

CONSOLIDATED ANNUAL ACTIVITY REPORT 2021

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Administrative Council analysis and assessment

The President of the Community Plant Variety Office presented the Annual Activity Report for the year 2021 to the Administrative Council (AC) on 27 April 2022.

It was noted that the Office adapted very well to teleworking and that no backlogs were accumulated due to the pandemic except for QAS audits. It was also noted that the decisions taken in 2020 to extend deadlines for payments of fees with the aim to assist applicants in dealing with cash flow problems, did not have any impact on the finances of the Office in 2021.

CPVO applications remained strong in 2021, with 3480 applications in total. The processing of more than 75000 applications since 1995 underlines the stability of the system. The number of applications continues to be at a very stable level and the finances of the CPVO are robust.

In 2021 the free reserve continued to increase as planned. The CPVO appears on course to attain its long-term goal of maintaining stable application and annual fees, whilst the fees for technical examinations must be adjusted to the costs of performing the DUS tests. This development further underlines the CPVO's commitment to providing plant variety rights at an affordable cost.

A reorganization was initiated by creating an IT unit to face the challenges related to digital transformation, and to restructure the HR service for optimisation of resources. A new Head of IT was recruited as from 16 January 2021 and a HR Team Leader was recruited as from 16 September 2021.

The EUIPO Observatory responded positively to a CPVO request to make a study on the impact of the EU PVR system on the EU economy. The study was carried out in 2021 and a final report is expected in 2022.

The indicators provided in this report show that the objectives set in the 2021 Work Programme were satisfactorily achieved.

The AC takes note of the Management Report, and especially the part related to Budget and Financial Management. It also takes note of the Assessment by the Management and the Declaration of Assurance.

The AC is satisfied with the declaration of the authorising officer that his report gives a true reflection of the situation on the ground and that he has reasonable assurance that the resources assigned to the activities described in his report have been used for their intended purpose. The AC also accepts that such activities were carried out in accordance with the principles of sound financial management. The AC is satisfied that the control procedures in place provide an adequate guarantee as to the legality and regularity of the affairs of the CPVO.

The AC is satisfied that the President of the CPVO is unaware of any matter not reported which could harm the interests of the CPVO.

Marien Valstar

Chair of the CPVO Administrative Council



1. Executive Summary - Achievements of the year

1.1. Introduction by the CPVO President

During 2021, the Community Plant Variety Office continued operating in a hybrid mode, with teleworking being the preferred work pattern, virtual meetings and without being able to travel and revert to ordinary business as before the pandemic.

Nevertheless, CPVO staff and stakeholders were already acquainted with this new way of cooperating with each other and, sometimes, cutting distances and the need for traveling also benefited a more continuous engagement.

Operationally speaking, also 2021 can be seen as a positive year for grants, with more than 2800 titles granted against 3480 applications received, and despite a slight increase in surrenders.

The 2021 was marked by an increased attention to support the implementation of European policies in the framework of the European Green Deal, the Farm to Fork and the Biodiversity strategies and a specific interest in developing policies for the benefit of the backbone of the European economy, the Small and Medium Sized enterprises under the European IP Action Plan.

The CPVO kept on supporting the European Commission and the European Union Intellectual Property Office in their outreaching efforts in international activities. At the moment, the Office is contributing to the implementation of six international cooperation projects world-wide, with the aim of promoting the development and consolidation of effective plant variety protection systems, based on the UPOV 1991 Convention.

A sectorial study to assess the socio-economic impact of the EU PVR system in the EU has been conducted by the Observatory on Infringements of IP Rights with the collaboration of the CPVO. The study will also examine how the EU PVR system can leverage sustainability in agriculture and horticulture in the context of the EU Green Deal and the UN Sustainable Development Goals.

In late 2021, the new Regulation on the extension of protection for certain species¹ came into force. Regarding legislative news, the targeted revision of the Basic Regulation is expected to start in the coming year.

Moreover, the Office is contributing to the update by the European Commission of the existing legislation on the production and marketing of plant reproductive material ('PRM study'), to better align the said legislation with the goals of the European Green Deal and the Farm to Fork, Biodiversity and Climate Adaptation Strategies.

Last but not least, at the very end of 2021 I was appointed as President of the CPVO and I am honoured to continue the work of my predecessors in building an ever more digital, user-centric, modern and efficient agency.

¹ Regulation (EU) 2021/1873 of the European Parliament and of the Council of 20 October 2021 on the extension of the term of the CPVRs of the species *Asparagus officinalis* L. and of the species groups flower bulbs, woody [ornamentals](#).

1.2. Achievement of CPVO Work Programme Objectives

The CPVO Work programme for 2021 outlined a number of objectives and indicators for each major activity defined for the year. What follows is an analysis of the state of play for the achievement of each of these objectives. As the indicators have been up-dated since the work program was adopted, there are some differences between the two documents. Some indicators have been deleted, added or modified, and others have changed status from operational to key indicator. Some targets have been redefined as well since the adoption of the work program.

1.2.1. Efficiency of the application process

Managing the CPVO system entails, amongst others, processing CPVR applications, granting certificates of protection, managing appeals and other legal actions against decisions of the Office, and providing access to documents to the public when requested. Below are the detailed results for each of these activities in 2021.

Figure 1 Achievement of objectives – Efficiency of the application process:

Objectives 2021:		
<ul style="list-style-type: none">• Rapid processing of applications• High level of online application processing• Paperless Processing		
Key Indicators	2021 Target	Result 2021
Number of applications received in relation to the number of staff indicated in the establishment plan ²	>70	3480/45=77
% of acknowledgements of receipt of an application within 5 working days	≥ 85%	86%
% of online applications	≥ 95%	97%
Average number of processing days between receipt of final report and grant	105 for technical examinations 107 for take-overs	96 for technical examinations; 106 for take-overs

Acknowledgment of receipt of applications is above the target despite a slight drop in comparison with 2020, mostly caused by a noticeable increase in a single crop sector and an application peak towards the end of the year.

² This provides a global workload indication even though not all staff are dealing directly with applications

1.2.2. Reliable decisions

Figure 2 Achievement of objectives – Reliable decisions

Objectives 2021: <ul style="list-style-type: none"> Present clearly and convincingly the position of the CPVO before the Board of Appeal, the Court of Justice of the European Union and ensure the deadlines are met. 		
Key Indicators	2021 Target	Result 2021
% of legal decisions maintained	95%	100%
% of legal deadlines met	100%	100%
Operational indicators		
% of appeals won by the CPVO in all instances	≥90%	60%
Number of appeals lodged	10	24
Number of appeals rectified	2	2

The Board of Appeal took three decisions in 2021, in one case the appeal was successful, in another case the decision appealed was cancelled, but on grounds examined ex officio by the Board of Appeal different from the appellant's substantiations, and in the third case the BoA dismissed the action. The General Court dismissed two actions lodged before it. The Office rectified 2 decisions on the 24 appeals received. The apparent increase in number of pending appeals is due to parallel actions dealing with a series of varieties belonging to the same applicant/holder. The said parallel appeals have been stayed by the Board of Appeal pending legal actions on matter of entitlement before a national court.

1.2.3. Public access to documents

In 2021 the Office has received 68 requests for public access to documents and 2 confirmatory requests.

Figure 3 Achievement of objectives – Public access to documents

Objectives 2021: <ul style="list-style-type: none"> Ensure the deadlines for response to initial applications and confirmatory requests are duly respected. Ensure that the provisions of Regulation 1049/2001, and in particular Article 4 thereof, are fully complied with. Make available to the public the largest number of documents on the website of the CPVO. 		
Operational Indicator	2021 Target	Result 2021
% of public access requests dealt within the deadlines	100%	100%

1.2.4. Quality Audit System

Figure 4 Achievement of objectives – Quality Audit System

Objectives 2021: <ul style="list-style-type: none"> • Carry out the foreseen number of audit visits, while applying the risk based audit strategy • Ensure availability of technical experts 		
Key Indicators	2021 Target	Result 2021
Number of foreseen audit visits ³	10	8
Number of surveillance procedures initiated	One	One
Number of Audit Advisory Board consultations/objections	None	None
Number of unsolved issues in the cooperation reports	None	None
Number of Technical experts for next assessment	At least 25 experts appointed for 2019-21 and trained	36 experts appointed and trained

The eight postponed audits from 2020 were able to be fulfilled in 2021. Since Covid-19 travel restrictions were still in place in the first half of the year, the initial four audits were undertaken via the alternative “plan B” devised by QAS and adopted in the CPVO’s Business Continuity Plan for 2021. This plan B focused on detailed desktop analysis and video conferencing between the QAS Team and the audited examination office for one or two days, which also included live filming from the DUS test trials. Once the Covid-19 travel restrictions eased in the second half of the year with the implementation of the EU green certificate, the other four audits to examination offices could be carried out on-site by the QAS Team.

³ This KPI cannot be found in the 2021 WP

1.2.5. Maintain good cooperation with the Examination Offices

Figure 5 Achievement of objectives – Maintain good cooperation with the Examination Offices

Objectives 2021: <ul style="list-style-type: none"> • Organisation of the annual EO meeting • Organisation of one crop sector expert meeting per crop sector • Elaboration of new and/or revised Technical Protocols 		
Key Indicators	2021 Target	Result 2021
Coverage of applications by CPVO Technical Protocols	>90%	86%
% of late reports	<5%	11% one or more days, 7% less than 10 days
Operational Indicators		
% of satisfaction of examination offices present to meetings	≥85%	N/A ⁴
% of examination offices present at CPVO meetings	95%	97%
Number of new and revised Technical Protocols	10	25
Number of bilateral meetings	4	7

Participation rate of examination offices in CPVO meetings was high as it benefitted from the virtual meetings that enabled participants to join events without travelling. The proportion of late reports has gone down again after 2020 increase caused by disruptions linked to the Covid-19 pandemic.

⁴ No satisfaction survey was launched this year but the oral feedback is overall very positive.

1.2.6. Implement the R&D Strategy

Figure 6 Achievement of objectives – Implement the R&D Strategy

Objectives 2021:		
<ul style="list-style-type: none">• Continue the monitoring and the potential implementation of the results of on-going and finalised projects• Process applications for co-funding projects• Organize meetings of the ad hoc WG IMODDUS		
Key Indicator	2021 Target	Result 2021
% of co-funded projects aiming at introducing BMT in variety testing and/or identification ⁵	80%	100% (two new projects approved for co-financing)
% of finalised R&D projects leading to operational means or substantial information allowing improvement of variety testing procedures	90%	100% (1 project finalised)
Operational Indicators		
% of projects delivered on time (final reports)	100%	100 % (1 project finalised)

1.2.7. Implement IT tools to guarantee the quality and efficiency of the activities

The implementation of IT projects in 2021 was mostly⁶ in line with the product and project roadmap approved early 2021.

The list of initiatives, projects and programmes completed include:

- Launch of MyPVR 4.0, a major new version focusing on enhanced/enriched user experience with new capabilities such as screens to manage user applications, documents, fees & communications. Other improvements were rolled out later during the year such as improved login and downtime notifications.
- Continuous iterations of PVR improvements, supporting changes in regulation, business processes and integration requirements with other evolving platforms. The highlight for 2021 was the release of the e-EndOfFiles module (started in 2020) across both MyPVR and PVR.
- The transition to the cloud is progressing at a healthy pace, with the go live of Microsoft M365, the consolidation of MyPVR, S2/S3, Public Search and Variety Finder on Amazon Web Services (AWS). Other transitions to the cloud (Online application, TLO, Denomanager, ...) are pending Data protection risk assessments.
- Digitization and automation of various internal business processes (i.e. HR, accounting, ...) but also external machine to machine data exchanges (UPOV Prisma).

⁵ This KPI cannot be found in the 2021 WP

⁶ The IT roadmap was conceived with flexibility in mind, allowing bimonthly participative prioritisation reviews, facilitating the introduction of change, adapting to evolving business context, reshuffling of projects and timelines. Major new initiatives were introduced early 2021 pushing existing one into 2022.

- Strengthening the foundational infrastructure for the New Ways of Working (NWoW), (replacement of traditional desktops with mobile docking stations).

The list of initiatives, projects and programmes initiated in 2021 planned to be completed in 2022 include:

- Major rewrite of legacy platforms such as Online Application & TLO website were initiated mid 2021 and are scheduled to be delivered early 2022. These initiatives are aimed at reducing the impact of outdated technologies that require complicated maintenance, but more importantly, allow cost effective, robust and secure improvements.
- Strategic initiatives in the domains of cybersecurity (in preparation of upcoming EU regulations), content management and cloud transitions were initiated late 2021 and will be published first half of 2022.

Objectives 2021:		
<ul style="list-style-type: none"> • Delivery of the IT roadmap 		
Key Indicator	2021 Target	Result 2021
% of implementation of the annual IT master plan	100%	100%
Approved projects in the pipeline ⁷	15 projects approved of which 8 urgent	46 of which 13 Urgent
Major projects to be finalised each year ⁸	2	4 (MyPVR 4.0; e-EndOfFiles; bulk upload of Maize applications; M365)

1.2.8. Promotion of the PVR system in the EU and internationally

In 2021 the CPVO has continued its activities to strengthen its international cooperation with various international partners on technical and administrative level. In particular it has participated to the implementation of the IP Key projects in China, Latin America and South-East Asia, CarIPI in the Caribbean, AfrIPI, covering the African continent, started to cooperate in a TAIEX program in the Dominican Republic and continued its contribution to the implementation of the OAPI Roadmap under the PPOV project.

