conduct the laboratory varietal control of agricultural plants, on the basis of an application and at the expense of a stakeholder. Based on the

results of the laboratory varietal control of agricultural plants, a stakeholder shall be issued with a test protocol.

Information contained in the protocol on the soil control of agricultural plants or a test protocol shall be included in the approbation act for agricultural plants.

Part eight of Article 22 shall come into force in a year after the official publication (paragraph three of Article 32 of this document).

The approbation of agricultural plants belonging to varieties registered in the State Register of Protected Plant Varieties of the Republic of Belarus the seeds of which are destined for realization shall be performed, provided a stakeholder has the right to use an agricultural plant variety in accordance with plant variety patent legislation.

A procedure for the approbation of agricultural plants, the soil control of agricultural plants, the laboratory varietal control of agricultural plants, the issuance of an approbation act for agricultural plants shall be determined by the Council of Ministers of the Republic of Belarus.

A list of agricultural plants the original and elite seeds of which, in the case of their realization, are subject to the mandatory soil control of agricultural plants or the laboratory varietal control of agricultural plants, a list of organizations authorized to conduct the laboratory varietal control of agricultural plants shall be established by the Ministry of Agriculture and Food.

Article 23. Determining the Sowing Qualities of Agricultural Plant Seeds

The sowing qualities of agricultural plant seeds shall be determined by analyzing the samples selected from agriculture seed batches.

Sampling from agriculture seed batches and their analysis shall be carried out by the State Institution “Main State Inspectorate for Seed Production, Quarantine and Plant Protection” and its territorial organizations on the basis of an agreement and at the expense of a stakeholder.

The issuance of a quality certificate for agricultural plant seeds shall be carried out by the State Institution “Main State Inspectorate for Seed Production, Quarantine and Plant Protection” and its territorial organizations on the basis of an application and at the expense of a stakeholder.

The producers of agricultural plant seeds shall be authorized to the independent sampling from the batches of agricultural plant seeds destined for own use.

A procedure for the sampling from agriculture seed batches and their analysis shall be determined by the Ministry of Agriculture and Food.

A procedure for issuing a quality certificate for agricultural plant seeds shall be determined by the Council of Ministers of the Republic of Belarus.

Article 24. Agriculture Seed Certificate

“*Agriculture Seed Certificate*” means a document confirming the varietal and sowing qualities of agricultural plant seeds subject to realization, including agricultural plant seeds imported into the Republic of Belarus, issued in the course of the realization of agricultural plant seeds to the purchaser.

An Agriculture Seed Certificate shall be issued on the basis of documents confirming the varietal and sowing qualities of agricultural plant seeds specified in parts one to four of Article 16 of this Law.

Drawing up and issuing an Agriculture Seed Certificate shall be carried out by a legal entity or an individual entrepreneur in the course of the realization of agricultural plant seeds to the purchaser.

The validity period of an Agriculture Seed Certificate should not exceed the validity period of a Quality Certificate for Agricultural Plant Seeds, as well as the documents issued in the country of origin of agricultural plant seeds imported into the Republic of Belarus.

A procedure for drawing up an Agriculture Seed Certificate and its form shall be determined by the Ministry of Agriculture and Food.

CHAPTER 6
SUPERVISION IN THE FIELD OF SEED PRODUCTION OF AGRICULTURAL PLANTS.
LIABILITY FOR A VIOLATION OF LEGISLATION ON BREEDING AND SEED
PRODUCTION OF AGRICULTURAL PLANTS.
FINANCING OF BREEDING AND SEED PRODUCTION OF AGRICULTURAL PLANTS.
SCIENTIFIC AND STAFFING SUPPORT OF BREEDING AND SEED PRODUCTION OF
AGRICULTURAL PLANTS

Article 25. Supervision in the Field of Seed Production of Agricultural Plants

Supervision in the field of the seed production of agricultural plants shall be carried out by the State Institution “Main State Inspectorate for Seed Production, Quarantine and Plant Protection” and its territorial organizations in accordance with legislation on control (supervisory) activities for preventing, detecting and suppressing violations of legislation on breeding and seed production of agricultural plants.

