

CPVO PROGRAMMING DOCUMENT

2018-2020



List of acronyms

AC	Administrative Council
AD	Administrator
ARIPO	African Regional Intellectual Property Organisation
AST	Assistant
BoA	Board of Appeal
CA	Contract Agent
CEOS	Conditions of Employment of other servants
CJEU	Court of Justice of the European Union
CPVO	Community Plant Variety Office
CPVR	Community Plant Variety Rights
DUS	Distinction – Uniformity - Stability
EC	European Commission
EU	European Union
EUIPO	European Union Intellectual Property Office
FTE	Full Time Equivalent
HR	Human Resources
IMODDUS	Integration of Biomolecular Data into DUS testing
IT	Information Technology
KAVB	Koninklijk Algemene Vereniging voor Bloembollencultuur
OAPI	Organisation Africaine de la Propriété Intellectuelle
R&D	Research and Development
SC	Secretary and Clerk
SNE	Seconded National Expert
TU	Technical Unit
UPOV	Union internationale pour la Protection des Obtentions végétales



Table of Contents

1.	General context	5
1.1.	CPVO Mission and mandate	5
1.2.	Strategic Plan	5
1.3.	Report approval process	6
2.	Multi-Annual Programme 2018-2020	7
2.1.	Multi-Annual objectives	7
2.2.	Human and Financial Resources	9
2.3.	Key Workload indicators	12
2.4.	Other workload indicators and tasks	13
2.5.	Efficiency gains	15
2.6.	Negative priorities/decrease of existing tasks	15
2.7.	Impact of workload on human resources needs	16
3.	Work Programme 2018.....	18
3.1.	Managing the Community Plant Variety System	18
3.2.	Quality Audit System	19
3.3.	Development of the System	20
3.4.	Research and Development Projects	21
3.5.	Information Technology	21
3.6.	External Relations / Promotion of the system	22
3.7.	Enforcement and the interface between PVR and Patents	23
3.8.	Budget	24
3.9.	Accounting and Treasury	24
3.10.	Human Resources	25
3.11.	General Services	25
3.12.	Internal Control, Audit and Evaluation	26
3.13.	Internal Communication	27
	Annexes.....	29
	Annex I. Overall resource allocation per activity	29
	Annex II. Financial Resources.....	30
	Annex III. Human Resources - Quantitative.....	37
	Annex IV. Human Resources – Qualitative	38
	Annex V. Buildings	44
	Annex VI. Privileges and immunities.....	45
	Annex VII. Evaluations	45
	Annex VIII. Procurement plan for coming years	48
	Annex IX. Organisation chart.....	49



Foreword of the President

While the mission of the CPVO has remained relatively untouched over the past number of years, the pace of change in the environment and myriad challenges facing the CPVO means that we have arrived at a crossroads. Preparing and positioning the CPVO for the years to come requires the ambition to be a key player in the evolving Intellectual Property and plant variety landscape, the openness to developing as an organization on the basis of a partnership approach and the necessary financial and human resources to best serve our stakeholders.

In that context supporting its stakeholders in accessing, using and exploiting the IP system for the protection of plant varieties on the basis of a cost-efficiency approach remains an important challenge for the CPVO. Working together with its stakeholders, the network of Examination Offices, of the EU Agencies and other IP players the CPVO has promoted the sharing of information and expertise and has helped implementing EU policies more efficiently and responding to particular needs identified by the EU institutions and Member States. The CPVO will continue fostering highest technical harmonization of practices and legal certainty on a high quality level which aims at ensuring reliable and defensible decisions on Plant Variety Rights in the EU. This remains a challenge for the CPVO that will require even better coordination between all players at EU level and internationally to address the needs of the stakeholders.

The present document provides the details of how we plan to work in order to achieve our ambitions over the coming years.

Martin Ekvad

President, CPVO



1. General context

1.1. CPVO Mission and mandate

The CPVO mission is to deliver and promote an efficient Intellectual Property Rights system that supports the creation of new plant varieties for the benefit of Society.¹

In managing the Plant Variety Rights system, the CPVO fulfils the mandate of Council Regulation (EC) No 2100/94 of 27 July 1994. The core task of the CPVO is processing of and taking decisions on applications for Community plant variety rights. Furthermore, the CPVO either directly or by its Administrative Council, advises the EU institutions, Council and/or Commission, and the EU Member States on Plant Variety Rights legislation and related policy areas. The CPVO ensures effective plant variety protection through awareness raising activities designed to foster respect for plant variety rights and encourage the development of enforcement tools. In UPOV, the International Union for the Protection of New Varieties of Plants, the CPVO plays a prominent role. It also supports research and development activities aimed at improvement of Distinctness, Uniformity, and Stability (DUS) testing methods.

A report on the economic, social, and environmental value of plant breeding in the EU shows measurable benefits of plant breeding activities in the EU on the economy, the environment, and society at large². Through the protection of new plant varieties CPVO plays a prominent role in the plant breeding sector and contributes to the Juncker priorities of fostering innovation, boosting growth, creating jobs, and reduction of greenhouse gas emissions.

1.2. Strategic Plan

The Strategic Plan of the CPVO provides an overall vision for the future up to 2021 and the present document elaborates on that vision, detailing the activities planned each year on a rolling 3 year basis.

The vision of the CPVO is to be a dynamic, people-driven IP organisation, highly recognised within industry and stakeholders. As part of a strong network of IP players, it contributes to a coherent and harmonized legal framework for the benefit of its stakeholders and will be a 'natural choice' for protection of plant varieties. This will be achieved by focusing two main strategic goals:

- Making PVR the natural choice for the protection of IP related to plant varieties
- An innovative, people-driven organisation, promoting EU values

The over-arching objectives of the strategic plan are:

1. Achieving excellence through people – giving life to our values
2. Supporting breeders with a robust and reliable Intellectual Property Right
3. Make the CPVO strong in a strong Intellectual Property network
4. Promoting PVR, in the EU and internationally

Food security is one of the most important issues society is faced with, particularly in the context of climate change. The CPVO through the management of the PVR system and through the execution of the tasks entrusted to it contributes to this crucial policy by supporting all stakeholders, with a stable system which promotes research and development and breeding of better varieties. High yield, disease resistant varieties which are better suited to the changing climatic conditions can only be promoted if the system of protection of such varieties is robust.

There is an increasing need for plant varieties that are more resilient to the impacts of climate change: e.g. disease-resistant, cold-, drought-, and salt-tolerant varieties. The contribution of plant breeding and the plant variety protection to UN's Sustainable Development Goals is jointly addressed with UPOV. EU has committed

¹ This mission has been defined in the draft strategic plan document for the CPVO for 2017-2021

² Cf. European Seed Association press release on recent study: <https://www.euroseeds.eu/esa-press-release-new-study-proves-high-value-plant-breeding>



to the Sustainable Development Goals and they include i.a. the achievement of food security and improved nutrition and promotion of sustainable agriculture. Moreover, in the context of FAO's Commission on Genetic Resources for Food and Agriculture there is an increasing awareness that the genetic diversity of agricultural species should be safeguarded in order to ensure food security. The CPVO thereby contributes to the creation of an environment conducive to innovation and investment in Europe.

A new set of performance indicators, developed recently, is included in this version of the Programming Document. Following recommendations from the European Commission and from the CPVO internal auditor, the indicators of the multi-annual and annual work programmes were developed directly from the main objectives of the 2017-2021 Strategic Plan to perfectly reflect the philosophy of that document and assure a real continuity and a full coherence between both documents. Performance indicators have been divided into key performance indicators ('KPI') and operational performance indicators. The KPIs focus on measuring the performance of the Office's business and administrative activities with significant impact and/or consequences. Operational performance indicators provide complementary information on the Office performance.

Twenty-one KPIs were identified with their targets, supported by around 80 operational indicators giving more detailed information. These indicators will be used to analyse the fulfilments of the CPVO objectives when writing the Annual Activity Report.

Some operational performance indicators are also mentioned in the document for information. These indicators will be used internally for a more detailed analysis.

1.3. Report approval process

The process for approval of the present report is as follows:

- Draft report sent to DG SANTE on 31 January 2017 in order to allow integration of preliminary budget figures in the European Commission System -> Done
- Draft for comment presented to the Administrative Council during Spring meeting 14 March 2017 -> Done
- Revision of documents based on comments of the Administrative Council and the European Commission and to integrate final Strategic Plan indicators by 31 August 2017 -> Done
- Presentation of final document for approval by the Administrative Council in Autumn Meeting.