⁷ This KPI cannot be found in the 2021 WP but it has been added since the Commission requested it

⁸ This KPI cannot be found in the 2021 WP but has been added since the Commission requested it

Figure 7 Achievement of objectives – Promotion of the PVR system in the EU and internationally

Objectives 2021:		
<ul style="list-style-type: none"> • Reinforce and maintain a strong Intellectual Property Network, in the EU and internationally • Implement the adopted strategy on cooperation with third countries on PVR matters • Develop new cooperation by seizing opportunities with new partners 		
Key Indicators	2021 Target	Result 2021
Number of participations to meetings and trainings / collaboration with other strong IP actors (UPOV, EPO, EUIPO...)	10	15
Number of projects with IP actors in third countries	6	6
Number of organisations of, or participation to Open Office days, public seminars, contribution to events	6	2 ⁹
Operational Indicators		
Number of meetings with OAPI during the year contributing to the implementation of the OAPI roadmap	2	10
Number of collaborations over projects that are funded by the EU	1	7
Number of lectures hold in collaboration with universities (ex. participation in specialized Master programs, conferences, etc.)	6	12
Number of projects elaborated in partnership with universities (symposium, research project, PhD, etc.)	2	1
Number of visits to key stakeholders (Breeders, breeders' organisations, entrusted EOs, CPVO AC members, EU institutions, Farmers and plant producers, National authorities outside EU, International organisations...)	12	Since we operated online, the traditional activities done in vivo were transformed into videoconferences.
Number of visits from key stakeholders (Breeders, breeders' organisations, entrusted EOs, CPVO AC members, EU institutions, Farmers and plant producers, National authorities outside EU, International organisations...)	12	Since we operated online, the traditional activities done in vivo were transformed into videoconferences.
Reputation barometer regarding stakeholder's satisfaction and expectations	75%	N/A this year, no satisfaction surveys carried out

⁹ Indicator impacted by COVID-19

Objectives 2021: <ul style="list-style-type: none"> • Reinforce and maintain a strong Intellectual Property Network, in the EU and internationally • Implement the adopted strategy on cooperation with third countries on PVR matters • Develop new cooperation by seizing opportunities with new partners 		
Operational Indicators	2021 Target	Result 2021
Number of collaborative projects/activities with the EUIPO	12	21
Number of new cooperations (active development and seizing opportunities with new partners)	2	3

1.2.9. Enforcement of Community Rights

In 2021, the CPVO has continued its cooperation with the Observatory on the infringement of Intellectual Property Rights. The CPVO has contributed to the up-date of the Observatory national case-law database. The CPVO has also continued the update of its own case-law database.

During 2021, the Observatory on the infringement of Intellectual Property Rights agreed to conduct a study on the socio-economic impact of the EU PVR system in the European Union.

The Office participated to the recurrent training (VTC) on enforcement of IPRs organised by the Observatory and in a webinar focusing on enforcement within the IPKey South East Asia project.

Figure 8 Achievement of objectives – Enforcement of EU PVRs

Objectives 2021: <ul style="list-style-type: none"> • Support breeders with actions related to the enforcement of CPVRs in cooperation with the Observatory and other Institutions active in the field of enforcement of Intellectual Property Rights. • Continue cooperating with the EPO 		
Key Indicator	2021 Target	Result 2021
Number of enforcement initiatives carried out	2	4
Operational indicators		
% of participation to the meetings with the observatory, Legal and Enforcement WG, Inter-Agency Coordination Group	100%	100%
Number of seminars / presentations of issues on enforcement	3	3

1.2.10. Process efficiency

The year 2021 was one of extremely high workload in the CPVO for horizontal support activities, and this was in the face of long-term absences in certain sectors.

The CPVO is committed to aligning the level of the Free Reserve to the amount agreed with the Administrative Council (50% of payments budget in the long term) and to do so requires adjustments to the budget in the medium term, through setting fees at an appropriate level. This year saw the continued positive budget outturn, allowing an increase in the Free Reserve to EUR 4.8 million, up significantly from the previous year.

Figure 9 Achievement of objectives – Budget, accounting treasury, procurement & logistic

Objectives 2021: <ul style="list-style-type: none"> Balanced budget Stable Free Reserve No comments from Court of Auditors Fast payment of Invoices 		
Key Indicators	2021Target	Result 2021
Ratio of invoices received, processed and paid in relation to the number of staff indicated in the establishment plan	(6 100/45=) 136	(5 384/45) =120
Ratio of debit and credit notes issued, processed, sent and recognized in the accounts receivable per staff indicated in the establishment plan	(44 100/45=) 980	(44752/45) = 994
% of cancellations of carry forward commitments	≤15% of total carry forward commitments	14%
Level of free reserve vs. total budget for payment appropriations	50%	25% ¹⁰
Operational Indicators		
Number of budget revisions and/or transfers	2 or less	3 transfers
Number of remarks of the Court of Auditors on financial accounts (RAS, published in the OJ)	None	None
% payment of invoices under 30 days	>90%	89%
% of procurement procedures launched from Work plan of relevant year	85%	85%
Average length of procurement procedures processing	3 months	3,7 months

¹⁰ The Free Reserve will take a number of years of gradual increase to move to the 50% of payment appropriations

1.2.11. Recruit and develop staff – Empower and motivate staff

Figure 10 Achievement of objectives - Recruit and develop staff – Empower and motivate staff

Objectives 2021: <ul style="list-style-type: none"> Recruit, train, assess, (motivate and retain) high quality staff so that effective and efficient operation of the CPVO is ensured. Assist the Management in the implementation of the traineeship programme. Give an expertise in the domain of HR to the Management and the Staff. Draft and implement clear rules for all HR aspects. Prepare salaries on due time. Processing missions' reimbursements in due time. Give access to a wide choice of trainings in line with the needs expressed. 		
Key Indicators	2021 Target	Result 2021
Average length of the recruitment process (publication to accepting post)	8 months	6 months
% of non-recoverable extra hours vs. total hours spent during the year	<5%	3.8%
% of completion of the mandatory training program	100%	90%
% of feedbacks filled in by staff following a training	100%	45%
% of staff satisfaction regarding achievements of objectives (question included in annual staff survey)	>80%	90%
Number of internal mobility experiences	1	0
Engagement rate (composite indicator: I would recommend CPVO as employer, I am proud to work at CPVO, I am satisfied with my work environment...) measured through staff surveys	80%	97,5%

1.2.12. Internal Control, Audits and Evaluations

Figure 11 Achievement of objectives – Internal Control, Audits and Evaluations

Objectives 2021:		
<ul style="list-style-type: none">• Design and organise, together with the Internal Auditor, internal audit programmes based on the CPVO list of risks and regularly reviews on the implementation of the audit recommendations made in the past.• Assist the CPVO management in the implementation of internal control activities by writing ex-post control reports, organising regular assessments of the internal control and coordinate all reports linked to the internal control, the programming documents and the annual activity reports.		
Key Indicators	2021 Target	Result 2021
Number of exceptions recorded into the exception register	Max. 10/year	12 ¹¹
% of recommendations of the Internal Auditor closed from three preceding years	>75%	65% ¹²

1.2.13. Internal Communication

Internal communication remained an important activity in 2021, with the triple objective (1) to mitigate the uncertainties and constraints caused by the Covid restrictions, (2) to inform staff members of key decisions and changes, and (3) to motivate and engage with staff members through virtual and presential activities.

In this respect, around 20 internal video messages were produced so that the President could inform staff of all major decisions and of the working conditions imposed by Covid. In 2021, half of these videos featured colleagues from all units and services with the view to give them internal visibility and to let them explain key projects that they are carrying out. In 2021, we also initiated the Talks of the Month, a series of live internal webinars and Q&A sessions for all staff with a leading figure from the industry, policy or academic world. Seven talks of the months were organised in 2021.

Finally, we revived the internal communication network with two formal meetings and we launched a few engaging projects such as the interviews with newcomers, the picture contest for Halloween and the compliments week.

¹¹ Most exceptions were due to late budgetary commitments, with no financial impact

¹² Certain recommendations from the audits relate to matters for which the CPVO is awaiting input from the European Commission for new IT modules. These concern major developments, which were not possible in 2021. Most recommendations are underway and should be cleared in 2022

Figure 13 Achievement of objectives – Internal Communication

Objectives 2021:		
<ul style="list-style-type: none"> Measure the satisfaction of the staff regarding the internal communication and take corrective actions 		
Key Indicators	2021 Target	Result 2021
% of satisfaction of the staff regarding the internal communication (through the staff survey)	80% of staff satisfied	82,5%
Operational indicators		
Meetings on ongoing projects and the CPVO's activity organised by management	2 GA/year	2 GAs (by Visio)
% of documents kept secret through SharePoint	Less than 10%	Less than 10%
% of staff members who attended an internal communication training over the last 3 years	50%	100%

1.2.14. External communication

Due to the Covid pandemic and for the second consecutive year in a row, the CPVO did not organise any major event in 2021. However, many outreach activities took place online: over 200 visuals were created and over 430 posts were published on social media during the year, and 8 digital newsletters were published. It led to an increase of audience of 12% on Twitter and of 47% on LinkedIn.

The CPVO also cooperated in the production of 8 external webinars and participated in joint social media campaigns with institutional partners, such as UPOV, FAO, EPO, EUIPO and the IP Key projects. Five articles were published at the occasion of the end of the mandate of the former CPVO President and about 20 articles mentioning the CPVO have been retrieved. Finally, the CPVO welcomed a small group of French MEPs in Angers in June and participated in a hearing at the European Parliament's committee for agriculture and rural affairs in December.

Last but not least, a thorough internal communication audit was conducted in summer 2021 and concluded with a positive assessment.

Figure 14 Achievement of objectives – External Communication

Objectives 2021: <ul style="list-style-type: none"> Develop external communication through various channels 		
Key Indicators	2021 Target	Result 2021
Produce and publish relevant social media content	Average 250 posts on social media/year+Grow audience by ~10%	435 posts + see operational indicators for audience growth
Produce CPVO webinars	3 webinars/year	4 webinars with CPVO as presenter + 4 webinars with CPVO as partner
Newsletters	10/year	8
CPVO-led event with over 100 guests	1/year	n/a ¹³
Operational indicators		
Numbers of articles published about or by the Office	10	25
Number of followers and evolution compared to last year	+20%	+47% LinkedIn, +12% Twitter
Number of website visits	1500	157127
Number of invitations ¹⁴ to speak to events	12	24

¹³ Due to Covid-19, no in-person event was organized in 2021.

¹⁴ To be noted that we only report on invitations accepted

1.2.15. Contribute to the European Green Deal

The CPVO is determined to contribute to the European Green Deal in many different ways. One of them is by following and promoting good sustainability practice and by reducing the environmental impacts of its activities.

Figure 15 Achievement of objectives – Environmental strategy

Objectives 2021:		
<ul style="list-style-type: none"> To follow and to promote good sustainability practice and to reduce the environmental impacts of the Office's activities. 		
Key Indicators	2021 Target	Result 2021
Reduce paper consumption	10% reduction	3% reduction of printed copies
Reduce electricity, heat and water consumption	10% reduction	31% reduction
Making virtual meetings the default and physical missions the exception	Report on no of missions	12 physical missions.

1.2.16. Cost of activities

The table below shows the breakdown of real costs (actual commitments 2021) for the activities defined above. This is based on a total of EUR 17.33 million in commitments. Staff allocations are based on staff in service at year-end (49) and detailed breakdowns based on most recent screening exercise¹⁵.

Table 1 - Breakdown of cost of activities

Activity	HR (fte)	% of total	Operational budget	Staff and overhead	Total	% of total
Managing the system: Processing applications	17.3	35.3%	7,889,741	2,908,385	10,798,126	62.3%
QAS	1	2.0%	30,000	168,115	198,115	1.1%
Development of the system	2.5	5.1%	-	420,287	420,287	2.4%
R&D Projects	0.5	1.0%	122,547	84,057	206,604	1.2%
Information Technology	9.4	19.2%	781,993	1,580,278	2,362,271	13.6%
External Relations	3.5	7.1%	-	588,402	588,402	3.4%
Enforcement and interface PVR/Patents	0.1	0.2%	-	16,811	16,811	0.1%
Total Core Activities	34.3	70.0%	8,824,281	5,766,335	14,590,616	84.2%
Budget	0.3	0.6%	-	50,434	50,434	0.3%
Accounts	3.7	7.6%	-	622,024	622,024	3.6%
Total Neutral Activities	4	8.2%	-	679,376	672,459	3.9%
HR	2.6	5.3%	-	437,098	437,098	2.5%
General Services	7.1	14.5%	-	1,193,615	1,193,615	6.9%
Internal Control, Audit, other	1	2.0%	265,215	168,115	433,330	2.5%
Total Horizontal support	10.7	21.8%	265,215	1,798,828	2,064,043	11.9%
Grand total	49	100.0%	9,089,496	8,244,538	17,327,118	100.0%

¹⁵ Each job in the CPVO is identified according to core, neutral or support activities. In 2016 a detailed allocation of time spent on each activity was carried on and the allocations in the present table are based on this.

2. Management Report

2.1. Administrative Council

The spring Administrative Council (AC) meeting was held virtually via Microsoft Teams. Below are the main decisions taken by the AC.

The consolidated annual activity report for 2020 provided a complete overview of the CPVO's activities for 2020 and included the AC Analysis and Assessment adopted and signed by the Chairperson of the AC. The AC adopted a decision to discharge the President of the CPVO for the implementation of the 2019 budget.