Supervision in the field of the seed production of agricultural plants shall be carried out by means of technical (technological, verificatory) activities, as well as the use of preventive and precautionary measures provided for by legislation on control (supervisory) activities.

Article 26. Liability for a Violation of Legislation on Breeding and Seed Production of Agricultural Plants

A violation of legislation on breeding and seed production of agricultural plants shall entail liability in accordance with legislative acts.

Article 27. Financing of Breeding and Seed Production of Agricultural Plants

Financing of breeding and seed production of agricultural plants, state testing of agricultural plant varieties shall be performed out of republican and local budgets, including within the framework of the implementation of state programs, including subprograms in the field of breeding and seed production of agricultural plants, as well as at the expense of legal entities and individual entrepreneurs, which are subjects of breeding and seed production of agricultural plants, and other sources not prohibited by law.

Republican and local budget funds shall be allocated for implementing the following activities on the development of breeding and seed production of agricultural plants:

reducing the cost of agricultural seeds;

purchasing agricultural breeding and seed-growing machinery and equipment, including those not produced in the territory of the Eurasian Economic Union.

Republican budget funds shall be allocated for the activities on the development of breeding

and seed production of agricultural plants, including:

acquiring the seeds of parental forms of maize, including under foreign trade agreements, as well as seed cobs of maize;

technical re-equipment of State Institutions “State Inspectorate for Testing and Protection of Plant Varieties” and “Main State Inspectorate for Seed Production, Quarantine and Plant Protection” and their territorial organizations with agricultural breeding and seed-growing equipment, laboratory equipment and devices, including specialized agricultural equipment, laboratory equipment and devices not produced in the territory of the Eurasian Economic Union.

The allocation of republican and local budget funds to the subjects of breeding and seed production of agricultural plants to stimulate their activities shall be carried out in accordance with legislative acts.

Republican and local budget funds stipulated in the current financial year to reduce the cost of agricultural seeds shall be directed to the producers of agricultural seeds who have produced and realized agricultural seeds in the manner determined by the Ministry of Agriculture and Food.

Article 28. Scientific and Staffing Support for Breeding and Seed Production of Agricultural Plants

Scientific support for breeding and seed production of agricultural plants shall be provided by the National Academy of Sciences of Belarus, scientific organizations, and higher education institutions in accordance with legislation on scientific activity.

In order to provide staffing for the breeding of agricultural plants, the National Academy of Sciences of Belarus shall take part in the formation of an order for the training of highly qualified specialists in the field of agricultural plant breeding by educational institutions.

Staffing support for the breeding and seed production of agricultural plants shall be carried out by educational institutions in accordance with legislation on education.

CHAPTER 7 FINAL PROVISIONS

Article 29. Recognizing the Law and a Separate Provision of Law to Be No Longer in Force

Recognize to be no longer in force:

The Law of the Republic of Belarus of May 2, 2013, No. 20-3 “On Seed Production”;

Paragraph 8 of Article 2 of the Forest Code of the Republic of Belarus of December 24, 2015.

Article 30. Transitional Provisions

Documents confirming the varietal and sowing qualities of agricultural plant seeds issued before the entry of this Law into force shall be valid until the expiry period they were issued for.

Article 31 came into force after the official publication (paragraph 4, Article 32 of this document)

Article 31. Measures to Implement the Provisions of this Law

The Council of Ministers of the Republic of Belarus within six months shall:

bring decisions of the Government of the Republic of Belarus in line with this Law;

ensure that republican government bodies subordinate to the Government of the Republic of Belarus shall bring their normative legal acts in line with this Law;

adopt other measures to implement the provisions of this Law.

Article 32 came into force after the official publication.

Article 32. Entry of this Law into Force

This Law shall come into force in the following order:

Articles 1-21, parts one-seven, nine and ten of Article 22, Articles 23-30 – in six months after the official publication of this Law;

Part eight of Article 22 – in a year after the official publication of this Law;

other provisions – after the official publication of this Law.

President of the Republic of Belarus

A. Lukashenko