2. Multi-Annual Programme 2018-2020

2.1. Multi-Annual objectives

The multi-annual objectives defined below cover the core objectives of the CPVO. The objectives are very stable and therefore there have been very few changes as compared to the previous year. It should be noted that the multi-annual objectives are also aligned with the work programme for 2018 (Chapter 3 below).

2.1.1. The System

The main task of the CPVO relates to the processing of applications for Community Plant Variety Rights (see 3.1.1 below). The objectives and indicators in relation to the good functioning of this task concern mainly ensuring an efficient processing of applications. In this regard, the key objectives, indicators and targets for the period are defined as follows:

Objective 2018-2020: <ul style="list-style-type: none"> • Optimise the efficiency of applications processing • High level of online application processing • Paperless Processing 	
Key Indicators³	2018-2020 Target
Number of applications received in relation to the number of staff indicated in the establishment plan	3200/45
Operational indicators	
Ratio of applications in relation to the number of staff indicated in the establishment plan	70
% of online applications	>95%
% of acknowledgement of receipt of an application within 5 working days	>95%

2.1.2. Information technology

The IT systems of the CPVO are key to ensuring that the work can be carried out effectively and efficiently, providing applicants with a low-cost, high quality process and defensible titles. The indicators defined below reflect the aim in the medium term to continue with the virtualization of infrastructure and the progressive move to web-based solutions. Furthermore, the CPVO is committed to making savings in its support applications and will do so by progressive integration with Institutional (Commission / EU Agency) solutions.

Objective 2018-2020: <ul style="list-style-type: none"> • Integration of support tools with inter-institutional solutions (SYSPER) • Electronic communications with clients from Application to Title and for post-decision legal interaction through the implementation of My PVR in its second phase (client data) • Real-time cloud based backup infrastructure • Variety Finder and Common Catalogue integration 	
Key Indicator	2018-2020 Target
% of implementation of IT Masterplan	100%

³ **Key:** A key performance indicator is structuring, essential and with significant impact and/or consequences on the Office business and administrative activities



Operational indicators	
MyPVR implementation	Phase 2 (client data) implemented at 95% in 2018 Phase 3 (including online payments): 95% in 2019
Integration with EU Commission HR System (Sysper) and review of ABAC/SAP for accounting	Full implementation of SYSPER (2018) Integration with MIPS mission Management (2019)
Variety Finder and Common Catalogue integration	Creation of tool to manage VF and CC data (2019)
Full-cloud backup implementation	Real-time full back-up in cloud (2018)

2.1.3. Research & Development

Research and development projects financed by the CPVO have the aim to improve the quality of DUS testing, or to reduce the time or cost of such tests. These developments are long-term contributions to the improvement of the system.

Objective 2018-2020: <ul style="list-style-type: none"> Improvement of quality and reduction of cost and harmonisation of DUS tests Explore and promote the use of bio-molecular techniques in DUS testing Monitor the implementation of results of the R&D projects 	
Key Indicator	2018-2020 Target
% of R&D projects that lead to implementation	50%
Operational Indicators	
% of projects delivered on time	100%
% of R&D budget consumption	Close to 100%

2.1.4. Promote the system

The CPVO has a prominent role in its field of expertise, as it manages the world largest PVR system. The promotion of the EU system in the EU as well as in other countries, remains a core task.

The recent recommendations of the Evaluation Report on CPVO External Communication Activities showed that communication to core stakeholders works rather well whilst it would be beneficial if methods were improved, the audience enlarged and that a communication manager be recruited. .

Objective 2018-2020: <ul style="list-style-type: none"> Promote the system within the EU for breeders but also for a wider public, showing the benefits of the system for the consumers and for the environment Promote the system internationally by helping third countries to create or improve their PVP systems and the harmonisation of practices Develop external communication through various channels 	
Key Indicators	2018-2020 Target
Number of projects with IP actors in third countries	Minimum 12/year
Number of organisation of or participation to Open Days, public seminars, contributions to events, conferences etc. in the EU	Minimum 6/year
Number of press communications published	18 (average of 6 per year)



2.1.5. Enforcement of PVR

In the recent years the CPVO has been involved supporting breeders through raising awareness activities, in particular the organization of seminars on the enforcement of plant variety rights in different Member States. Moreover, the CPVO participates in the legal and the enforcement working groups of the Observatory on the infringements of Intellectual Property Rights. As a result of the above mentioned cooperation, in 2016 the Observatory has organised its first conference on counterfeits in food and agriculture where the CPVR system has been presented.

Furthermore on 25 October 2016 the Observatory has published the second Study on Intellectual Property Rights intensive industries and economic performance in the European Union: Industry-Level Analysis, with the inclusion of CPVRs. The CPVO expects to continue fostering its cooperation with the Observatory and other Institutions active in the field of enforcement of Intellectual Property Rights.

2.1.6. Interface between PVR and Patents

As regards the interface between PVRs and patents, the CPVO has implemented the Administrative Arrangement signed with the EPO on 11 February 2016, hosting a workshop with EPO patent examiners and legal experts of the Patent Law Department of the EPO in Angers. A second workshop has taken place in Munich on 30 March 2017 followed by a joint public conference which will be organized on 29 November 2017 in Brussels.

A new level of collaboration would arise through the participation of EPO examiners to crop sectors experts' meetings and by the attendance of CPVO experts to courses organised by the European Patent Academy. The EPO and CPVO experts would meet once a year.

Objectives 2018:	
<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	2018 Target
Total number of initiatives carried out	At least 5
Operational indicators	
% of participation to the meeting with the observatory, WG Enforcement	100%
Number of seminars / presentations of issues on enforcement	3
Number of participation to meetings with the EPO during the year	3

2.2. Human and Financial Resources

The CPVO applies a very prudent approach to management of human and financial resources, with all amounts approved in advance by the Administrative Council. However, continued increases in requests from applicants for variety protection, high numbers of titles in force, significant ongoing IT developments,



increased reporting requirements and many other factors mean that the increases in resources are necessary.

The table below shows the development of human and financial resources in the CPVO over the past 6 years:

	2012	2013	2014	2015	2016	2017
HR (Est. Plan)	46	48	47	46	45	45
Budget⁴ (€ million)	14.3	16.4	16.9	16.9	18	18.8

While the budget for spending has increased in line with increases in application numbers, the human resources are in fact less in 2017 compared to 2012

2.2.1. Human Resources breakdown

The table below provides a breakdown by staff type for the situation in 2016 (budget and actual filled posts), the approved 2017 budget and the proposed 2018 preliminary draft budget.

Staff population		Staff population in voted budget 2016	Staff population actually filled 31.12.2016	Staff population in voted budget 2017 ⁵	Staff – Preliminary Draft Budget 2018	Forecast 2019	Forecast 2020
Officials	AD	4	4	5	5	6	6
	AST	6	6	5	4	3	4
TA	AD	9	8	9	11	11	11
	AST	26	26	26	25	25	25
Total⁶		45	44	45	45	45	45
CA GF IV		-	-	5	5	5	5
CA GF III		-	-	1	1	1	1
CA GF II		-	-	-	-		
CA GF I		-	-	-	-		
Total CA⁷		-	-	6	6	6	6
SNE⁸		1	0	0	0	0	0
In-house Structural		1,5	1,5	1,5	1.5	1.5	1.5

⁴ Commitment budget approved by the Administrative Council

⁵ As authorised for officials and temporary agents (TA) and as estimated for contract agents (CA) and seconded national experts (SNE).

⁶ Headcounts

⁷ FTE

⁸ FTE



Staff population	Staff population in voted budget 2016	Staff population actually filled 31.12.2016	Staff population in voted budget 2017 ⁵	Staff – Preliminary Draft Budget 2018	Forecast 2019	Forecast 2020
service providers⁹						
TOTAL	2,5	1,5	1.5	1.5	1.5	1.5
GRAND Total	47.5	45.5	50.5	50.5	50.5	50.5

Other information concerning recruitment policy, appraisal of performance and reclassification/promotion, mobility policy, gender and geographical balance and schooling to be provided in **Annex IV**.