The AC took note of the implementation of the Strategic Plan 2017-2021 and of the Single Programming Document (SPD) 2022-2024.

Regarding the preliminary draft budget, the members of the Administrative Council supported the CPVO proposal of three additional posts for 2022 and also indicated that they are favourable to the further increase of three, to 51 in 2023, in order to ensure high quality services to its users as well as to answer to the increased administrative burden to be carried out.

The AC extended the duration of the 5 decision-making committees for 5 years, until 31.12.2026.

The members of the Administrative Council adopted the R&D Strategy, as amended by the Commission and endorsed that the CPVO would draft a plan to implement the IP Action Plan of the Commission, including consulting with the breeders, to support SMEs in the breeding sector. The plan was indeed presented in the autumn meeting and the AC took note of the proposals.

The autumn meeting was held virtually via Microsoft Teams on 7 October 2021.

The AC adopted the 2022 budget and agreed on the Single programming Document for 2022-2024, and took note of the state of play regarding the Business Continuity Plan and the report on the management of the Covid crisis.

The AC also adopted the amended version of the CPVO Conflict of Interest Policy.

The revision of the international strategy was agreed upon, by including the amendments made by the Commission.

The AC members expressed in favour of merging the costs groups for which breeders' organisations have not expressed any reservation. As regards the two alternative proposals from Plantum as well as from the Swedish Board of Agriculture, the AC members expressed in favour of creating a new working group with specific mandate to consider those proposals and endorsed the draft Terms of Reference as proposed. The attendance will be composed of experts proposed by the Technical Liaison Officers (TLOs), AC members, breeders' organisations representatives and the CPVO.

During both meetings the AC took several other decisions and approved a number of technical protocols.

2.2. Major Events

2.2.1. The state of the system

Statistics

In 2021 the CPVO received 3480 applications, representing an increase of 1.55% in comparison to the previous year. In view of the particular situation caused by the pandemic and some disruption to the business activities reported by the breeders this increase is encouraging. However, the shift in the proportion of the different crop sectors in the applications has continued and the ornamental sector accounts in 2021 for 41%, compared to over 53% in the long-term average since the beginning of the Office. While the overall number of titles in force has increased by 2 percent compared to 2020 and exceeded 29500, there was also a decrease of -4% in surrenders, particularly in the ornamental and fruit crops (-30% and -22% respectively compared to last year). In the agricultural sector, there was a big increase of surrenders (+59%) and +14% in the vegetable sector.

Finances

The update to the fees regulation took effect on 1 April 2020, and meant that examination fees were increased. As had been agreed in the AC, the approach taken was to align the fees for technical examinations paid by applicants, to the remunerations paid by the CPVO to examination offices.

2020 was the first year when the CPVO experienced “upfront payment” to one examination office (Naktuinbouw). 2021 saw a return to normal levels of payments as no other examination offices have availed of the upfront facility. The Free Reserve increased to almost 5 million at the end of 2021.

Development of the system

On 15 November 2021 the Regulation (EU) on the extension of protection for the species *Asparagus officinalis* L. and for the species groups flower bulbs, woody ornamentals, entered into force.¹⁶

The revision of the Council Regulation 2100/94 is still on the agenda of the European Commission, and expected to be started in 2023.

The sectorial study concerning the socio-economic benefits of the CPVR system in the EU is currently being carried out by the European Observatory on Infringements of Intellectual Property Rights.

Pandemic

As is mentioned elsewhere in this report, the pandemic did not have any major effects on the system and the CPVO managed well the crisis for the second year in a row.

Organization (IT)

In 2020 it was decided to create an IT Unit and recruit a Head of Unit to manage the digital transformation. This recruitment was finalised in 2021.

Communication

Internal communication remained an important activity in 2021, with the triple objective (1) to mitigate the uncertainties and constraints caused by the Covid restrictions, (2) to inform staff members of key decisions and changes, and (3) to motivate and engage with staff members through virtual and presential activities. In this respect, around 20 internal video messages were produced so that the President could inform staff of all major decisions and of the working conditions imposed by Covid. The CPVO also featured various colleagues in these internal videos, launched the Talks of the months webinars series to provide staff with

¹⁶ [Regulation \(EU\) 2021/1873 of the European Parliament and of the Council of 20 October 2021 on the extension of the term of the Community plant variety rights for varieties of the species *Asparagus officinalis* L. and of the species groups flower bulbs, woody small fruits and woody ornamentals](#)

new policy perspectives, and initiated several engagement activities such as interviews with newcomers and the compliments' week.

As for 2020, most of external communication activities took place online in 2021: over 200 visuals were created and over 430 posts were published on social media during the year, and 8 digital newsletters were published, leading to a significant increase in terms of followers. The CPVO also participated in half-a-dozen webinars and in joint social media campaigns with institutional partners. About five articles were written for external publications and a couple of outreach activities took place with Members of the European Parliament: the Office welcomed a small delegation of French MEPs in June and participated in a hearing of the AGRI committee in December.

Last but not least, a thorough internal communication audit was conducted in summer 2021 and concluded with a positive assessment.

2.2.2. Universities

In 2021, the CPVO continued its collaboration with universities with the aim of spreading awareness on the PVP system in the academic community. The Office continued its collaboration with the Universities of Alicante (Magister Lvcentinvs) and Maastricht University. Several successful internships have been granted to former students of these universities' Masters in IP Law.

In particular, the CPVO supports the Magister Lvcentinvs, the master in intellectual property of the University of Alicante that continues implementing a special intensive course dedicated to PVRs.

The CPVO has also provided lectures at local universities, including the Ecole Supérieure d'Agriculture (ESA) and the ESSCA School of management of Angers (France) and the Trinity College of Dublin.

Finally, the year 2021 saw a broadening of the number of collaborations with universities, which now includes the LLM in Food Law of the Libera Università Internazionale degli Studi Sociali of Rome (LUISS).

2.2.3. The EUIPO and EPO

In 2021 the CPVO continues its good cooperation with the EUIPO in different areas, such as internal audit, international cooperation, data protection, IT and HR services, the Observatory and the development of a PVR Academy.

The cooperation with the EPO was put on hold due to delivery of the Opinion of the Enlarged Board of Appeal of 14 May 2020 in case G3/19, which brought to the organisation of a joint webinar in January 2021.

2.2.4. Activities outside the EU

IPKey Latin America

In 2021 most events were put on hold due to the Covid-19 pandemic. The IPKey Latin America came to an end in August 2021.

Under the 2021 AWP the study on the PVR legislation of Ecuador was finalised, the results of which may be presented under the next phase of the IPKey Latin America project.

Under the project it has been developed a distance learning course on licensing plant varieties ("Laboratorio de Contratos de Licencias de Variedades Vegetales") and it was finalised in 2021.

IPKey China

Due to the Covid-19 pandemic the initially planned activities were transformed into online activities carried out by videoconference as in 2020 and took place as a technical training and an awareness raising seminar in November 2021. The technical on-line training was based on presentations and video material compiled by Examination Offices from DE, ES, FR, NL and CPVO. 15 horizontal and crop specific modules were presented and further discussed in Q&A sessions. More than 100 Chinese experts on DUS testing from the Chinese authorities MARA and NFGA participated in the sessions on different aspects of DUS testing. There



were dedicated sessions on the testing of specific crops, such as potato, melon, tomato, rhododendron and chrysanthemum, but also on horizontal topics such as the management of test facilities and DUS test providers or on R&D. Based on the good experience from the 2020 on-line training, the live translation and the availability of experts for compiling replies to questions raised in a format shared after the event, the exercise proved to be an efficient means of knowledge sharing.

The on-line awareness seminar was organised by IP Key and CPVO involving European experts representing a broad range of stakeholders: CPVO, UPOV, Breeders, Farmers, Anti infringement organisation. The seminar content was shared, discussed and further followed-up by collecting and addressing the questions raised in writing. The seminar provided all stakeholders with a platform to discuss PVR enforcement in China and the EU and to share views on developments in PVR legislation and enforcement practice, as well as on practical tools for overcoming infringement.

IPKey South-East Asia

In the framework of the IP Key SEA project, during 2021, a webinar series were held on 10-11 June 2021. The topics covered during the webinar concerned the benefits of the UPOV 1991 Convention, the contribution of plant breeding and plant variety protection to a sustainable economic development and its impact on the society at large.

The webinars brought in the perspectives of both the public/policy sector and farmers and plant breeders from the EU and from selected countries in the South-East Asia region.

Following the open awareness raising webinar, from 17 to 18 June 2021 it was organised a closed legal training for Thai officials and trade negotiators on UPOV 1991.

OAPI

In 2021 the project adapted to the pandemic by organising virtual and hybrid events, in order to carry on with the implementation of the Road Map, thanks to the extension granted by the European Commission.

The project successfully carried out in 2021 6 regional and national seminars involving OAPI Member States in the sharing of EU and African experiences on several aspects of Plant Variety protection. Namely, the focus of the events was on commercialisation of new plant varieties, the valorisation of research and development in the plant variety sector, the importance of innovation and intellectual property to secure investment in the breeding sector and to benefit the agricultural system at large, by enabling the use of safer and better performing varieties.

One technical seminar was organised in January 2021 on the role of Examination Offices in the technical examination of new plant varieties, including practical examples of DUS testing.

The implementation of the project will continue in 2022.

AfrIPI

The Pan-African project on Intellectual Property Rights (Africa Intellectual Property Rights and Innovation Project – AfrIPI) was officially launched in August 2021.

During the first months of implementation, in November 2021, the Office contributed to the organisation of a regional activity on the Arusha Protocol, in order to promote it among ARIPO Member States and to strengthen the exchange of information and cooperation in the region.

CARIPI

In 2021 5 activities were carried out in the framework of the CarIPI project.

One technical webinar in April 2021 focused on the carrying out of technical examination and the importance of the independence of DUS testing, and a second one concentrated on the administrative procedures necessary for the establishment of a functional and effective PVR system.

In September the CPVO, together with UPOV, participated in a webinar regarding potential regional cooperation initiatives in the Caribbean region, which was followed by the circulation of a policy paper to better assess the state of play in the region and to plan the way forward of the project in the PVR field.



In October 2021 the CPVO participated through the project to the Caribbean Week of Agriculture, including high level panels with the presence of Ministries and public bodies representatives.

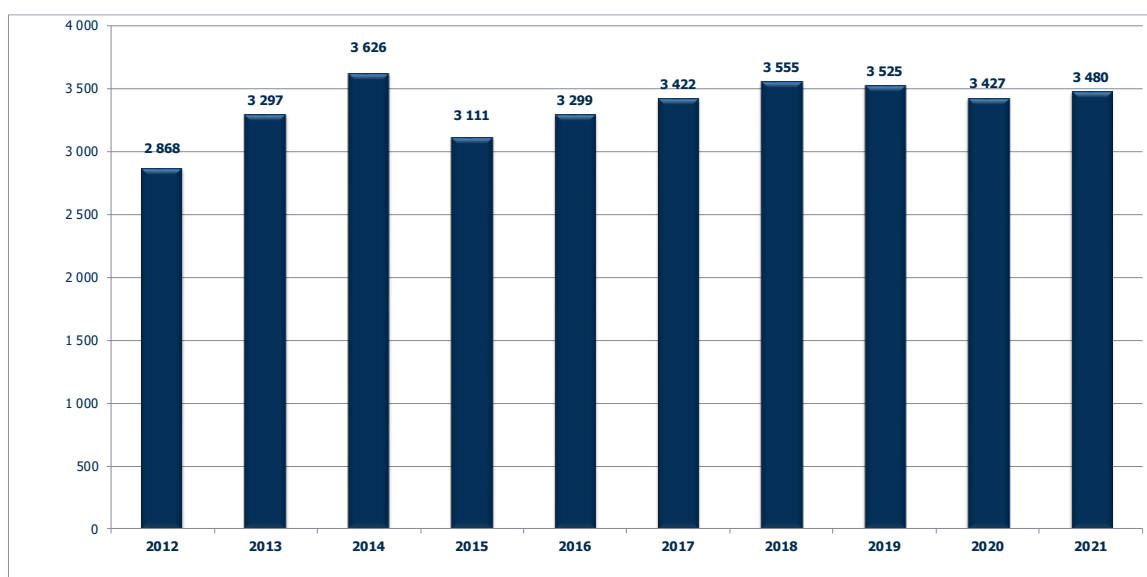
Finally, after Saint Vincent and the Grenadines deposited its instrument of accession to the UPOV Convention on February 22, 2021, and became the seventy-seventh member of the International Union for the Protection of New Varieties of Plants (UPOV) on March 22, 2021, CarIPI provided advice services to implement a registration framework for PVRs in the country, in conformity with UPOV and the national legislation. In particular, this activity foresees the development of implementing Regulations that complement the National Law on Plant Variety Protection; the adaptation of standard forms recommended by UPOV for all phases and processes of PVR applications; the development of guidelines for the administration and management of application procedures; the delivering of training and build technical capacity of DUS examiners of St. Vincent and the Grenadines.

