



**CPVO • OCVV**

Community Plant Variety Office  
Office Communautaire des Variétés Végétales

## ADMINISTRATIVE COUNCIL OF THE CPVO

Angers, 4 October 2016

### Main conclusions

#### **1. Update on recent developments and statistics (DOC-AC-2016-2-3-EN)**

The AC members took note of the information provided.

#### **2. Presentation of the CPVO policy on maintaining a reasonable free reserve (DOC-AC-2016-2-4-EN)**

The AC members adopted the CPVO policy on maintaining a reasonable free reserve based on a) a free reserve set at 50% of payment budget, b) fixed examination fees for applicants for four years based on cost calculation made every four years and inflation rate added in the intervening years for examination office remunerations and c) annual fees adapted to maintain the free reserve. The members of the AC also took note of the new transparency portal of the Commission and related public consultation for any legislation with budgetary impact.

#### **3. Draft budget 2017 for approval (DOC-AC-2016-2-5-EN + 2 annexes)**

The AC members adopted the draft budget for 2017 as proposed.

#### **4. Revisions of the 2016 budget for approval (DOC-AC-2016-2-6-EN + annex)**

The AC members adopted the revision of the 2016 budget as proposed with an adjustment for line E3500 for which the revision should relate to commitment appropriations rather than payment appropriations.

#### **5. Procedure to assess non EU-based examination offices (EO) before initiating technical co-operation (DOC-AC-2016-2-7-EN + annex)**

The AC members adopted the procedure to assess non EU-based examination offices before initiating technical co-operation with a) clarification that the agreement would be per species, b) a pilot phase of three years and c) a review after a period of five years following the first agreement being signed.

#### **6. Request of AIPH to become observers to the CPVO's AC (DOC-AC-2016-2-8-EN + annex)**

The AC members took note that AIPH was currently reflecting and re-assessing its strategy as regards the opportunity to lodge a formal request to become observer to the CPVO AC meetings.

#### **7. Decision on the adoption of CPVO Technical Protocols (DOC-AC-2016-2-9-EN + 3 annexes)**

The AC members adopted two new and one revised technical protocols presented for *Plectranthus L'Hér.* excluding *P. scutellarioides* (CPVO-TP/315/1), *Campanula L.* (CPVO-TP/305/1) and *Malus Mill* (CPVO-TP/163/2). In the future, it will be considered whether versions with modifications in track changes would be presented together with the clean versions of the protocols for adoption.

#### **8. Decision on the recommendations to entrust Examination Offices (DOC-AC-2016-2-10-EN + 4 annexes)**

The AC members adopted the four recommendations put forward by the Audit Team Leader for United Kingdom (NIAB and APHA), Hungary (NÉBIH) and Belgium (CRA-W).

#### **9. Composition of the CPVO Audit Advisory Board (DOC-AC-2016-2-11-EN)**

The AC members adopted the modified composition of the Audit Advisory Board until end 2018.

#### **10. Follow up on the adoption of Novelty Guidelines (DOC-AC-2016-2-26-EN + 2 annexes)**

The AC members adopted the guidelines with one amendment to paragraph 5.

**11. Follow up on the request to extend the duration of Community Plant Variety Rights for certain species (DOC-AC-2016-2-27-EN + annex)**

The AC members took note of a letter from the Commission in which information and data was requested. They decided that the CPVO would prepare the requested statistics and collect all the information from the breeders' organisations and send it to the Commission without going back to the AC.

**12. Report on the state of affairs for sharing online applications (DOC-AC-2016-2-12-EN)**

The AC members took note of the state of the project and in particular that the XML technology development was the priority for the year to come for the CPVO in order to get both CPVO and UPOV systems complementary. Some possible options on the future funding were also discussed.

**13. International System of Cooperation (UPOV) – Consequences for the CPVO (DOC-AC-2016-2-13-EN + 5 annexes)**

The AC members took note of the state of affairs of the international system of cooperation project. They also provided input for the CPVO to elaborate an EU position in view of the forthcoming UPOV meetings in October 2016.

**14. Cooperation CPVO-EPO (DOC-AC-2016-2-14-EN + annexe)**

The AC members took note of the update on the current and future cooperation between CPVO and European Patent Office (EPO).

**15. Report on potential developments for Variety Finder (DOC-AC-2016-2-15-EN)**

The AC members agreed on the setting up of the 'contribution working group – CWG'. They welcomed the progress made and looked forward to seeing the results of the meeting with DG Santé.

**16. Revision of Variety Denominations Guidelines (DOC-AC-2016-2-16-EN + annex)**

The AC members took note of the outcome of the 1<sup>st</sup> meeting of the working group aiming at preparing the revision of the current Explanatory Notes on Variety Denominations. The 2<sup>nd</sup> meeting was due to take place on 5 October 2016 and the third one early 2017. A proposal would then be submitted to the AC.

**17. IMODDUS - Report from first meeting (DOC-AC-2016-2-17-EN)**

The AC members took note of the report on the 1<sup>st</sup> meeting of the IMODDUS group aiming at developing a strategy on how to integrate BMT into DUS testing and proposing R&D projects for co-funding by the CPVO.

**18. Internal Audit Report (DOC-AC-2016-2-28-EN + 2 annexes)**

The AC members took note of the report on the Explanatory notes of postponement rules and had no comment.

**19. Recruitment of Vice-President (DOC-AC-2016-2-18-EN)**

The AC members took note of the information.

**20. Recruitment of Chair of Board of Appeal (DOC-AC-2016-2-19-EN)**

The AC members took note of the information with no comment.



**20. Report on activities beyond EU Borders (DOC-AC-2016-2-20-EN)**

The AC members took note of the information.

**21. Declarations of Interest - Policy on Conflict of Interest (DOC-AC-2016-2-21-EN)**

The AC members took note of the information with no comment.

**22. Research and Development: State of Affairs (DOC-AC-2016-2-22-EN)**

The AC members took note of the state of affairs of R&D projects and of the adoption by the President of the Office of a new CPVO internal procedure for processing R&D projects.

**23. Presentation of 2015 Final Accounts (DOC-AC-2016-2-23-EN + annex)**

The AC members took note of the information with no comment.

**24. Consolidated document on criteria the CPVO applies when attributing candidate varieties to Examination Offices (DOC-AC-2016-2-24-EN)**

The AC members took note of the consolidated document provided by the CPVO.

**25. CPVO involvement in sampling and storing of DNA in roses (DOC-AC-2016-2-25-EN + annex)**

The AC members took note of the information that the storage of DNA samples of roses would be limited to 5 years for 50 euros. After 5 years, if necessary the breeders would be contacted for follow-up.

**AOB1: 'Brexit' and possible consequences for CPVO.**

The AC members took note that, for the moment, there was no official request from UK under article 50 of the Treaty to implement the Brexit. At EU level, a formal request from the UK authorities was necessary before starting any discussion or taking any action. At national level, Member States could take any initiative they deem necessary.