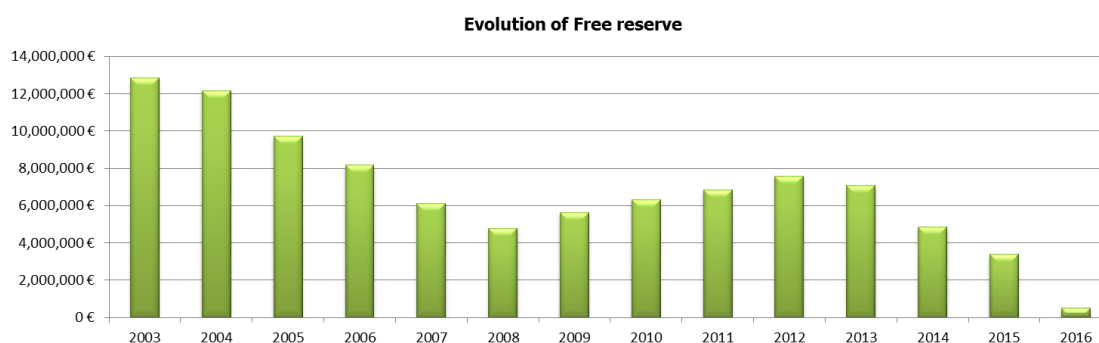
2.2.2. Financial Resources

As already mentioned, the CPVO is a demand driven agency, with budgetary outturn depending *inter alia* on the level of applications in any given year. With this in mind, the aim of the CPVO is to reach a break-even budget (Outturn zero) in the medium term.

The table below provides an indication of the development of the revenue, expenditure and outturn of the CPVO over the past years.

EUR mil.	2012	2013	2014	2015	2016
Income	13.15	13.05	12.72	12.84	13.45
Expenditure	11.74	12.76	13.25	13.98	15.59
Outturn	1.41	0.29	-0.53	-1.14	-2.13
Outturn (net¹⁰)	1.55	0.38	-0.46	-1.05	-2.03

The negative outturns over the past years were forecast and planned in order to bring the CPVO free reserve to a more acceptable position. As can be seen in the table below, the free reserve which peaked in 2003 was steadily reduced until 2008 at which time it rose again. From 2013 to date, lower fees for applications and annual fees were applied in order to further reduce the reserve.



The reserve is calculated as total treasury available less the outstanding commitments. It is expected that a positive outcome in 2017 will allow the free reserve to again begin an upward trend. In particular, the increase in Annual Fee (from 1 January 2017) will have a significant impact on the outturn and the free reserve.

⁹ **Service providers** are contracted by a private company and carry out specialised outsourced tasks of horizontal/support nature, for instance in the area of information technology. At the Commission the following general criteria should be fulfilled: 1) no individual contract with the CPVO; 2) on the CPVO, usually with a PC and desk; 3) administratively followed by the CPVO (badge, etc.) and 4) contributing to the value added of the CPVO. FTE

¹⁰ Including non-budgetary income



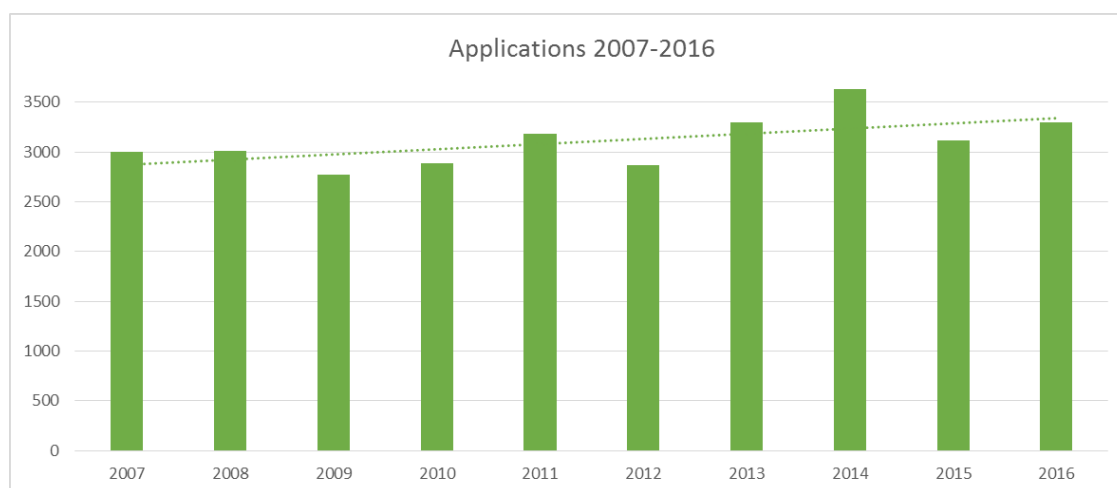
2.3. Key Workload indicators

During the Administrative Council meeting of October 2016, the issue of resource constraints in the CPVO was presented. It was agreed that for the purposes of requests for evolutions in the level of resources, the CPVO would provide detailed information and make a link between the key workload indicators and the requests for establishment plan posts. The agreed workload indicators for the CPVO for analysis and justification of human resource needs are: Applications per year, Titles in Force and Total number of debit notes sent and managed. Below is an analysis of each of the key workload indicators of the CPVO. Furthermore, details are provided of additional tasks which have direct resource implications in the CPVO.

2.3.1. Applications

Each application for Community Plant Variety Rights with the CPVO entails work for registering (as regards ensuring all the administrative information is adequate and exhaustive), technical analysis by the caseholders, contacts with the examination offices, the preparation of decisions, issuance of debit notes and related follow-up.

The table below outlines the development of application levels over the years:



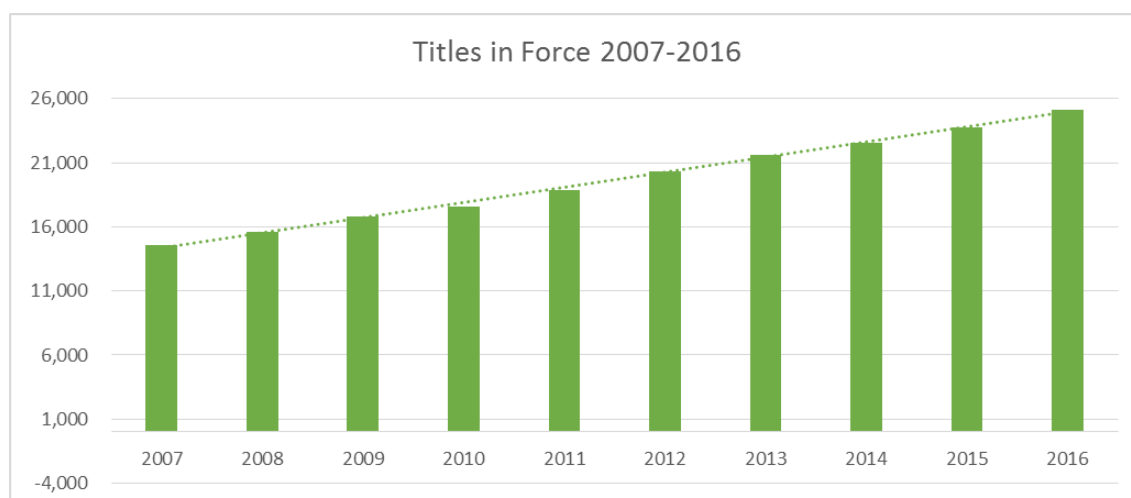
While the level fluctuates each year, the trend is clearly one of increase.

2.3.2. Titles in force

Titles in force refers to files, for which a title has been granted and for which annual fees are being paid in order to ensure maintenance. This is a very strong indicator of CPVO workload, given that the total number of titles in force has a direct impact on the work of the Register (Transfers of title, Requests for information) and caseholders, as well as potentially higher numbers of appeals and requests for public access.

The graph below shows the evolution of the total number of 'titles in force' over the past 10 years.

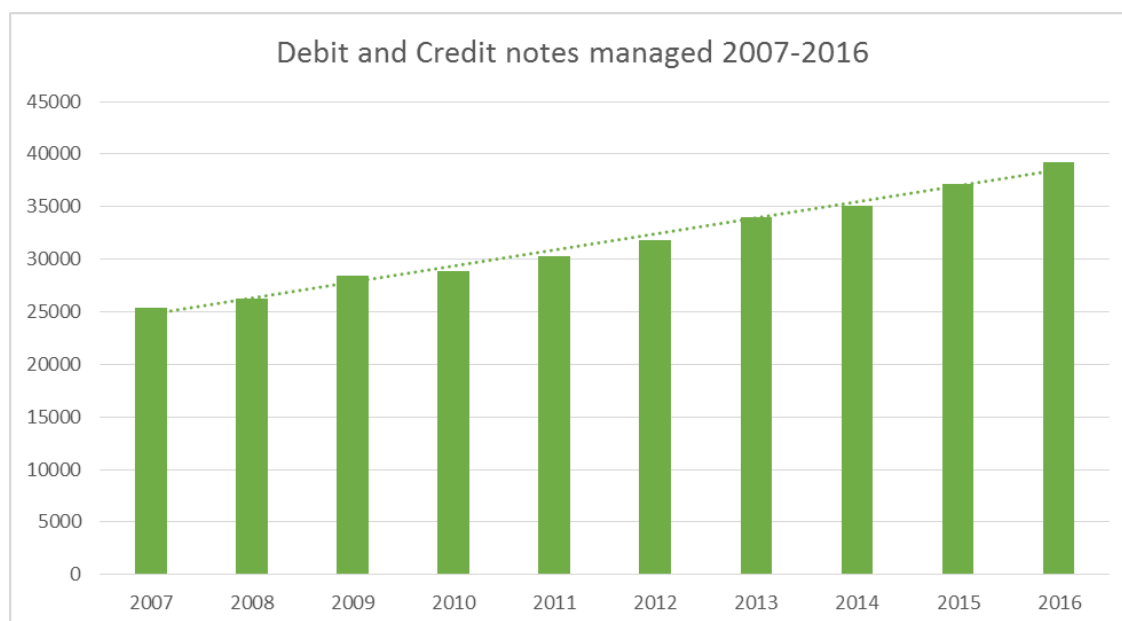




2.3.3. Fee Management

Related to titles in force is the management of fees. This involves the sending of debit notes, managing payments from applicants, and clearance of accounts, statement management, third party file management and follow-on credit note management. This is a significant amount of work.