TAIEX (Dominican Republic)

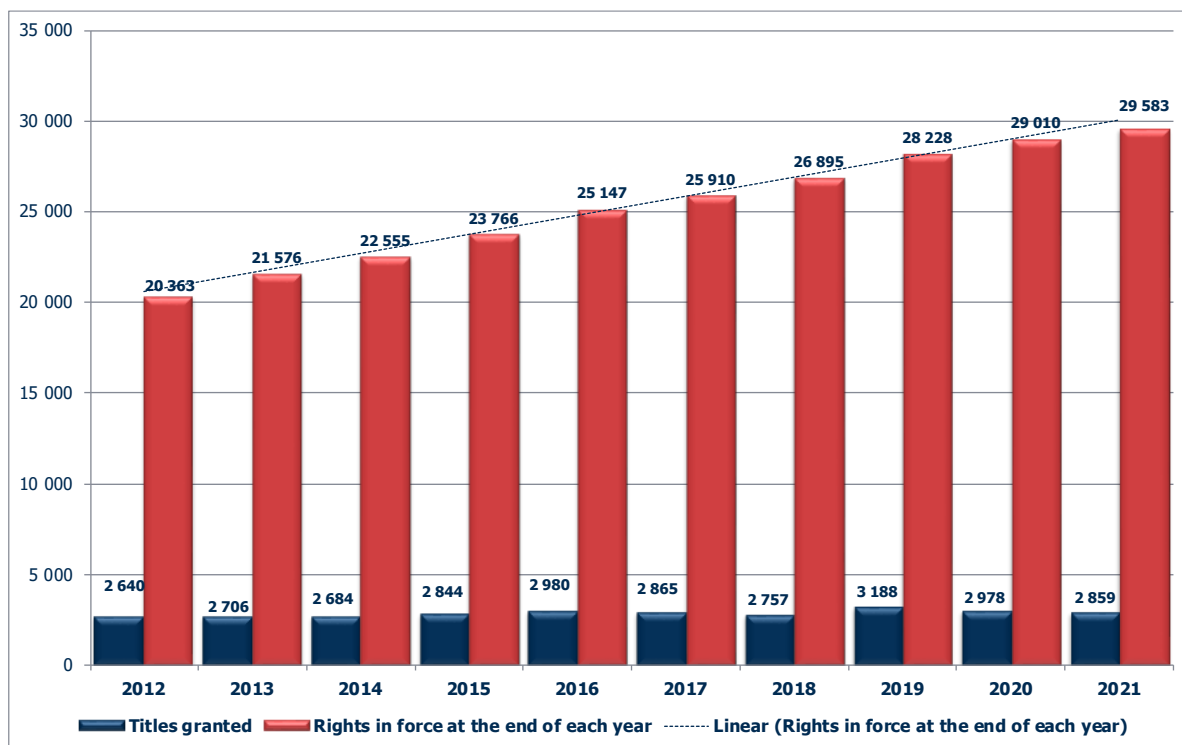
In 2021 a TAIEX project was approved by the European Commission to support the Dominican Republic with capacity building activities at administrative and technical level, with the cooperation of experts from European Member States and the CPVO.

2.2.5. Key statistics (see **Annex I** for more details)

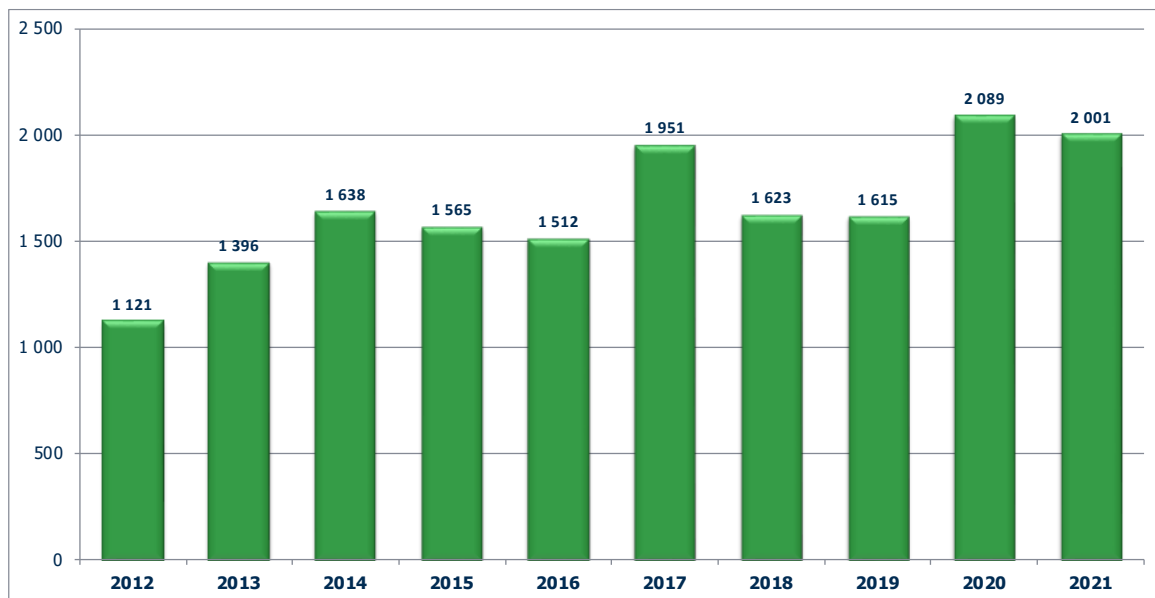
Evolution of number of applications received over the last 10 years



Evolution of CPVR granted rights and rights in force at the end of each year over the last 10 years



Evolution of number of surrenders of CPVR over the last 10 years



2.3. Budgetary and Financial Management

2.3.1. Overview of the budget and financial year

In accordance with the financial regulations of the Community Plant Variety Office, the Provisional Budgetary and Financial Accounts for the year 2021 are provided in **Annex VIII**. These reports shall be subject to audit by the European Court of Auditors. The key figures related to these accounts are explained hereafter.

2.3.2. Budgetary Accounts

Table 2 - Budget Outturn

		2021	2020	% variation 2021
Income	Fees revenue	19,204,210.00	18,158,286.00	5.76%
	Other revenue	165,026.80	42,376.56	289.43%
	Total	19,369,236.80	18,200,662.56	6.42%
Expenditure	Title 1 Staff expenditure	-7,758,195.39	-7,619,870.16	1.82%
	Title 2 Administrative expenditure	-1,483,277.29	-1,250,039.80	18.66%
	Title 3 Operational expenditure	-8,083,831.25	-9,668,149.61	-16.39%
	Total	-17,325,303.93	-18,538,059.57	-6.54%
Grand Total		2,043,932.87	-337,397.01	-705.79%
Non budgetary income		78,858.79	123,921.17	-36.36%
Net outturn for the year		2,122,791.66	-213,475.84	-1094.39%

Receipts increased slightly in 2021, however, there was quite a significant movement in expenditure. Much of the decrease in expenditure is accounted for by the change in approach to invoicing and payment with an Examination Office which availed of the "upfront payment" option agreed in the Administrative Council in 2020. The figures from 2020 for operational expenditure were therefore artificially higher, and 2021 shows a return to normal and a decrease of 16%. It should be noted however that the inflation for examination fees was close to 5% and therefore in 2022, the amounts will increase again.

2.3.3. Revenue

As can be seen in table 3 below, annual fees increased modestly in line with the increase in the titles in force. There were higher levels of surrenders in titles in 2021 than in previous years. The net increase in titles in force (new titles minus surrenders) was 567 in 2021 compared to 782 in 2020. It is clear that as we approach the natural expiry of protection for some titles, the level of titles in force may plateau in the near future. Examination fees increase in line with a high number of applications for the year, and there was a slight drop in other fees (report sales etc.).

Table 3 - Fees 2021/2020

	2021	2020	% variation 2021
Annual fees	10,001,310.00	9,770,580.00	2.36%
Application fees	1,565,400.00	1,566,950.00	-0.10%
Examination fees	7,102,475.00	6,149,425.00	15.50%
Other fees	535,025.00	671,331.00	-20.30%
Grand Total	19,204,210.00	18,158,286.00	5.76%

2.3.4. Expenditure

In terms of payments, the budget execution was high for staff expenditure (95%), including a significant decrease in spending on travel large part by the virtual elimination of travel expenses (only EUR 10.000 spent on a EUR 250.000 budget). For title 2 (Administrative expenditure) COVID again had an impact with only EUR 45.500 of the budget EUR 288.000 spent on meetings. This led to a much lower execution of 77% of the budget. Finally, for title 3 (operational expenditure), execution levels were at 88%, in part explained by lower payments on R&D projects, due to some delays in receiving reports – these amounts will fall due in 2022 and beyond.

Table 4 - Budget Execution Levels

	Final payment appropriation	Executed	Paid %	Cancelled appropriations	Cancelled %
Title 1 Staff expenditure	8,187,000.00	7,758,195.39	94.8%	428,804.61	5.2%
Title 2 Admin. expenditure	1,916,000.00	1,483,277.29	77.4%	432,722.71	22.6%
Title 3 Operational expenditure	9,220,000.00	8,083,831.25	87.7%	1,136,168.75	12.3%
Grand Total	19,323,000.00	17,325,303.93	89.7%	1,997,696.07	10.3%

A comparison with the previous year (table 5 below) shows that overall execution was lower, but this is mainly explained as mentioned above, by the once-off payment of “upfront examination fees” in 2020.

Table 5 Budget execution comparison

	Budget execution 2021	Budget execution 2020	% Change 2021
Title 1 Staff expenditure	7,758,195.39	7,619,870.16	1.8%
Title 2 Admin. expenditure	1,483,277.29	1,250,039.80	18.7%
Title 3 Operational expenditure	8,083,831.25	9,668,149.61	-16.4%
Grand Total	17,325,303.93	18,538,059.57	-6.5%

Table 6 - Staff expenditure comparison

Budget article	Description.	Budget execution 2021	Budget execution 2020	% Change 2021
E1100	Staff	7,628,270.17	7,430,723.03	2.7%
E1200	Training	57,234.65	54,442.39	5.1%
E1300	Travel	12,963.33	38,989.27	-66.8%
E1400	Interim staff	24,200.00	84,267.22	-71.3%
E1500	Assistance	33,662.44	9,610.25	250.3%
E1700	Representation	1,864.80	1,838.00	1.5%
Grand Total		7,758,195.39	7,619,870.16	1.8%

The increase in staffing costs is relatively low for 2021. The the so-called “correction coefficient” (the difference in cost of living between Brussels and Agency Countries) decreased and the inflation figures (calculated to July 2021 were low at 1.9% as much of the real inflation came later in the year. . The CPVO applied promotion and career advancement in line with institutional guidelines, and at the year-end there were 49 staff in post (44 Officials and Temporaries and 5 Contract Agents). The impact of COVID-19 can be clearly seen on the execution of the budget for travel (-80%) and also on training (-50%).

Table 7 - Administrative expenditure comparison

Budget article	Description.	Budget execution 2021	Budget execution 2020	% Change 2021
E2000	Property	276,701.46	410,934.73	-32.7%
E2100	IT expenses	781,992.64	651,472.51	20.0%
E2200	Other equipment	34,714.13	17,796.90	95.1%
E2300	General admin.	21,327.12	26,320.98	-19.0%
E2400	Postage and telecom	57,754.90	61,717.03	-6.4%
E2500	Meetings and notices	45,571.68	14,610.23	211.9%
E2600	Audit and evaluation	265,215.36	67,187.42	294.7%
Grand Total		1,483,277.29	1,250,039.80	18.7%

Spending on administration fell as compared to 2020. The figures for 2020 include a major commitment for the refurbishment of the physical security installation. Otherwise, the costs were similar to previous years.

Table 8 - Operational expenditure comparison

Budget article	Description.	Budget execution 2021	Budget execution 2020	% Change 2021
E3000	Examination office fees	7,411,041.24	8,799,378.75	-15.8%
E3200	Examination reports	478,700.00	449,360.00	6.5%
E3400	Publications	35,593.76	95,733.47	-62.8%
E3500	Studies	122,546.95	218,308.80	-43.9%
E3600	Special advisors	35,949.30	105,368.59	-65.9%
Grand Total		8,083,831.25	9,668,149.61	-16.4%

The table above shows the payments for title 3 (operational expenditure). The significant decrease in payments for examination fees has already been mentioned above: for one major examination office (Naktuinbouw) 2020 saw a shift in payments upfront (instead of at the end of growing periods). This caused a once-off increase in payments with 2021 returning to more normal levels. Expenditure on Research & Development (E3500) was lower as reports were late arriving and payments postponed to 2022.

2.3.5. Budget transfers and revisions

A number of transfers between budget lines were made, particularly at year-end, while staying within the overall envelope provided at the beginning of the year.

