





Comparative Seed Study between Tanzania and India

INTERNATIONAL LEGAL OBLIGATIONS & *National Laws/Policies*

TREATY	United Republic of Tanzania	Republic of India
Conservation and Communities		
<p>Convention on Biological Diversity (CBD), 1993</p> <p></p> <p> Cartagena Protocol on Biosafety.....</p> <p>Nagoya Protocol on Access to Genetic Resources and the Fair & Equitable Sharing of Benefits arising from their Utilisation (ABS)</p>	<p>Entered 6 June 1996 <i>Plant Genetic Resources Bill (pending)</i></p> <p>11 September 2003 EM Act, 2004</p> <p>HAS NOT JOINED</p>	<p>Entered 19 May 1994 Biological Diversity Act, 2002</p> <p>11 September 2003 <i>BRAI Bill, 2013 (draft)</i></p> <p>12 October 2014 Guidelines on ABS, 2014</p>
Trade		
<p>World Trade Organisation (WTO), 1995</p> <p> TRIPS Agreement: Grant intellectual property rights (IPRs) either through</p> <p>1. Patents on plants.....</p> <p>OR</p> <p>2. Effective <i>sui generis</i></p> <p>- either make your own system to implement TRIPS</p> <p>- or join International Union for the Protection of New Varieties of Plants (UPOV) [even though UPOV is not mentioned in WTO's TRIPS text]</p> <p>OR</p> <p>3. Any combination thereof</p>	<p>Became member 1 January 1995</p> <p>NO to patents on plants in the Patent Act</p> <p>Plant Breeders' Rights Act, 2012 Zanzibar Plant Breeders' Rights Act, 2014 URT joined UPOV 22 November 2015</p> <p>DID NOT MAKE </p>	<p>Became member 1 January 1995</p> <p>NO to patents on plants and on traditional knowledge in Patent Act</p> <p>NO to UPOV Membership Protection of Plant Varieties and Farmers' Rights Act, 2001</p>
Farmers' Rights		
<p>International Treaty on Plant Genetic Resources for Food and Agriculture, 2004 (ITPGRFA/'Plant Treaty')</p>	<p>Acceded 30 April 2004</p> <p>'Subject to national legislation'</p>	<p>Ratified 10 June 2002</p> <p>National Policy for Farmers, 2007</p>

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SEED RELATED LAWS & POLICIES

United Republic of Tanzania

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|---|--------------|
| 1. Agricultural and Livestock Policy, 1997 | REPLACED |
| 2. Plant Protection Act, 1997 | |
| 3. Seed Act, 2003 (and its amendment of 2014) | UNDER REVIEW |
| 4. Seed Regulations, 2007 | AMENDED 2017 |
| 5. Guideline for Control of Quality Declared Seed, 2007 | |
| 6. The 'Kilimo Kwanza' Resolution, 2009 | |
| 7. Ministerial Circular on Licensing of Protected Varieties of Plants, 2011 | AMENDED 2017 |
| 8. Plant Breeders' Rights Act, 2012 | |
| 9. Zanzibar Plant Breeders' Rights Act, 2014 | |
| 10. National Agriculture Policy, 2013 | |
| 11. Plant Genetic Resources Bill | NOT LAW YET |

Republic of India

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|---|-------------------|
| 1. Seed Act, 1966 | ATTEMPT TO CHANGE |
| 2. Seed Rules, 1968 | |
| 3. Seed (Control) Order, 1983 | |
| 4. New Policy on Seed Development, 1988 | |
| 5. Protection of Plant Varieties and Farmers' Rights Act, 2001 | |
| 6. Biological Diversity Act, 2002 | |
| 7. National Seed Policy, 2002 | |
| 8. Biotechnology Regulatory Authority of India Bill, 2013 | NOT LAW YET |
| 9. Licensing and Formats for GM Technology Agreement Guidelines, 2016 | WITHDRAWN |
| 10. National IPR Policy, 2016 | |