Here again, the trend is a linear increase. The total number of debit and credit notes managed by the accounting department has increased from 2007 by **+/- 50%** from 2007 with close to 40.000 transactions in 2016.



While efforts currently underway for e-invoicing etc. are alleviating some of this pressure, it is becoming very difficult to manage.

2.4. Other workload indicators and tasks

2.4.1. Cooperation on projects with Member States

The CPVO has initiated new cooperation projects with the Member States with the aim to harmonise methodologies, improving quality of the services offered to its users and reducing costs. The CPVO has



increased the number of IT projects with the Member States for which the CPVO is the coordinator. In 2013 the CPVO launched some IT pilot projects with a selected number of National Offices that are expected to lead to efficiency gains at the CPVO and also at EU level. The CPVO initiated in 2014 a Business Process Review which is resulting in a simplification and streamline of the procedures. The results of these projects started to be implemented in the daily work of the CPVO in 2016, with the expected efficiency gains.

Endorsed by the AC, the CPVO is also implementing an extensive cooperation in the field of variety denominations with the Member States. The CPVO provides to the national authorities advice on the suitability of proposed variety denominations of candidate varieties in the frame of National Listing and National Systems of Plant Breeders Rights. The aim is to avoid diverging decisions within the EU, to gain efficiency and to improve the quality of decisions taken on variety denominations at EU and national level.

Following a request of the CPVO's AC the CPVO started to develop Technical Protocols for species which are covered by the Common Catalogue directives but for which the CPVO received few or no applications.

2.4.2. Cooperation with third countries and international organisations

The CPVO has also been more active in its relations and cooperation with third countries and international organisations, such as the International Union for the Protection of New Varieties of Plants (UPOV), the African Regional Intellectual Property Organisation (ARIPO), the African Intellectual Property Organisation (OAPI) and the East Asia Plant Variety Protection Forum. Moreover the CPVO has been involved in the ongoing EU founded IPKEY China program on the feasibility study on the accession of China to the 91 UPOV Act. The CPVO is involved in the new EU founded IPKEY projects for China, South-East Asia and Latin America. This increase in the external activities is in part due to the growing relevance of the CPVO in matters linked to plant variety protection worldwide and the implementation of EU policies¹¹. EU breeders benefit from protection in such countries.

All these projects have been agreed upon by the CPVO's AC and are extremely important for the continuous efforts to improve the EU plant breeders' rights system and to harmonize procedures and methodologies amongst Member States. Due to the relevance of these projects and the possible efficiency gains they will bring in the future, the CPVO will make all the efforts to ensure their continuation. In order to increase the awareness of Plant Variety Rights, the CPVO is also cooperating with some Universities in the EU, with the EUIPO's Academy and the European Observatory on infringements of Intellectual Property rights.

2.4.3. Research and Development

The CPVO is also coordinating and monitoring R&D projects in partnership with the Examination Offices, breeders and other research entities aiming amongst other objectives, to harmonize procedures and methodologies on DUS testing amongst the Members States, to improve the quality and reduce the costs of DUS tests. In addition, with the creation of the ad hoc working group IMODDUS the CPVO aims to explore and promote the use of molecular techniques for the purpose of DUS tests of candidate varieties.

2.4.4. Active files per technical expert

A solid indicator of workload for the technical experts is the number of 'Active' files, as these give rise not only to follow-up for files under examination, but also management of follow-up work. The table below shows clearly that the workload of technical experts has risen significantly in the past 10 years.

¹¹ Communication from the Commission to the European Parliament, the Council and the European Economic and social Committee "Trade, growth and intellectual property – Strategy for the protection and enforcement of intellectual property rights in third countries" of 1.7.2014



Evolution of the average number of active files per technical expert from 01/01/2007 to 31/12/2016



2.5. Efficiency gains

The CPVO is making significant efforts to achieve efficiency gains. This is evidenced by the continuous growth of the system with a more or less stable number of staff (see table):

	2012	2013	2014	2015	2016	2017	2018	2019	2020
	Approved Budget Figures					To be approved			
Establishment Plan	46	48	47	46	45	45	45 ¹²	45	45

The CPVO has been developing different projects at technical and IT level which led and are expected to lead in the future to more efficiency gains. However these projects are in the beginning very time consuming for all the Units of the CPVO and they have to be considered as an investment. Some examples can be mentioned: project "exchange platform" (pilot experience to exchange e-files with the stakeholders), project SharePoint (to implement relevant functionalities of this software at CPVO level and with external experts), Sysper (the CPVO is in negotiations with the Commission services in order to have access to their HR System); Business process review (to simplify and streamline internal procedures).

It should nevertheless be borne in mind that the CPVO as an EU Agency must comply with significant and indeed increasing reporting and administrative requirements and this has an impact on the rate at which gains can be achieved. Such increased requirements have more impact in the CPVO, one of the smallest Agencies, compared with the other Agencies which are much bigger.

2.6. Negative priorities/decrease of existing tasks

All the tasks performed by the CPVO have been considered by its budgetary authority as important for the accomplishment of the CPVO mission. The CPVO is highly committed to ensure the continuation of these tasks, even considering the growing workload linked to the continuous enlargement of the system. Within the tasks performed by the CPVO it is possible to establish a distinction between **core tasks** such as the

¹² Amount approved in principle in the meeting of the Administrative Council in October 2016, to be formally approved as part of the Draft Budget approval in October 2017.

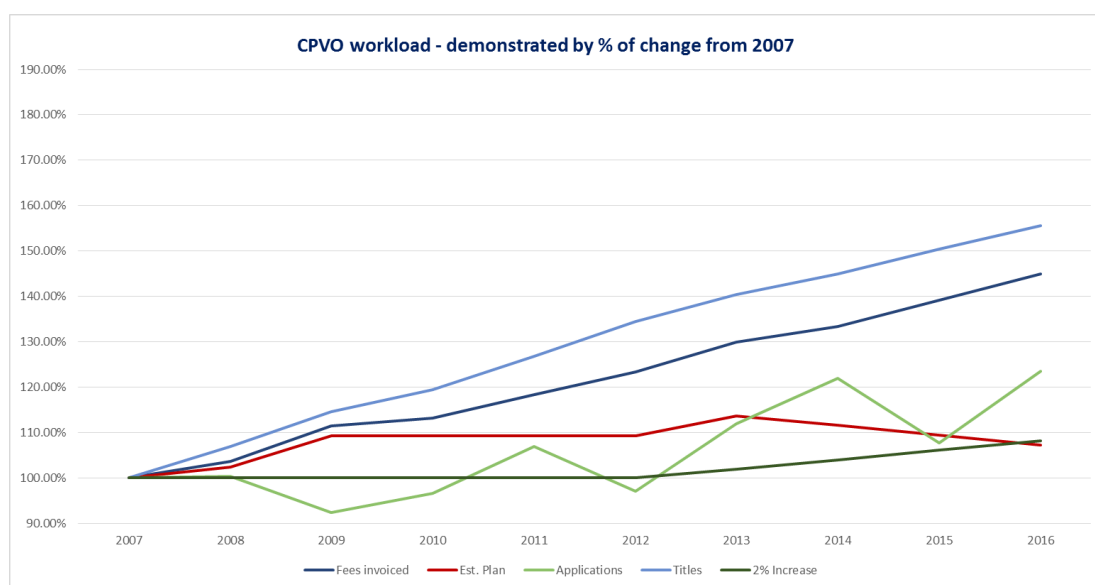


processing of applications which include: the formal, substantive and technical examination of applications (DUS exams), dealing with appeals, objections, nullities, actions before the CJEU and other legal proceedings; and **other tasks** directly linked to the core tasks, which although not foreseen in the CPVO Basic Regulation, are considered to be relevant for the achievement of the CPVO mission. These other tasks contribute to improve the quality of the core tasks, boost their outcome and lead to efficiency gains at EU level (e.g. enhanced cooperation in the field of variety denominations with the Member States, sharing databases on variety denominations and trademarks for plant varieties with the EU Agency EUIPO, quality audits in the network of entrusted examination offices, R&D projects aiming to reduce costs and improve the quality of DUS tests, Enforcement Seminars, external cooperation with international organisations with responsibilities in plant breeders rights and in Intellectual Property right such as EUIPO and the European Observatory on the Infringement of Intellectual Property Rights, IT developments).