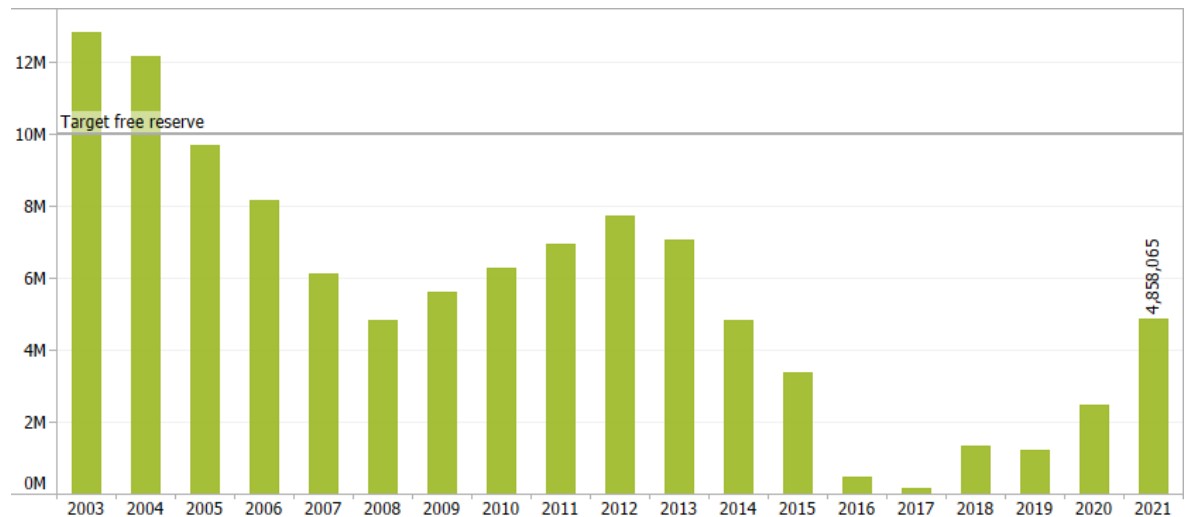
The following table shows the revisions and transfers for the commitment and payment budgets:

Budget article	Description.	Payment appropriations				Commitment appropriations			
		Initial payment budget	Payment budget amendments	Payment budget transfers	Final payment appropriati..	Initial Commitment Budget	Commitment budget amendments	Commitment budget transfers	Final commitment budget
E1100	Staff	8,302,000	-	-600,000	7,702,000	8,302,000	-	-600,000	7,702,000
E1200	Training	110,000	-	-	110,000	110,000	-	-	110,000
E1300	Travel	250,000	-	-	250,000	250,000	-	-	250,000
E1400	Interim staff	80,000	-	-	80,000	80,000	-	-	80,000
E1500	Assistance	40,000	-	-	40,000	40,000	-	-	40,000
E1700	Representation	5,000	-	-	5,000	5,000	-	-	5,000
E2000	Property	356,000	-	-	356,000	356,000	-	-	356,000
E2100	IT expenses	800,000	-	-	800,000	800,000	-	-	800,000
E2200	Other equipment	55,000	-	-	55,000	55,000	-	-	55,000
E2300	General admin.	58,000	-	-	58,000	58,000	-	-	58,000
E2400	Postage and telecom	92,000	-	-	92,000	92,000	-	-	92,000
E2500	Meetings and notices	345,000	-	-57,000	288,000	345,000	-	-57,000	288,000
E2600	Audit and evaluation	210,000	-	57,000	267,000	210,000	-	57,000	267,000
E3000	Examination office fees	7,500,000	-	520,000	8,020,000	8,055,000	-	565,000	8,620,000
E3200	Examination reports	420,000	-	80,000	500,000	460,000	-	43,000	503,000
E3400	Publications	80,000	-	-	80,000	120,000	-	-	120,000
E3500	Studies	420,000	-	-	420,000	500,000	-	-8,000	492,000
E3600	Special advisors	200,000	-	-	200,000	200,000	-	-	200,000
Grand Total		19,323,000	-	-	19,323,000	20,038,000	-	-	20,038,000

2.3.6. Free Reserve

The so-called free reserve is the difference between total treasury in the CPVO and the outstanding commitments open. The graph below shows the evolution of the free reserve since its high point in 2003.

Graph 1 - Free reserve



GRAPH FREE RESERVE

The Free Reserve increase was in line with forecasts. The agreed target of 50% of the annual payment budget is still some way off but at least for 2021, things moved in the right direction. As already mentioned above, inflation in examination costs and salaries for 2022 could significantly slow this trend, and fees will need to be proposed to maintain a balanced budget from 2023 onwards.

2.3.7. Financial Accounts

Economic Outturn Account 2021 (comparison with 2020)

		2021	2020
Income	Income from fees	19,379,937.00	17,766,974.50
	Income from administrative operations	49,125.04	27,296.66
	Total	19,429,062.04	17,794,271.16
Expenditure	Operational expenses	(8,083,831.25)	(8,716,287.23)
	Salaries and social taxes	(7,740,986.12)	(7,557,721.35)
	Overheads	(1,449,115.20)	(1,178,213.53)
	Depreciation	(263,561.55)	(267,770.50)
	Total	(17,537,494.12)	(17,719,992.61)
Result		1,891,567.92	74,278.55
Financial revenue	Interest income	115,935.48	48,388.34
	Total	115,935.48	48,388.34
Financial expenditure	Bank charges & exchange differences	(1,541.22)	(1,559.72)
	Total	(1,541.22)	(1,559.72)
Result		114,394.26	46,828.62
Economic outturn for the year		2,005,962.18	121,107.17

The financial accounts differ from the budgetary accounts in that it takes non-cash transactions into consideration. For example, in the budgetary accounts, asset purchases are shown as expenses for the full amount of the purchase in the year, whereas in the financial accounts, only the yearly depreciation is shown as an expense. In this sense, the financial accounts are a better reflection of the real underlying situation. The Outturn remained positive in 2021, and for once, more or less aligned with the budget figures.

2.4. Delegation and sub-delegation

Delegation and sub-delegation of the powers of budget implementation to agency's staff

Assurance received from other Authorising Officers by Delegation (AODs): in line with the requirements, the Head of Unit, Administration, in his capacity as Authorising Officer by Delegation provided an assurance to the President concerning budget implementation

Delegating budgetary powers to staff members is part of the sub process "perform general accounting" of the CPVO. A detailed procedure was adopted in October 2018.

In general, the time limit of the delegation is set to the end date of the contract of the staff member.

It is the Head of Unit who defines if a delegation of budgetary powers is necessary for the performance of a staff member. If it is the case, the Head of Unit shall take a decision on what powers should be delegated and what budgetary lines should be concerned. The information is transmitted to the Internal Control Coordinator, who prepares the decision on delegation. Once finalised, the decision is signed by the President of the CPVO (authorising officer) and the staff member.

The Accountant is informed of all granting of delegations, which have an impact on the accounting system. The IT service is also informed in order to give the accurate access rights in the accounting system.

New delegations of budgetary powers are transferred to the Court of Auditors in preparation of their spring audit. A summary table of all delegations is also provided. At this occasion, all delegations are verified by the Internal Control Coordinator and the Accountant, and any necessary up-dates are carried out.

List of the BLs covered by sub-delegations granted to another AOD:



- Authorising Officer by Delegation	- Budget Lines (Commitments and payments)
Vice-President	- All budget lines
Head of Technical Unit	- Title 3 (Operational Expenses)
	- Missions
Head of Administration	- All budget lines
Head of IT	- Line 2100 (IT expenses)
	- Missions

2.5. Human Resources

2021 was a particularly busy year for the Human Resources sector of the CPVO:

- Development of HR Tools continued with the development of Sysper (EU institutions HR Software) modules. Developments in 2021 were focused on facilitating time recording in remote working conditions.
- The establishment plan was increased from 45 to 48 by the Administrative Council, and at year end, all posts under the control of the CPVO were filled. The post of President was vacant due to earlier delays in the institutional procedures.
- All targets of the SPD were met
- Recruitment drives were completed and during the year, new staff were taken on as:
 - IT Expert
 - Head of the Human Resources Team
 - Head of IT Unit
 - 2 Legal Officer (contract agents)
- The Screening exercise was based on new jobs in place

2.6. Strategy for efficiency gains

The CPVO remains engaged in digitisation projects with the aim to reduce or even eliminate administrative and operations work. The CPVO has stood up the new IT-unit in 2021 to accelerate cadence of delivering new digital capabilities as attested by a three fold increase in concurrent projects and a two fold increase in urgent projects deliveries.

The CPVO continues every year with its strategy for improving efficiency gains. There is ongoing automation of work processes such as those mentioned above for the Human Resources sector, but throughout the Office, work is ongoing to streamline processes. The work on Microsoft 365 will be a catalyst for more changes in this regard in 2021 and beyond. A pilot study of using a so-called “no-code” platform for workflow digitization was successfully tested in 2021.

When deciding on the proposed IT projects to be developed, one of the major business case indicators is the time it can save for the CPVO, but also for stakeholders. By way of example, in 2021, MYPVR 4.0 took place which allow applicants to manage specific sets of data in the application process themselves. This will save substantial time on data exchanges both for the CPVO and the applicants.

The CPVO will also continue to update the skill-sets of staff through training in order to ensure that they can adapt to modern and efficient working methods. In addition, with a number of upcoming retirements, it will be crucial for the CPVO to identify the skill sets needed for the coming decade in order to make the recruitments successful for the organisation.



2.7. Assessment of audit and ex-post evaluation results during the year

2.7.1. Internal Audit

Internal Audit assists management by providing independent, objective assurance and consulting services designed to add value and improve the organisation's operations. It helps the organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

Approved audit plan

Audit activities were based on the Audit Plan 2021, which was approved by the President of the Office in December 2020.

The selection of audits for 2021 was based on the annual risk assessment exercise, the audit universe coverage as well as on Internal Audit's professional judgment.

The Audit Plan 2021 included 2 audits:

- Communication
- Internal control framework

The first audit was launched in May and the second one in September 2021. Both were carried out virtually due to the COVID-19 pandemic. They were finalised in September and December 2021 respectively. Action plans have been adopted.

Finally, the audit plan 2022 setting the course of IA work for 2022, was established and approved in December 2021.

2.7.2. European Court of Auditors

The main conclusions to be found in the Report on the annual accounts of the Community Plant Variety Office (CPVO) for the financial year 2020 adopted in Luxembourg at the Court meeting on 21 September 2021 reads:

Opinion on the reliability of the accounts

In our opinion, the accounts of the Office for the year ended 31 December 2020 present fairly, in all material respects, the financial position of the Office at 31 December 2020, the results of its operations, its cash flows, and the changes in net assets for the year then ended, in accordance with its Financial Regulation and with accounting rules adopted by the Commission's accounting officer. These are based on internationally accepted accounting standards for the public sector.

Opinion on the legality and the regularity of the transactions underlying the accounts

Revenue

In our opinion, revenue underlying the accounts for the year ended 31 December 2020 is legal and regular in all material respects.

Payments

In our opinion, payments underlying the accounts for the year ended 31 December 2020 are legal and regular in all material respects.

Report on the annual accounts of the Community Plant Variety Office (CPVO) for the financial year 2020

INTRODUCTION

01. The Community Plant Variety Office (hereinafter 'the Office', or 'CPVO'), which is located in Angers, was created by Council Regulation (EC) No 2100/94 ⁽¹⁾. Its main task is to register and examine applications for the grant of Union industrial property rights for plant varieties and to ensure that the necessary technical examinations are carried out by the competent offices in the Member States.
02. **Graph 1** present the key figures of the Office ⁽²⁾

Graph 1: Key figures for the Office



* Budget figures based on the total payment appropriations available during the financial year.

**"Staff" includes EU officials, EU temporary agents, EU contract staff and seconded national experts, but excludes interim workers and consultants.

Source: Consolidated annual accounts of the European Union for the financial year 2019 and Final annual accounts of the Office for the financial year 2020; Staff figures provided by the Office

Information in support of the statement of assurance

03. The audit approach taken by the ECA comprises analytical audit procedures, direct testing of transactions and an assessment of key controls of the Office's supervisory and control systems. This is supplemented by evidence provided by the work of other auditors and an analysis of information provided by the Office's management.
04. Please refer to section 10 of the report for the description of the basis for the opinion, responsibilities of management and those charged with governance and the auditor's responsibilities for the audit of the accounts and underlying transactions. The signature on page 341 (of the original report) forms an integral part of the opinion.

The Court's statement of assurance provided to the European Parliament and the Council – Independent auditor's report

OPINION

05. We have audited:

- a. the accounts of the Community Plant Variety Office which comprise the financial statements ⁽³⁾ and the reports on the implementation of the budget ⁽⁴⁾ for the financial year ended 31 December 2020; and
- b. the legality and regularity of the transactions underlying those accounts.

as required by Article 287 of the Treaty on the Functioning of the European Union (TFEU).

Reliability of the accounts

Opinion on the reliability of the accounts

06. In our opinion, the accounts of the Office for the year ended 31 December 2020 present fairly, in all material respects, the financial position of the Office at 31 December 2020, the results of its operations, its cash flows, and the changes in net assets for the year then ended, in accordance with its Financial Regulation and with accounting rules adopted by the Commission's accounting officer. These are based on internationally accepted accounting standards for the public sector.

Legality and regularity of the transactions underlying the accounts

Revenue

Opinion on the legality and regularity of revenue underlying the accounts

07. In our opinion, revenue underlying the accounts for the year ended 31 December 2020 is legal and regular in all material respects.

Payments

Opinion on the legality and regularity of payments underlying the accounts

08. In our opinion, payments underlying the accounts for the year ended 31 December 2020 are legal and regular in all material respects

Follow-up of previous years' observations

09. An overview of the action taken in response to the ECA's observations from previous years is provided in the *Annex*.

Basis for opinion

10. We conducted our audit in accordance with the IFAC International Standards on Auditing (ISAs) and Codes of Ethics and the INTOSAI International Standards of Supreme Audit Institutions (ISSAIs). Our responsibilities under those standards are further described in the 'Auditor's responsibilities' section of our report. We are independent, in accordance with the Code of Ethics for Professional Accountants issued by the International Ethics Standards Board for Accountants (IESBA Code) and with the ethical requirements that are relevant to our audit, and we have fulfilled our other ethical responsibilities in accordance with these requirements and the IESBA Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of management and those charged with governance

11. In accordance with Articles 310 to 325 of the TFEU and the agencies's Financial Regulation, the agencies's management is responsible for preparing and presenting the Agencies's accounts on the basis of internationally accepted accounting standards for the public sector and for the legality and regularity of the transactions underlying them. This includes the design, implementation and maintenance of internal controls relevant to the preparation and presentation of financial statements that are free from material misstatement, whether due to fraud or error. Management is also responsible for ensuring that the activities, financial transactions and information reflected in the financial statements comply with the official requirements which govern those statements. The agencies's management bears the ultimate responsibility for the legality and regularity of the transactions underlying the accounts of the agencies.
12. In preparing the accounts, management is responsible for assessing the Agency's ability to continue as a going concern. It must disclose, as applicable, any matters affecting the agency's status as a going concern, and use the going concern basis of accounting, unless management either intends to liquidate the entity or to cease operations, or has no realistic alternative but to do so.
13. Those charged with governance are responsible for overseeing the Agencies financial reporting process.

The auditor's responsibilities for the audit of the accounts and underlying transactions

14. Our objectives are to obtain reasonable assurance about whether the accounts of the agencies are free from material misstatement and the transactions underlying them are legal and regular, and to provide, on the basis of our audit, the European Parliament and the Council or the other respective discharge authorities with statements of assurance as to the reliability of the agencies accounts and the legality and regularity of the transactions underlying them. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit will always detect a material misstatement or non-compliance when it exists. These can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these accounts.
15. For revenue, we verify subsidies received from the European Commission or cooperating countries and assess the agencies procedures for collecting fees and other income, if any.
16. For expenditure, we examine payment transactions when expenditure has been incurred, recorded and accepted. This examination covers all categories of payments (including those made for the purchase of assets) other than advances at the point they are made. Advance payments are examined when the recipient of funds provides justification for their proper use and an agency accepts the justification by clearing the advance payment, whether in the same year or later.
17. In accordance with the ISAs and ISSAIs, we exercise our professional judgement and maintain professional scepticism throughout the audit. We also:
 - o Identify and assess the risks of material misstatement of the accounts and of material non-compliance of the underlying transactions with the requirements of the legal framework of the European Union, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement or non-compliance resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the overriding of internal controls.
 - o Obtain an understanding of internal controls relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls.
 - o Evaluate the appropriateness of the accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
 - o Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on an agency's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the accounts or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause an entity to cease to continue as a going concern.
 - o Evaluate the overall presentation, structure and content of the accounts, including the disclosures, and whether the accounts represent the underlying transactions and events in a manner that achieves fair presentation.
 - o Obtain sufficient appropriate audit evidence regarding the financial information of the agencies to express an opinion on the accounts and transactions underlying them. We are responsible for the direction, supervision and performance of the audit. We remain solely responsible for our audit opinion.
 - o Considered that the audit work of the independent external auditor performed on the agencies accounts as stipulated in Article 70(6) of the EU Financial Regulation, where applicable.

We communicate with the management regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal controls that we identify during our audit. From the matters on which we communicated with the agencies, we determine those matters that were of most significance in the audit of the accounts



of the current period and are therefore the key audit matters. We describe these matters in our auditor's report unless law or regulation precludes public disclosure about the matter or when, in extremely rare circumstances, we determine that a matter should not be communicated in our report because the adverse consequences of doing so would reasonably be expected to outweigh the public interest benefits of such communication.

This Report was adopted by Chamber IV, headed by Mr. Mihails KOZLOVS, Member of the Court of Auditors, in Luxembourg on 21 September 2021.

For the Court of Auditors

Klaus-Heiner LEHNE

President

⁽¹⁾ [OJ L 227, 1.9.1994, p. 1.](#)

⁽²⁾ More information on the Office's competences and activities is available on its website: www.cpvo.europa.eu

⁽³⁾ The financial statements comprise the balance sheet, the statement of financial performance, the cash flow statement, the statement of changes in net assets and a summary of significant accounting policies and other explanatory notes.

⁽⁴⁾ The reports on implementation of the budget comprise the reports which aggregate all budgetary operations and the explanatory notes.

ANNEX

Follow-up of previous years' comments

Year	ECA's comments	Action taken to respond to ECA's observations (Completed/Ongoing/Outstanding/N/A)
2014	Although the Office became operational in 1995, no headquarters agreement has yet been signed with the host Member State.	Ongoing (Not under the Office's control)
2015	The level of unpaid fees was too high.	Completed
2016	The Office's founding Regulation does not require periodic external performance evaluations.	Outstanding (Not under the Office's control)
2017	In 2017, the documentation of procurement and grant award procedures was inadequate.	Completed

The Office's reply

The Office has taken note of the Court's report.



2.8. Follow-up Internal Control

3.8.1 Follow up of recommendations and action plans for audits and evaluations

The 2020 Audit work programme has been finalised in 2021. This programme included two topics: the Business Continuity Plan (BCP) and Inventory management. Six findings were reported on; two very important, three important and one desirable recommendation. The very important findings were as follows:

Controls related to inventory and asset register entries

Reconcile the inventory list and the asset register.

Review all entries and correct data where necessary to establish a baseline for the inventory list.

Review and optimise controls, e.g. inventory checks should be carried out by a second person (four-eyes principle), periodic reconciliation exercises should be run between the inventory list and the asset register, the potential of IT systems (e.g. Tableau) to automate reports and controls should be exploited.

Evaluate the use of a proper inventory management system, replacing the current Excel file, to track all inventory items and modifications and keep an audit trail.

Controls related to decommissioning

Establish controls to assure that:

- the President's decision on the decommissioning of material is followed exactly, i.e. all, but only the material listed in the decision is decommissioned following the specified disposal method, any circumstance that does not allow the full execution of the decision is duly documented and reported;
- proper documented proof of reception is provided for sold, donated, destroyed or recycled decommissioned material from the receiving party;
- the sale of tangible decommissioned assets is suitably advertised.

The following tables show some statistics on IA recommendations for the last three years.

Status by Unit and Sector for 2018,2019,2020 - Last update
20/01/2022 12:24:55

Unit	Status					
	In progress		Completed		Grand Total	
	Rec.s	% Total	Rec.s	% Total	Rec.s	% Total
Administration	4	33,3%	8	66,7%	12	100,0%
Legal	1	33,3%	2	66,7%	3	100,0%
IT	1	50,0%	1	50,0%	2	100,0%
Grand Total	6	35,3%	11	64,7%	17	100,0%

When broken down by audit, the view is as follows:

Status by Audit - Last update 20/01/2022 12:24:55

Audit Value	Status					
	In progress		Completed		Grand Total	
	Rec.s	% Total	Rec.s	% Total	Rec.s	% Total
BPR Procurement	1	25,0%	3	75,0%	4	100,0%
Business Continuity Plan	2	66,7%	1	33,3%	3	100,0%
Core business processes	1	25,0%	3	75,0%	4	100,0%
Human Resources	2	66,7%	1	33,3%	3	100,0%
Inventory Management			3	100,0%	3	100,0%
Grand Total	6	35,3%	11	64,7%	17	100,0%

2.8.2. Follow up of recommendations issued following investigations by the European Anti-Fraud Office (OLAF)¹⁷

The CPVO has not been subject to an investigation by OLAF.

2.9. Follow up of observations from the Discharge authority

The Discharge Authority, on the basis of the Audit by the Court of Auditors, Internal Audit results and reporting from the Agency gave a discharge to the President, without specifying corrective actions.

2.10. Environment management

Notwithstanding the resource constraints faced by the CPVO, an environmental management strategy was adopted in December 2020, which continued to be applied in 2021. The CPVO's vision is to be a cost-effective and environment-friendly working place. At present, the CPVO's aim is to follow and to promote good sustainability practice and to reduce the environmental impacts of its activities. In the future, the aim would be to help its stakeholders to do the same, if possible.

Baselines were identified for 9 environmental issues, and the results for 2021 are reported on in Annex VII.

2.11. Assessment by Management

The CPVO checks regularly the efficiency of its internal control system through regular ex post controls and through immediate mitigating actions when needed.

Significant improvements were made on the level of "late commitments" and "saisine a posteriori", although some cases were still reported in the exception report. A constant vigilance should be kept to prevent this type of problem. Training and information/reminder to the staff could also be an efficient prevention tool.

The system is globally working well. The Court of Auditors' final report on 2020 accounts and financial management is positive with no remarks.

Based on the above, the Management assesses that the internal control system is working well, that all measures were taken to prevent irregularities and fraud and that the underlying transactions were legal and regular and complied with sound financial management

¹⁷ Article 11 Regulation (EU/Euratom) 883/2013 of the European Parliament and of the Council concerning investigations conducted by the European Anti-Fraud Office (OLAF)

2.12. External Evaluations

A sectorial study on the socio-economic impact of the PVR system in the EU has been launched in 2021. This study is carried out by the EUIPO Observatory on Infringements of IP Rights and shall be finalised during 2022.



3. Assessment of the effectiveness of internal control systems

3.1. Effectiveness of internal control systems

Methodology:

Since 2019 the CPVO has put in place an annual assessment of the internal control system. It is carried out by the management (President, Vice-President and Heads of Unit) of the agency. The Internal Control coordinator launches the assessment in the form of a survey, in which the management assesses each control principle. The result is consolidated in a report where the assessment of each principle is explained and where strengths and weaknesses are identified. A conclusion is drawn on the areas where improvements can be made and how to achieve this. The report is published to all staff on the internal web site of the CPVO.

Implementation and compliance:

The internal control principles are well implemented in the CPVO and they are all complied with. Improvements concern trainings and awareness of staff.

The compliance and effectiveness of internal control systems are in addition regularly assessed by the Court of Auditors in its mission in the CPVO, as well as by the Internal Auditor.

An annual calendar is drawn up with the timing of the ex-post controls to be carried out during the year, which mainly concerns budgetary operations. In 2021 an additional ex-post control was also carried out on the recruitment procedures of the CPVO.

Fraud prevention:

The CPVO up-dated its' Anti-Fraud policy in 2019 (signature date 14 October 2019). It includes 6 strategic objectives identified to prevent and detect fraud:

1. Ensure that all CPVO staff and stakeholders are aware of the rules related to fraud prevention;
2. Ensure that fraud prevention measures are embedded in the CPVO procedures and processes;
3. Update all legal documents to ensure clauses related to fraud prevention and detection are included;
4. Regular review of fraud risks and follow-up of corrective actions;
5. Enable job rotation when feasible;
6. Training on "Guidelines on Whistleblowing".

The monitoring of the policy is assured by the Internal Control Coordinator, and all objectives continued to be achieved during 2021.

The CPVO adopted a policy on Prevention and Management of Conflict of Interest in 2018 (signature date 21 March 2018). After a follow-up control on the implementation of that policy in 2020, an up-dated version was adopted by the Administrative Council on 7 October 2021. The CPVO has also adopted the Commission Decision C(2018) 4048 of 29 June 2018 on outside activities by analogy. These policies include the implementation of Article 16(3) of the Staff Regulations concerning senior officials leaving the service. The senior officials are asked to fill out a declaration on honour when leaving the service and a declaration of intention to engage in an occupational activity after leaving the service, if they do so.

Cost and Benefits:

No major weaknesses were identified in the CPVO Internal Control Framework in 2021. The CPVO considers the balance between effectiveness, efficiency and economy of controls to be fair taken into account the resources of the Office. The estimated cost for internal control in 2021 amounted to 23 000€, which corresponds to 20% of the annual basic salary for an AD9 post. This includes the ex-ante controls by authorising officers and the ex-post controls of the Internal Control Coordinator.



3.2. Conclusions of assessment of internal control systems

The overall result of the assessment on the CPVO internal control system is fully effective. No reservations have been made the during 2021.

3.3. Declaration of assurance

In 2022, the Head of Administration, on the basis of a number of supporting audits and evaluations has made the following declaration:

On the basis of:

- the self-assessment of internal controls
- follow-up of internal audit recommendations
- results of ex-post controls

I declare that in accordance with the CPVO's internal control framework, I have reported my advice and recommendations on the overall state of internal control in the CPVO to the President.

I hereby certify that the information provided in the present Annual Activity Report and in its annexes is, to the best of my knowledge, accurate, reliable and complete.

Signed :



James Moran

24 January 2022

4. Management Assurance

The assurance below is based on, *inter alia*, the declaration of the Head of Resources, the results of the Internal Audits of the CPVO, the ex-Post controls put in place in 2021 and previous years, and the findings of the Court of Auditors.

On the basis of the facts in his possession, the President of the CPVO declares that the information contained in this report gives a true view. He has reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purpose and in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions. He is unaware of any matter not reported which could harm the interests of the CPVO.

2021 Declaration of Assurance the President of the CPVO

I, the undersigned, Francesco Mattina, President of the CPVO, in my capacity as authorizing officer,

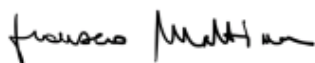
Declare that the information contained in this report gives a true and fair view.

State that I have reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purpose and in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transaction. This reasonable assurance is based on my own judgment and on the information at my disposal, such as the results of the self-assessment, ex-post controls, the work of the Internal Auditor and the lessons learnt from the reports of the Court of Auditors for years prior to the year of this declaration.

Confirm that I am not aware of anything not reported here, which could harm the interests of Community Plant Variety Office.