2.7. Impact of workload on human resources needs

All this has contributed to the substantial increase in workload for the CPVO. Such increase in workload has been managed without any increase of workforce of the CPVO or staff expenditure but only by creating additional work capacities through efficiency gains in existing procedures. However it has become increasingly clear that for the above to be truly effective the CPVO must dedicate additional financial and human resources to such projects. For that reason, the Administrative Council has agreed to the recruitment of 4 contract agents in 2017.

When taken as a whole, the increases in workload can be shown graphically as follows:



Taking 2007 as a starting point, it can be seen that the increases in the main workload indicators (titles in forces and fees managed) have far surpassed what could be expected with efficiency gains of 2% from 2013. Even with applications falling in certain years, the management of these applications and their number has in most years proportionally far exceeded the level of staffing.

Following on from the preceding information, the table below shows, based on increases in workload, the additional staff that should be needed to cope with the changing situation, *taking into account expected efficiency gains from the European Commission*. The table also includes figures for two posts created since 2007 for which work is now ongoing. It should be reiterated that the current situation in the CPVO, of dealing with the workload with falling staff levels is not tenable in terms of health of staff and risks of burnout and sick leave.



Impact of workload on resource needs

Workload Indicator	Change (%) since 2007	Net increase in work after 2% efficiency allowance ¹³	Staff numbers directly affected ¹⁴	Theoretical additional fte needed
Titles in Force	+ 55.6 %	+ 47.4 %	2.2	1.1
Applications	+ 23.5 %	+ 15.3 %	10.6	1.6
Fees invoiced	+ 44.9 %	+ 36.7 %	1.9	0.7
QAS	+1 post	N/A	1.0	1.0
DPO work	+ 0.5 post	N/A	0.5	0.5
Total				4.9

Staffing in the establishment plan in 2007 was 42, and on the basis of the above, should be at 47 in 2016 and 2017 in order to meet the extra workload. The Administrative Council approved freezing the staffing at 45 until 2018, but clearly, even taking into account efficiency gains, it will be necessary to prolong this figure into 2019 and beyond if the workload increases at the same rate. The contract agents which are included in the budget for 2017 and future years do not impact the table above. Three IT contract agents have been approved by the Administrative Council and this concerns significant numbers of applications to be developed and an increasing amount of maintenance of existing applications. The other contract agents cover long-term absences.

Staff population evolution (detailed data provided in **Annex III**): main expected trends for years N+1 to N+3 providing explanatory reasons.

As regards managing staff costs, the following policy has been adopted:

Increase of staff costs in Title I of the CPVO budget at around 4 % per year (due to inflation and promotions/reclassifications and step increase).

Besides salaries title 1 costs include, among others, costs for missions, training and social activities.

The number of posts in the table of **Annex III** (period 2018-2020) has been stabilized. The CPVO has reviewed the long term planning, taking into consideration the impact on human resources and the increases in the CPVO's workload indicated under point 1 above, and has estimated it necessary to recruit 6 contract agents in 2017. There will be one departure for retirement in 2018 and the CPVO has to evaluate if that post can be reduced.

The CPVO is a fully self-financed agency. There are no links or relations between the CPVO Budget and the EU Budget. The CPVO Budget is therefore not included in the EU Multiannual Financial Framework. As a consequence of its status, the establishment plan and financial resources are approved by its budgetary authority, which is the CPVO AC composed of representatives of Member States and the EU Commission (no voting right). The CPVO is obliged to remain fully self-financed and operate on a balanced budget in order to accomplish its mission of delivering a high quality public service. This is a constant preoccupation that is at the forefront of CPVO's management priorities.

The existing Regulations do not provide for any mechanism allowing the CPVO to transfer staff or budgetary resources, such as posts to the budget of the EU. For this reason the CPVO does not agree with the policy of the Commission that self-financed Agencies should adhere to the redeployment policy.

The CPVO applies normal average promotion rates as laid down in **Annex IB** to the Staff Regulations and Article 54 of the CEOS.

¹³ The application of the required 2% gain from the Commission as from 2013 leads to an expected improvement of 8.2% which is deducted from the increase in workload.

¹⁴ These figures are based on a benchmarking exercise of actual time spent by staff on various activities.



3. Work Programme 2018

The work program for 2018 provides the detailed explanations of the various activities of the CPVO and highlights where the related indicators contribute to the strategic plan. Operational Indicators are also included with the relevant targets for the year.

3.1. Managing the Community Plant Variety System

3.1.1. Processing Applications

The rapid processing of incoming applications is a key issue of the CPVOs work. The attribution of an application date gives a legal certainty to applicants, triggers publication of the application in the official gazette with as consequence the start of a provisional protection. Furthermore it allows the CPVO technical experts to either attribute candidate varieties to examination offices for testing or to launch a take-over procedure of already existing DUS results. A high % of online applications contributes to high quality applications (less no-forms), allows internal e-processing.

Objectives 2018: <ul style="list-style-type: none"> • Rapid processing of applications • High level of online application processing • Paperless Processing 	
Key Indicators	2018 Target
Number of applications received in relation to the number of staff indicated in the establishment plan	3200/45
Operational Indicators	
Ratio of applications per staff member	70
% of acknowledgements of receipt within 5 working days	≥ 95%
% of online applications	≥ 95%

3.1.2. Appeals

Decisions of the CPVO in respect of objections, refusals of rights, grants, cancellations, nullities, acceptance and amendments of variety denominations are subject to appeal pursuant to Article 67 et seq. of Council Regulation (EC) 2100/94 (hereafter Basic Regulation). Appeals can also be lodged against decisions related to fees or regarding entries or deletion of information in the Register and public inspection of the Register. The Board of Appeal is responsible for deciding on appeals against decisions taken by the CPVO. Actions against decisions of the Board of Appeal may be brought before the Court of Justice of the European Union.

Objectives 2018: <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	2018 Target
% of legal decisions maintained	100%
Operational indicators	
% of appeals won by the CPVO	≥90%



Number of appeals lodged	10
Number of appeals upheld	6
Number of appeals dismissed	2
Number of appeals abandoned	2
% of deadlines met	100%

3.1.3. Public Access to documents

The CPVO abides by the provisions on public access to documents of EU Institutions established under Regulation (EC) No 1049/2001. For that purpose the CPVO has to guarantee the maximum level of transparency in carrying out the following activities:

- Review of documents for which a request of public access has been received;
- Processing of initial applications stating the reasons for total or partial refusal, informing the applicants of the right to lodge a confirmatory application.

The requests for public access increased significantly during the last twelve years, reaching almost one hundred requests in 2016.

Objectives 2018:

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	2018 Target
% of public access requests dealt within the deadlines	100%

3.2. Quality Audit System

The Quality Audit Service (QAS) is responsible for verifying whether technical examination offices meet the quality standards required for providing services to the CPVO in the area of testing compliance of candidate varieties with the DUS criteria.

To this end, regular assessments are conducted at the entrusted Examination Offices and at the test sites involved in the technical work. The QAS is independent from other CPVO activities.

The technical expertise is made available through experts from Member States (MS). When the number of active experts decreases during the triennial appointment period, a new call for expression of interest is launched. Assessment teams work under strict confidentiality arrangements and report entrustment recommendations directly to the CPVO AC. Assessment criteria and procedures governing the entrustment process are continuously reviewed and approved by the AC.

The QAS organises regular meetings with the QAS Technical experts for the purpose of training and in order to coordinate and improve the methodology of QAS audits.



Objective 2018: <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	2018 Target
Number of surveillance procedures initiated	Zero procedure
Number of Audit Advisory Board consultations/objections	None
Operational Indicators	
Number of unsolved issues in the cooperation reports	None
Number of Technical experts for next assessment	At least 25 experts appointed for 2019-21 and trained

3.3. Development of the System

3.3.1. Regulatory Developments

Denominations Guidelines

The CPVO is working at the revision of the Guidelines with explanatory notes on variety denominations which has been launched in 2016 and will continue until 2018.