Angers, 24/01/2022

Francesco Mattina



President of the CPVO

5. Declaration of assurance

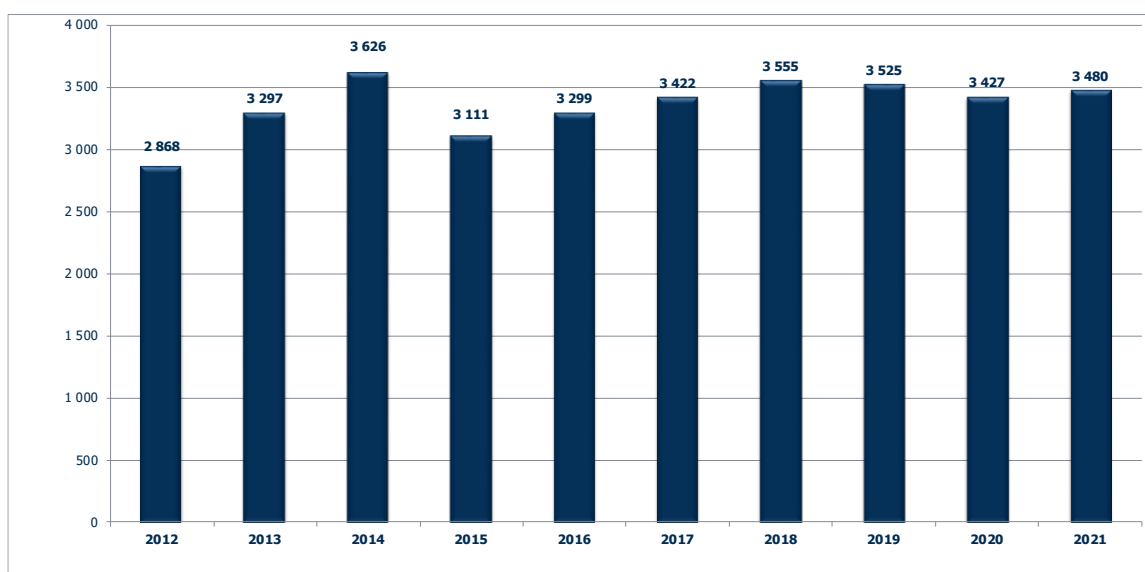
This document is a declaration signed by the President, as Authorising Officer and representing the CPVO, together with the Accountant giving their assurance on the accounts of the Office, according to the provisions of the Financial Regulations of the CPVO. The original document was sent to the President of the Court of Auditors (**Annex VIII**).

Annex I. 2021 Core Business Statistics

In 2021 the CPVO received 3480 applications, representing an increase of 2 percent in comparison to the previous year. The shift in the proportion of the different crop sectors in the applications has continued and the ornamental sector accounts in 2021 for 42%, compared to over 53% in the long-term average since the beginning of the Office and the share of the applications in the agricultural sector has risen to over 34 %, compared to the 26 % of the long term average.

While the overall number of titles in force has increased by 2 percent compared to 2020 and exceeded 29500, there continued to be a high number of surrenders, with a total of 2001 only slightly lower than last year but with a significantly higher share (38 % of all surrenders) in agricultural crops.

Graph 1: Evolution of the annual number of applications for Community plant variety protection (2012-2021)



Graph 2: Shares of application numbers per crop sector in 2021

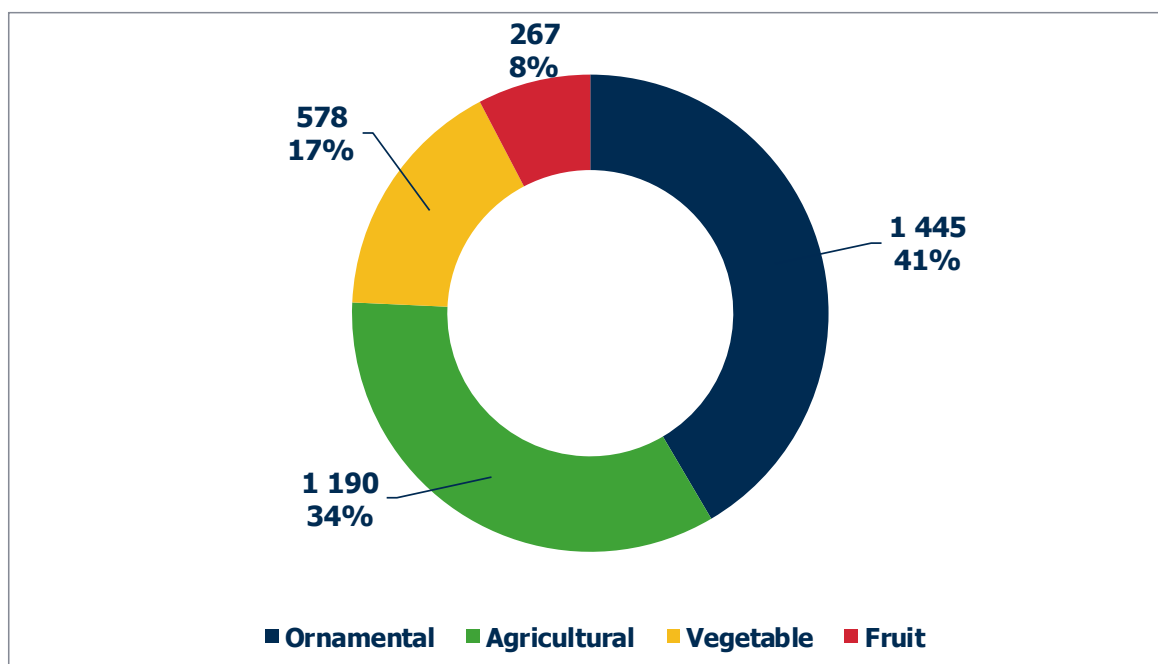


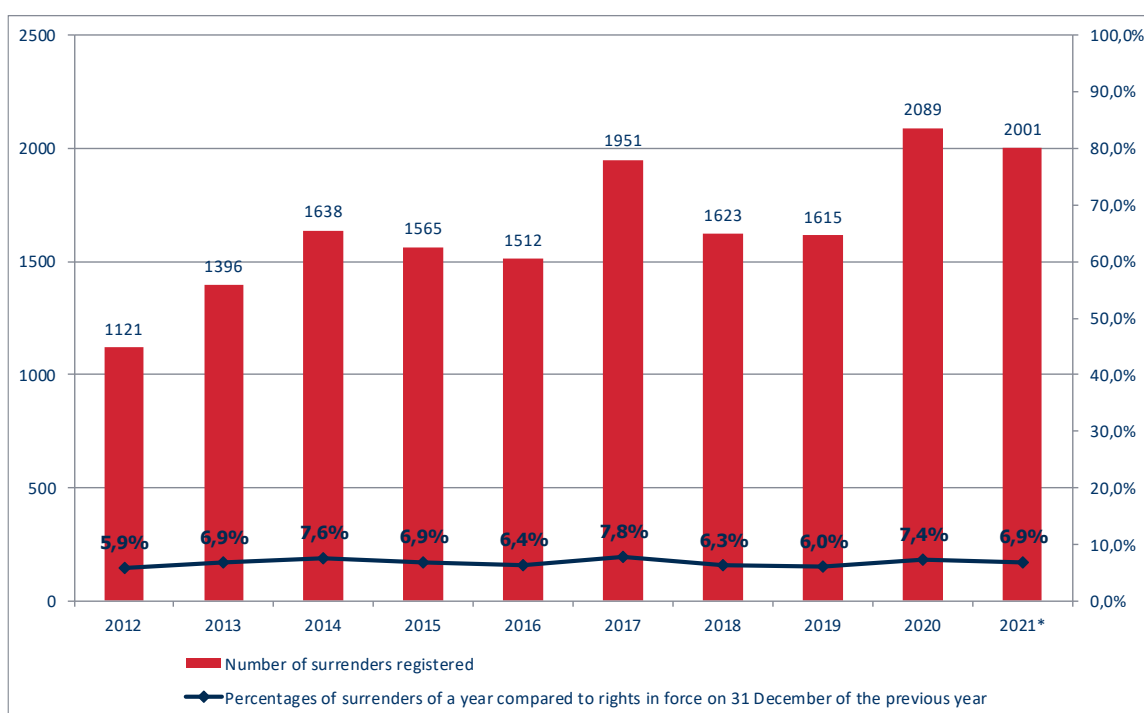
Table 1: Member States from which CPVR applications were filed in 2021

Member State of main applicant	Number of applications received in 2021
Netherlands	1192
France	478
Germany	456
Italy	147
Spain	111
Denmark	91
Belgium	37
Poland	36
Austria	25
Czech Republic	18
Finland	5
Hungary	5
Sweden	4
Greece	3
Ireland	3
Latvia	2
Slovak Republic	2
Estonia	1
Total	2616

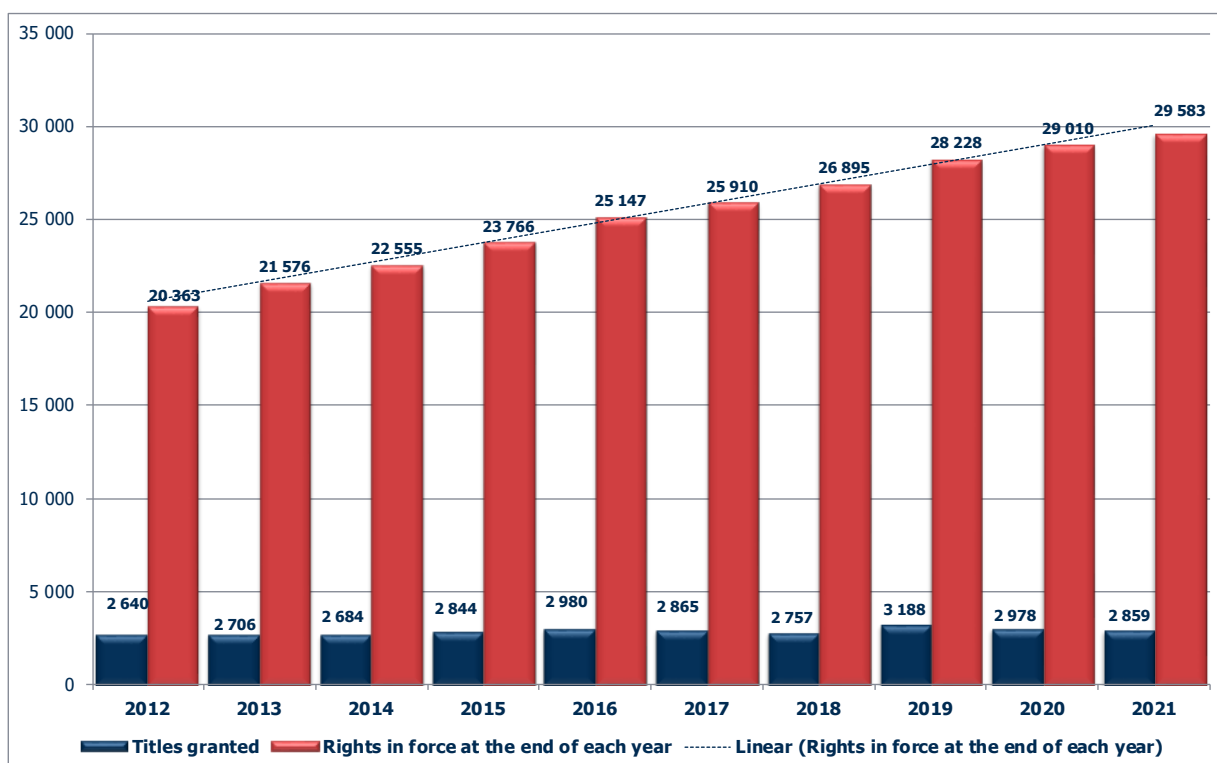
Table 2: Non-EU countries from which CPVR applications were filed in 2021

Country of main applicant	Number of applications received in 2021
United States of America	386
Switzerland	221
United Kingdom	53
Japan	50
Australia	35
Israel	27
Brazil	23
Taiwan	15
Canada	10
Colombia	6
Turkey	6
New Zealand	5
South Africa	5
China	4
Mexico	4
Norway	4
India	3
South Korea	2
Serbia	2
Chile	1
Ecuador	1
Uruguay	1
Total	864

Graph 3: Number of surrenders of CPVRs (2012-2021)



Graph 4: Number of rights granted each year from 1996 to 2021 and those remaining in force on 31 December 2021 from those granted per year (every other year shown)

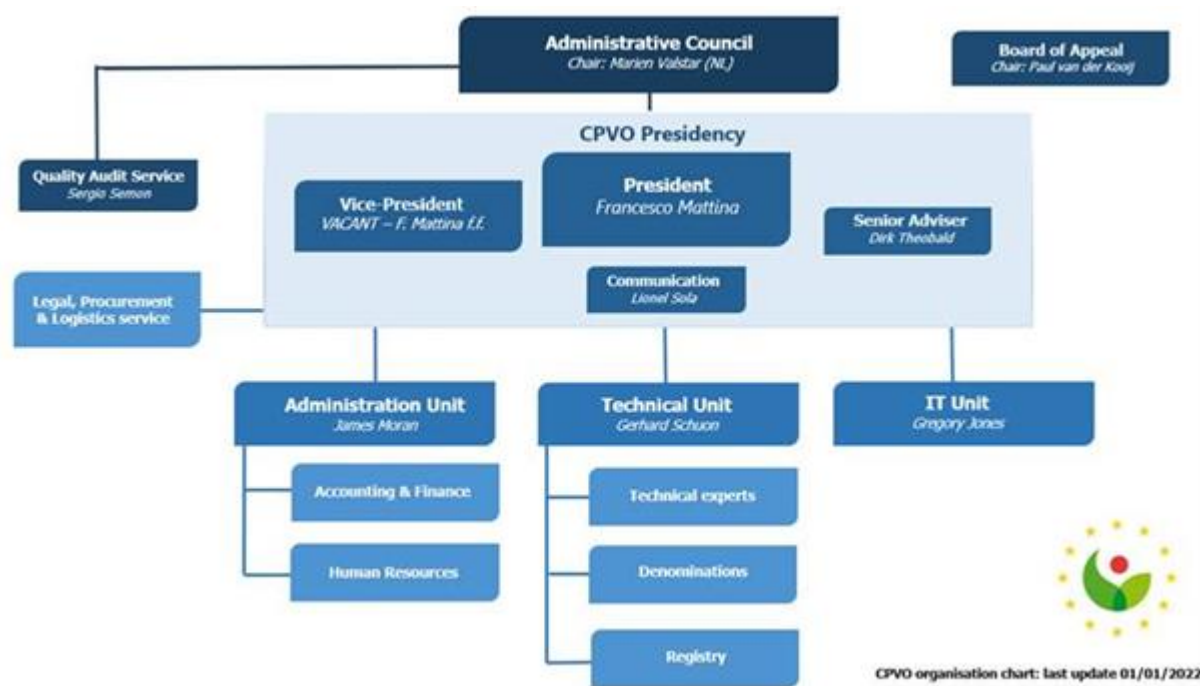


At the end of 2021, of the 59 420 rights granted in total, 29 602 (50 %) were still in force.