Objective 2018: Complete the revision of the Guidelines with explanatory notes on variety denominations	
Indicators	2018 Target
Revision of the Guidelines with Explanatory Notes	Adoption in 2018

3.3.2. Technical Developments

The technical examination of candidate varieties are carried out by entrusted examination offices. The good cooperation with the EOs is a precondition for having an efficient system of variety testing within the Community system. The CPVO organises annually a meeting with all Technical Liaison Officers in order to coordinate technical issues of mutual interest.

The framework for all technical examinations is defined by the Technical Protocols which are developed on species level in cooperation with national crop experts. The fora in which those TPs are discussed are the annual crop sector expert meetings the CPVO is organising.

Objective 2018: <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	2018 Target
Number of new and revised Technical Protocols	>80% of applications covered
Operational Indicators	



% of satisfaction of examination offices present to meetings	≥85%
% of examination offices present	100%
% of late reports	<5%

3.4. Research and Development Projects

The CPVO may (co)finance R&D projects which relate to one of the following areas: DUS testing, the identification of varieties, organization and management of reference collections. Such projects should aim to achieve at least one of the following objectives: improve the quality of DUS-testing, reduce costs or time for DUS testing. In addition, with the creation of the ad hoc working group IMODDUS, the CPVO aims to explore and promote the use of molecular techniques for integration into DUS tests.

Objectives 2018: <ul style="list-style-type: none"> Continue the monitoring and the potential implementation of the results of the following projects: "Construction of a European potato database as centralized collection of varieties of common knowledge" "Harmonization of resistance tests to diseases for DUS testing – 3" "Ring tests for strawberry" (this list might increase depending on the candidatures received and approved) Continue the follow up of the following finalised projects: "Test of the potential use of SNP markers in oilseed rape varieties" Organize meetings of the ad hoc WG IMODDUS 	
Strategic Indicator	2018 Target
% of R&D projects that lead to implementation	50%
Operational Indicators	
% of projects delivered on time	100%
% of R&D budget consumption	Close to 100%

3.5. Information Technology

The IT systems of the CPVO are key to ensuring that the work can be carried out effectively and efficiently, providing applicants with a low-cost, high quality process and defensible titles. The aim in the medium term is to continue with the virtualization of infrastructure and the progressive move to web-based solutions. Furthermore, the CPVO is committed to making savings in its support applications and will do so by progressive integration with Institutional (Commission / EU Agency) solutions (SYSPER2, MIPS...)

Objective 2018: <ul style="list-style-type: none"> Integration of support tools with inter-institutional solutions Electronic communications with clients from Application to Title and for post decision legal interaction Cloud based backup infrastructure 	
Key Indicator	2018 Target
% of implementation of the annual IT master plan	100%



3.6. Promotion of the system

In accordance with CPVO's international relations strategy, the CPVO maintains regular contacts with other international and regional organizations and with national authorities and institutions to promote the protection of intellectual property rights in non-EU countries and in particular plant breeders' rights. Such activities include giving lectures and presentations on the EU system of PVR and knowledge sharing of how the largest PVR system in the world is operated. Such activities are regarded as beneficial not only for such countries but also for EU breeders that want to breed or produce outside the EU. The CPVO keeps a close cooperation with UPOV through an active participation in the different UPOV bodies and the Technical Working Parties. The CPVO participates actively in the development and harmonisation work carried out under the UPOV umbrella. Contributions are made to the EU common position in the administrative frame work. On technical level the CPVO is active in the expert meetings in which the CPVO often takes a leading role including the preparation of various documents. Apart from that the CPVO has a particular cooperation with UPOV in some specific UPOV activities such as variety denominations and electronic applications.

The CPVO also participates in UPOV activities that aim to promote the plant variety right system such as seminars and training courses.

The CPVO has also cooperation with the Organisation Africaine de la Propriété Intellectuelle (OAPI), the African Regional Intellectual Property Organization (ARIPO) and the East Asia Plant Variety Protection Forum, which includes the participation in seminars aiming to promote the plant variety right system in countries members of these regional organisations and facilitate the training of DUS experts from member countries of such organisations.

The CPVO also cooperates with the European Commission and the European Union Intellectual Property Office (EUIPO) in the implementation of EU funded programs such as IPKEY which has been extend from China to regions such as South East Asia and South America.

Objective 2018: <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	2018 Target
Number of participation to meetings and trainings / collaboration with other strong IP actors (UPOV, EPO, EUIPO...)	12
Number of projects with IP actors in third countries, especially in Asia and Africa	4
Number of Open Office days, public seminars, contribution to events with the "Maison de l'Europe", etc...	6
Operational Indicators	
Number of meetings with OAPI during the year contributing to the implementation of the OAPI roadmap	2
Number of collaboration over projects that are funded by the EU	1
Number of exhibitions, symposium, seminars	6
Number of lectures hold in collaboration with universities (ex. participation in specialized Master programs, conferences, etc.)	6
Number of projects elaborated in partnership with universities (symposium, research project, PhD, etc.)	2



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
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,...)	8
Reputation barometer regarding stakeholders satisfaction and expectations	75%
Number of presentations made in events we will be invited to	12

3.7. Enforcement

In the recent years the CPVO has been involved supporting breeders through raising awareness activities, in particular the organization of seminars on the enforcement of plant variety rights in different Member States. Moreover, the CPVO participates in the legal and the enforcement working groups of the Observatory on the infringements of Intellectual Property Rights. As a result of the above mentioned cooperation, in 2016 the Observatory has organised its first conference on counterfeits in food and agriculture where the CPVR system has been presented. Furthermore on 25 October 2016 the Observatory has published the second Study on Intellectual Property Rights intensive industries and economic performance in the European Union: Industry-Level Analysis, with the inclusion of CPVRs. The CPVO expects to continue fostering its cooperation with the Observatory and other Institutions active in the field of enforcement of Intellectual Property Rights.

3.8. Interface between PVR and Patents

As regards the interface between PVRs and patents, the CPVO has implemented the Administrative Arrangement signed with the EPO on 11 February 2016, hosting a workshop with EPO patent examiners and legal experts of the Patent Law Department of the EPO in Angers. A second workshop has taken place in Munich on 30 March 2017 followed by a public conference to be organized on 29 November 2017 in Brussels.

A new level of collaboration would arise through the participation of EPO examiners to crop sectors experts' meetings and by the attendance of CPVO experts to courses organised by the European Patent Academy. The EPO and CPVO experts would meet once a year.

Objectives 2018:	
<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	2018 Target
Total number of initiatives carried out	At least 5
Operational indicators	
% of participation to the meeting with the observatory, WG Enforcement	100%



Number of seminars / presentations of issues on enforcement	3
Number of participation to meetings with the EPO during the year	3

3.9. Budget

This activity includes all of the day to day work in forecasting, setting and executing the CPVO budget. It also includes the preparation of the preliminary draft budgets for review by the AC and the draft budget for approval. As a fully self-financing organization, it is essential that the CPVO remains totally independent of any financial contribution from the EU budget for its ordinary functioning. Adjustments of fee levels, which provide the main source of income, have to be prudent in order to avoid structural deficits over extended periods of time. This prudence has resulted in a certain budget surplus that should not be allowed to grow much further.

Objectives 2018: <ul style="list-style-type: none"> • Balanced budget • Stable Free Reserve 	
Key Indicators	2018 Target
Ratio of invoices received, processed and paid per staff member (accounts payable)	(6 100/45=) 135
Ratio of debit and credit notes issued, processed, sent and recognized in accounts receivable per staff indicated in the establishment plan	(37 000/45=) 820
Operational Indicators	
Number of budget revisions and/or transfers	2 or less
% of cancellations of carry forward commitments	≤15% of total carry forward commitments
Level of free reserve vs. total budget for payment appropriations	50%

3.10. Accounting and Treasury

This activity includes all of the operations required to maintain the accounting system, including preparation of the annual accounts, management of suppliers, VAT returns, forecasting of cash and the related treasury management. The sector deals with the accounting client matters, in respect of the current regulations, in a timely manner with a high quality service to clients. The accounting sector also is heavily involved on IT projects concerning the paperless principles.

Objectives 2018: <ul style="list-style-type: none"> • No comments from Court of Auditors • Fast payment of invoices 	
Operational Indicators	2018 Target
Number of remarks of the Court of Auditors on financial accounts (RAS, published in the OJ)	None
% of payment of invoices under 30 days	>90%



3.11. Human Resources

Organisation of all the necessary steps foreseen in the procedures and rules for the selection and contracts with new agents or to hire interim staff to provide the different units and services with the requested human resources.

Manage staff rights, salaries and processing of mission's reimbursements.

Preparation and submission of draft Decisions on implementing rules of the Staff Regulation, to the CPVO President and AC for possible adoption, and transmission to the DPO of the corresponding notifications.

Assistance to the CPVO Management and CPVO staff in the domain of HR.

Draw an annual training program based on development needs identified each year by staff in their Career development plan. Once this program is approved by the President, organise trainings accordingly within budget constraints.

Manage training catalogue(s).

Objectives 2018:	
<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	2018 Target
% of satisfactory probationary period reports	100%
% of completion of the mandatory training program (or % of staff who attended a mandatory training during the year)	100%
% of positive feedbacks on training	100%
% of staff satisfaction regarding job description quality and work responsibilities (question included into the CDR)	>80%
Number of internal mobility experiences	>2
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 surveys	80%

3.12. General Services

The Procurement and Logistic sector of the CPVO is responsible for the purchase, organisation and maintenance of the furniture, equipment and stationery needed for a comfortable and efficient work environment. They also take the necessary steps to maintain and/or repair the buildings and all related matters (security, telecom, energy...), and manage incoming and outgoing mail for the CPVO.

The CPVO must also comply with all of the rules of the European Data Protection Supervisor. The Data Protection Officer (DPO) of the CPVO ensures that notifications are made in line with requirements.



Objectives 2018: <ul style="list-style-type: none"> Implement the various services and equipment allowing the staff to work in good conditions and in full security. Manage efficiently the purchase and delivery of goods and services. Maintain the buildings in a good state. Manage the contracts linked to all these activities. 	
Key Indicators	2018 Target
n/a	n/a
Operational Indicators	
% of procurement procedures (call for tender, negotiated procedures, etc.) initiated vs. finalized	85%
Average length of procurement procedures processing	3 months

3.13. Internal Control, Audit and Evaluation

3.13.1. Internal Control – Management responsibility

Internal Control is broadly defined as a process intended to provide reasonable assurance to the management on the achievement of the objectives. More concretely, internal control is all the measures management and staff take (for example the implementation of organisational structures, policies, procedures, controls, training, etc.) to ensure that:

- operational activities are effective and efficient;
- legal and regulatory requirements are met;
- financial and other management reporting is reliable;
- assets and information are safeguarded.

It is the role of CPVO management to ensure this is correctly implemented. The Internal Control and Audit Coordinator assists the CPVO Management in these activities.

3.13.2. Internal Audit

The CPVO has appointed the Internal Auditor of the EUIPO whose role is to assist 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.

The scope of work of Internal Audit is to determine whether the CPVO's risk management, control and governance processes, as designed and represented by management, is adequate and functioning in a manner to ensure:

- risks are appropriately identified and managed;
- significant financial, managerial, and operating information is accurate, reliable, and timely;
- employees' actions are in compliance with policies, standards, procedures, and applicable laws and regulations;
- resources are acquired economically, used efficiently, and adequately protected;
- programmes, plans, and objectives are achieved;
- quality and continuous improvement are fostered in the organisation's control process;
- significant legislative or regulatory issues impacting the organisation are recognised and addressed appropriately.



The Annual Internal Audit Programme is based on the CPVO list of risks updated in 2016. The Internal Auditor regularly reviews the achievements made on the previous recommendations raised in the previous years' reports.

3.13.3. Evaluations

Ex ante and ex post evaluations (Article 27 (paragraphs 5 to 7) of CPVO's Financial Regulation) reads 'In order to improve decision-making, the Office shall undertake both ex ante and ex post evaluations in line with guidance provided by the Commission. Such evaluations shall be applied to all programmes and activities which entail significant spending and evaluation results shall be sent to the Administrative Council. The President shall prepare an action plan to follow-up on the conclusions of the evaluations referred to in paragraph 8 and report on its progress regularly to the Administrative Council. The Administrative Council shall scrutinise the implementation of the action plan referred to in paragraph 6.'

"Significant spending" means expenditure for future projects above € 350.000.

The latest *ex post* evaluation (according to article 11.3(b) of Implementing Rules of the Financial Regulation) took place in 2017, monitoring the use of resources and impact of the external communication activities of the CPVO. The recommendations of this Evaluation Report will be implemented in 2018.

Objectives 2018: <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	2018 Target
n/a	n/a
Operational indicators	2018 Target
% of BPR action plans implemented	85%
Number of exceptions recorded into the exception register	Max. 10/year
% of recommendations of the Internal Auditor closed	>75%

3.14. Internal Communication

The CPVO Strategic Plan 2017-2021 first objective is to achieve excellence through people and give life to the CPVO values. These elements can be fulfilled only with the help of an efficient internal communication.

An internal working group worked in 2014 to develop an internal communication policy. This policy foresees, among other actions, a regular survey to measure the satisfaction of staff regarding the internal communication in terms of efficiency and exhaustiveness.

Objectives 2018: Measure the satisfaction of the staff regarding the internal communication and take corrective actions	
Key Indicators	2018 Target



% of satisfaction of the staff regarding the internal communication (through the staff survey)	90% of staff satisfied
Operational indicators	
Number of issues / problems raised by the staff to the staff committee	5
Number of reviews and updates of the internal communication policy	1
% of staff members who attended to an internal communication training over the last 3 years	50%



Annexes

Annex I. Overall resource allocation per activity

The table below shows the breakdown expected for 2018. The total commitment budget for the year is expected to be EUR 18.070.000. Operational expenditure directly attributable to activities is allocated with all other overhead and salary costs allocated on the basis of HR full-time equivalent allocations.

Activity	HR (fte)	% of total	Operational budget	Staff and overhead	Total	% of total
Managing the system: Processing applications	18.3	38%	8,040,000	3,307,500	11,347,500	63%
QAS	1	2%	30,000	176,400	206,400	1%
Development of the system	2.5	5%	0	441,000	441,000	2%
R&D Projects	0.5	1%	500,000	88,200	588,200	3%
Information Technology	9.4	19%	620,000	1,675,800	2,295,800	13%
External Relations	3.5	7%	0	617,400	617,400	3%
Enforcement and interface PVR/Patents	0.1	0%	0	0	0	0%
Total Core Activities	35.3	72%	9,190,000	6,306,300	15,496,300	86%
Budget	0.3	1.00%	0	88,200	88,200	0%
Accounts	3.7	8.00%	0	705,600	705,600	4%
Total Neutral Activities	4	9%	0	793800	793800	4%
			0			
HR	1.6	3%	0	273,420	273,420	2%
General Services	7.1	14%	0	1,261,260	1,261,260	7%
Internal Control, Audit, other	1	2%	60,000	185,220	245,220	1%
Total Horizontal support	9.7	20%	60,000	1,719,900	1,779,900	10%
Grand total	49	100.0%	9,250,000	8,820,000	18,070,000	100%



Annex II. Financial Resources**Overall Expenditure**

Expenditure	2017		2018	
	Commitment appropriations	Payment appropriations	Commitment appropriations	Payment appropriations
Title 1	7050000	7050000	7500000	7500000
Title 2	1725000	1725000	1660000	1660000
Title 3	10066000	7466000	8910000	7760000
Total expenditure	18841000	16241000	18070000	16920000



Commitments

EXPENDITURE	Commitment appropriations						
	Executed 2016	Budget 2017	Draft Budget 2018		VAR 2017 / 2018	Envisaged 2019	Envisaged 2020
			Agency request	Budget Forecast			
Title 1: Staff Expenditure							
11 Salaries & allowances (est. plan)	5,857,339	6,440,000	7,020,000	7,020,000	8.0%	7,300,800	7,420,000
12 Expenditure relating to Staff training	47,316	110,000	90,000	90,000	-18.2%	90,000	90,000
13 Mission expenses	240,000	250,000	270,000	270,000	8.0%	270,000	270,000
14 Interim staff	190,688	210,000	80,000	80,000	-46.7%	75,000	75,000
15 Assistance	23,628	30,000	30,000	30,000	0.0%	30,000	30,000
17 Representation	3,923	10,000	10,000	10,000	0.0%	10,000	10,000
Total	6,362,894	7,050,000	7,500,000	7,500,000	6.4%	7,775,800	7,895,000
Title 2: Administration							
20 Buildings and associated costs	498,555	300,000	350,000	350,000	16.7%	300,000	300,000
21 Information and communication technology	829,677	650,000	620,000	620,000	-4.6%	600,000	650,000
22 Movable property and associated costs	61,357	70,000	60,000	60,000	-14.3%	70,000	70,000
23 Current administrative expenditure	46,938	55,000	70,000	70,000	27.3%	55,000	55,000
24 Postage / Telecommunications	67,234	100,000	90,000	90,000	-10.0%	90,000	90,000
25 Meeting expenses	268,056	400,000	380,000	380,000	-5.0%	375,000	375,000