Annex II. Statistics on financial management

All information is provided above.

Annex III. Organisational chart



Establishment plan and additional information on Human Resources management

- Information on the entry level recruitment grade/function group for each type of post

Indicative table - Information on recruitment grade/function group for each type of post

Key functions (examples – terminology should be adjusted to each agency's job titles)	Type of contract (official, TA or CA)	Function group, grade of recruitment*	Indication whether the function is dedicated to administrative support or operations [subject to definitions used in screening methodology]
<i>President</i>	TA	AD 14 (external)	Operations
<i>Vice President</i>	TA	AD 12 (external)	Operations
<i>Adviser</i>	Official	AD 14 (internal)	Operations
<i>Head of Unit</i>	2 TA, 1 Official	AD 9 (most recent recruitment was external)	Head of Administrative Unit support, others operational
<i>Administrator (Technical Experts / Legal Officers / IT Experts / Quality Audit / Team Leader)</i>	TA / Official	AD 6 (external)	Operations
<i>Accountant</i>	TA	AST 10 (internal)	Support
<i>Senior Assistant</i>	TA	AST 10 (internal)	Operation
<i>Administrative Assistants</i>	TA	AST 1 (no recent recruitments)	Mixed

- For TA, please specify if the recruitment was internal, inter-agency or external as well as the specific grade of recruitment (No brackets)

Table Job screening/benchmarking against previous year results¹⁸

Screening category	Screening sub category	Date of Validity	
		31/12/2020	31/12/2021
Operational	Evaluation & impact assessment	2.08%	2.04%
	General operational	4.17%	8.16%
	Programme management and implementation	66.67%	65.31%
	Top level operational coordination	2.08%	
	Total	75.00%	75.51%
Neutral	Neutral - finance and procurement	6.25%	6.12%
	Total	6.25%	6.12%
Administrative support and coordination	Administrative support	16.67%	16.33%
	Coordination	2.08%	2.04%
	Total	18.75%	18.37%
Grand Total		100.00%	100.00%

- Information on the list of HR implementing rules adopted 2021

No new implementing rules adopted in 2021.

¹⁸ Table as per Methodology for Agencies job screening (2014)

Annex V. Human and financial resources by activity

Actual consumption of the human and financial resources by the end of year split between activities.

Activity	HR (fte)	% of total	Operational budget	Staff and overhead	Total	% of total
Managing the system: Processing applications	17.3	35.3%	7,889,741	2,908,385	10,798,126	62.3%
QAS	1	2.0%	30,000	168,115	198,115	1.1%
Development of the system	2.5	5.1%	-	420,287	420,287	2.4%
R&D Projects	0.5	1.0%	122,547	84,057	206,604	1.2%
Information Technology	9.4	19.2%	781,993	1,580,278	2,362,271	13.6%
External Relations	3.5	7.1%	-	588,402	588,402	3.4%
Enforcement and interface PVR/Patents	0.1	0.2%	-	16,811	16,811	0.1%
Total Core Activities	34.3	70.0%	8,824,281	5,766,335	14,590,616	84.2%
				-		
Budget	0.3	0.6%	-	50,434	50,434	0.3%
Accounts	3.7	7.6%	-	622,024	622,024	3.6%
Total Neutral Activities	4	8.2%	-	679,376	672,459	3.9%
				-		
HR	2.6	5.3%	-	437,098	437,098	2.5%
General Services	7.1	14.5%	-	1,193,615	1,193,615	6.9%
Internal Control, Audit, other	1	2.0%	265,215	168,115	433,330	2.5%
Total Horizontal support	10.7	21.8%	265,215	1,798,828	2,064,043	11.9%
Grand total	49	100.0%	9,089,496	8,244,538	17,327,118	100.0%

Annex VI. Contribution, grant and service level agreements, Financial Framework Partnership Agreements

Actual state of play of implementation

	General information ¹⁹					Financial and HR impacts				
	Actual or expected date of signature	Total amount	Duration	Counterpart	Short description		N	N+1	N+2	N+3
Grant agreements										
1. 7512366 Durum Wheat	19/12/2017	223 526	2 years	AGES	Integration of molecular data into DUS testing in Durum wheat	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
2. 7512367 Melon	19/12/2017	77 098	March 2021	Naktuinbouw	set up a common database based upon variety descriptions and photos stored within all of the CPVO's entrusted examination offices	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
3. 7513139 Apple	27/04/2018	207 037	27.10.2021	INRAE	Developing molecular markers allowing the distinction of apple mutants (sports)	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
4. 7515058 Oilseed rape	25/06/2019	228 143	2 years	GEVES	Developing a strategy to apply SNP molecular markers in the framework of winter oilseed rape DUS testing	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
5. 7515057 Tomato	16/07/2019	295 000	2.5 years	Naktuinbouw	International validation of a SNP set to determine genetic distances for the management of tomato reference collection	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
	16/12/2019	53 000	2 years	Naktuinbouw		Amount				

¹⁹ For on-going agreements, please provide the requested general information. For expected agreements, please provide the information available. When the information is not known, please put "not known"

6. 7515997 Cannabis					Development a SNP marker set in Cannabis to support DUS testing	Number of CA Number of SNEs	N/A N/A			
7. 7515996 Harmorescoll	23/12/2019	262 000	28.02.2023	GEVES	Setting up an EU system for harmonized collections of reference isolates, controls and differentials to facilitate disease resistance testing	Amount Number of CA Number of SNEs	 N/A N/A			
8. 7517891 Durum wheat DURDUS tools	14/12/2020	126 513	2 years	AGES	Integration of molecular data into DUS testing in durum wheat: development of a common online molecular database and a genetic distance calculation tool	Amount Number of CA Number of SNEs	 N/A N/A			
9. 7519702 Updating DUS resistance tests	Dec. 2021	206646	3 years	GEVES	"Updating DUS resistance tests according to pests' evolution: - Setting up resistance tests to ToBRFV for tomato and pepper - Improvement of resistance test melon/Aphis gossypii"	Amount Number of CA Number of SNEs	 			
10. 7519780	T1 2022	141277	18 months	GEVES	"Harnessing molecular data to support DUS testing in ornamentals: a case-study on Hydrangea"	Amount Number of CA Number of SNEs	 			
Expected grant agreements	Not known	(max EUR 500.000/year)				Amount				
Total grant agreements: 10						Amount Number of CA Number of SNEs	 N/A N/A			
Service-level agreements										
1. SLA-Sysper	01/01/2018	89 711	1-year renewable		European Commission-HR	Amount Number of CA Number of SNEs	 N/A N/A			
2. DIGIT 009 Global Services Level Agreement	20/03/2019	41 704	1-year renewable		European Commission - DIGIT	Amount Number of CA Number of SNEs	 N/A N/A			
3. Recruitment	31/05/2007		1-year renewable		EPSO	Amount Number of CA Number of SNEs	 N/A N/A			

4. HR management	01/03/2020		1-year renewable		PMO	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
5. Permanent Secretariat	01/01/2019	6088.37	1-year renewable		EFSA	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
6. CDT	2012		1 year renewable		CDT	Number of CA/ Number of SNEs	N/A			
7. Internal audits, renewed with Global SLA	First signed on 2/02/2015. Renewed on 27.01.2021		Last renewal for indefinite period		EUIPO	Number of CA/ Number of SNEs	N/A			
8. Board of Appeal activities	17.05.2021		For indefinite period		EUIPO	Number of CA/ Number of SNEs	N/A			
9. Administrative arrangement	11.01.2016		3 years renewable		EPO	Number of CA/ Number of SNEs	N/A			
Total service-level agreements: 9						Amount				
						Number of CA				
						Number of SNEs				
TOTAL						Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			

Annex VII. Environment management

The table below provides concrete actions that has been taken by the CPVO in order to meet the environmental policy

Environmental issue	Source of impact	Action plan	Performance indicator per year	Results 2021
1.Electricity consumption	1. Central computing and data storage by servers.	Gradual move of IT infrastructure to the cloud. Less purchases of hardware servers.	Less hardware purchases.	0 servers bought
	2. Cooling in server room	Decrease of cooling temperature of the air conditioners to save energy.	Energy consumption decrease.	See point 3.6
	3. "Staff-related" use of electricity in offices and meeting rooms (PCs, printers, copy machines, lights, etc.	Consider the IT-set-up per working station to have laptop and docking station. Change HDD to SSD and add RAM of the current desktops to enhance performance and keep them as long as possible.	Less hardware purchases. Less waste.	20 Laptops 20 Docking stations ²⁰ Hardware recycling ²¹
2.Paper consumption	4. Printing documents and emails	Raising awareness to move towards paperless office, e.g. further digitalisation of administrative workflow.	10% reduction in absolute and per FTE figures	-3% of printed paper
	5. Printing publications externally	Continue to reduce the number of paper publications through close management of publication plan as well as through more print on demand and web publishing.	Reduction of paper publications.	No corporate leaflet was printed Newsletter entirely digital Only 200 printed copies of the Annual Report

²⁰ Move to laptops and dockings stations for all staff created an increase in purchase.

²¹ Old IT items were given to staff and to associations. No waste created.

3.Sustainable resource use	6. Electricity, heat and water consumption	<p>Install light sensors in all public areas.</p> <p>Optimising existing LED system and electrical equipment (e.g. sleep mode) throughout the year aimed at achieving measurable reductions.</p> <p>Install water sensors for the restroom taps and low water consuming WCs</p>	<p>Reporting on the results. *</p> <p>10% reduction in absolute and per FTE figures</p>	<p>207 329 Kwh in total/4 607 per FTE (electricity)(-1,7%)</p> <p>173 547 Kwh in total/3 857 per FTE (gas) (+3%)</p> <p>418 m3 in total/9,3 m3 per FTE (water) (-365%)</p>
4.Waste sorting and reduction	7. Waste sorting and reduction	<p>Provide proper information and training to staff and cleaning staff. Follow-up on the handling by the garbage company.</p>	<p>5% reduction of total waste for 2021 per FTE</p>	<p>Recycling of paper in force with VEOLIA representing 3 to 5 tons per year.</p> <p>Recycling of batteries 5 kg per year.</p>
5.Greenhouse gas emissions	8. Business travel of staff	<p>Making virtual meetings the default and physical missions the exception.</p> <p>Encourage travel by train instead of plane when the distance is less than 1000 km.</p>	<p>Reporting on number of missions.</p> <p>Report on the results.*</p>	12 physical missions
	9. External participants coming to CPVO-organised meetings by plane	<p>Using videoconferencing when applicable.</p>	<p>Reporting on number of virtual and physical meetings.</p>	
6.Various negative environmental impacts of the CPVO	10. All procurement	<p>Calls for tender or relevant services must include environmental criteria according to the type of goods purchased. All purchases are carried out against best available environmental criteria.</p>	<p>All procurement aligned to EU directives.</p>	<p>Environmental criteria included in 2 calls in 2021 (natural gas and green electricity)</p>
7. Various positive environmental impacts of CPVO awareness raising	11. Green communication/awareness-raising activities	<p>Develop and implement an integrated approach to awareness raising.</p>	<p>Reporting on the results</p>	<p>Participation in the Greening Network.</p>

8.Environmental economic and social impacts	12.All CPVO activities	Using synergies between CPVO and staff health and well-being aspects. Encourage the use of public transport and bicycles. Weekly vegetable baskets proposed to staff.	Reporting on the results*	0 subscriptions due to COVID-19.
9.Internal environment	13.Environment in buildings/health and safety aspects	Involve the CPVO and staff well-being coordinator in office space optimisation projects.	Reporting on the results*	
	14. Review the possibility of rationalising office spaces	Look into possibilities to move to a new, environmental friendly building	Reporting on the researches* ²²	

²² Where there is an * no results can be reported on.

Annex VIII. (draft/final) Annual Accounts

Document provided separately