26 Audit and evaluation	211,743	150,000	90,000	90,000	-40.0%	125,000	125,000
Total	1,983,560	1,725,000	1,660,000	1,660,000	-3.8%	1,615,000	1,665,000
Title 3: Operational							
30 Technical examination and verifications	7,235,326	8,800,000	7,600,000	7,600,000	-13.6%	7,790,000	7,984,750
32 Take-over of reports	332,006	416,000	440,000	440,000	5.8%	440,000	440,000
34 Publications linked to operational activities	162,666	150,000	170,000	170,000	13.3%	170,000	170,000
35 Studies	489,803	500,000	500,000	500,000	0.0%	500,000	500,000
36 Special Advisors	213,819	200,000	200,000	200,000	0.0%	200,000	200,000
37 Multi Beneficiary Fund	-	-	-	-	0.0%	-	-
	8,433,619	10,066,000	8,910,000	8,910,000		9,100,000	9,294,750
TOTAL EXPENDITURE	16,780,073	18,841,000	18,070,000	18,070,000	-4.1%	18,490,800	18,854,750



Payments

EXPENDITURE	Payment Appropriations						
	Executed 2016	Budget 2017	Draft Budget 2018		VAR 2017 / 2018	Envisaged 2019	Envisaged 2020
			Agency request	Budget Forecast			
Title 1: Staff Expenditure							
11 Salaries & allowances (est. plan)	5,857,339	6,440,000	7,020,000	7,020,000	8.0%	7,300,800	7,420,000
12 Expenditure relating to Staff training	47,316	110,000	90,000	90,000	-18.2%	90,000	90,000
13 Mission expenses	240,000	250,000	270,000	270,000	8.0%	270,000	270,000
14 Interim staff	190,688	210,000	80,000	80,000	-46.7%	75,000	75,000
15 Assistance	23,628	30,000	30,000	30,000	0.0%	30,000	30,000
17 Representation	3,923	10,000	10,000	10,000	0.0%	10,000	10,000
Total	6,362,894	7,050,000	7,500,000	7,500,000	6.4%	7,775,800	7,895,000
Title 2: Administration							
20 Buildings and associated costs	498,555	300,000	350,000	350,000	16.7%	300,000	300,000
21 Information and communication technology	829,677	650,000	620,000	620,000	-4.6%	600,000	750,000
22 Movable property and associated costs	61,357	70,000	60,000	60,000	-14.3%	70,000	70,000
23 Current administrative expenditure	46,938	55,000	70,000	70,000	27.3%	55,000	55,000
24 Postage / Telecommunications	67,234	100,000	90,000	90,000	-10.0%	90,000	90,000



25 Meeting expenses	268,056	400,000	380,000	380,000	-5.0%	375,000	375,000
26 Audit and evaluation	211,743	150,000	90,000	90,000	-40.0%	125,000	125,000
Total	1,983,560	1,725,000	1,660,000	1,660,000	-3.8%	1,615,000	1,765,000
Title 3: Operational							
30 Technical examination and verifications	6,431,240	6,200,000	6,400,000	6,400,000	3.2%	6,500,000	6,662,500
32 Take-over of reports	361,765	416,000	480,000	480,000	15.4%	415,000	415,000
34 Publications linked to operational activities	158,575	150,000	150,000	150,000	0.0%	150,000	150,000
35 Studies	108,412	500,000	530,000	530,000	6.0%	500,000	500,000
36 Special Advisors	181,918	200,000	200,000	200,000	0.0%	200,000	200,000
37 Multi Beneficiary Fund	-	-	-	-	-	-	-
	7,241,910	7,466,000	7,760,000	7,760,000	3.9%	7,765,000	7,927,500
TOTAL EXPENDITURE	15,588,364	16,241,000	16,920,000	16,920,000	4.2%	17,155,800	17,587,500



Revenue

REVENUES	Revenues						
	Executed Budget 2016	Budget 2017	Draft Budget 2018		VAR 2018/2017 (%)	Envisaged 2019	Envisaged 2020
			Agency request	Budget forecast			
1 REVENUE FROM FEES AND CHARGES (including balancing reserve from previous years surplus)	13,262,555	15,389,420	16,160,000	16,160,000	5.00%	16,480,926	17,140,163
2 EU CONTRIBUTION							
- Of which assigned revenues deriving from previous years' surpluses							
3 THIRD COUNTRIES CONTRIBUTION (incl. EEA/EFTA and candidate countries)							
- Of which EEA/EFTA (excl. Switzerland)							
- Of which candidate countries							
4 OTHER CONTRIBUTIONS							
- Of which additional EU funding stemming from ad hoc grants (FFR Art.7)							
- Of which additional EU funding stemming from delegation agreements (FFR Art.8)		-	-	-			
5 ADMINISTRATIVE OPERATIONS	195,681	262,000	260,000	260,000	-0.76%	262,000	262,000
- Of which interest generated by funds paid by the Commission by way of the EU contribution (FFR Art. 58)							
6 REVENUES FROM SERVICES RENDERED AGAINST PAYMENT							
7 CORRECTION OF BUDGETARY IMBALANCES	2,030,794	589,580	500,000	500,000	40.60%	412,874	185,337
TOTAL	15,588,364	16,241,000	16,920,000	16,920,000	4.18%	17,155,800	17,587,500



Budget outturn	2014	2015	2016
Revenue actually received (+)	12,720,539	12,839,456	13,458,236
Payments made (-)	- 13,254,246	- 13,979,792	- 15,588,364
Carry-over of appropriations (-)			
Cancellation of appropriations carried over (+)	72,288	88,116	99,334
Total	- 461,419	- 1,052,220	- 2,030,794



Annex III. Human Resources - Quantitative

2016 - Est. Plan					2017 - Est. Plan ¹					2017 - Actual					2018 - Est. Plan*					2019 - Est. Plan*					2020 - Est. Plan*				
		Officials	Temp. Agent	Grand Total		Officials	Temp. Agent	Grand Total		Officials	Temp. Agent	Grand Total		Officials	Temp. Agent	Grand Total		Officials	Temp. Agent	Grand Total		Officials	Temp. Agent	Grand Total					
AD	16	-	-	-		-	-	-		-	-	-		-	-	-		-	-	-		-	-	-					
	15	-	-	-	15	-	1	1	15	-	1	1	15	-	1	1	15	-	1	1	15	-	1	1					
	14	1	1	2		1	-	1		-	-	-		1	-	1		1	-	1		1	-	1					
	13	-	-	-	13	-	-	-	13	1	-	1	13	-	-	-	13	1	-	1	13	1	-	1					
	12	1	1	2		1	1	2		1	1	2		1	2	3		-	2	2		-	2	2					
	11	-	1	1	11	-	1	1	11	-	1	1	11	-	-	-	11	-	-	-	11	1	-	1					
	10	1	1	2		2	1	3		-	-	-		2	-	2		2	-	2		1	1	2					
	9	1	1	2	9	1	1	2	9	3	1	4	9	2	2	4	9	2	2	4	9	2	3	5					
	8	-	2	2		-	1	1		-	1	1		-	2	2		-	2	2		-	1	1					
	7	-	1	1	7	-	2	2	7	-	2	2	7	-	1	1	7	-	1	1	7	-	-	-					
	6	-	-	-		-	-	-		-	-	-		-	-	-		-	-	-		-	1	1					
	5	-	1	1	5	-	1	1	5	-	1	1	5	-	3	3	5	-	3	3	5	-	2	2					
Total		4	9	13		5	9	14		5	8	13		6	11	17		6	11	17		6	11	17					
AST	11	-	-	-	11	-	-	-	11	-	-	-	11	-	-	-	11	-	-	-	11	-	-	-					
	10	3	3	6		2	3	5		-	-	-		1	3	4		1	3	4		1	3	4					
	9	-	3	3	9	-	3	3	9	2	6	8	9	-	3	3	9	-	3	3	9	-	3	3					
	8	1	1	2		1	1	2		1	-	1		-	1	1		-	1	1		-	2	2					
	7	1	1	2	7	1	1	2	7	1	2	3	7	1	2	3	7	2	3	5	7	2	5	7					
	6	1	8	9		1	8	9		1	7	8		1	8	9		-	8	8		-	7	7					
	5	-	6	6	5	-	7	7	5	-	8	8	5	-	6	6	5	-	5	5	5	-	3	3					
	4	-	2	2		-	1	1		-	-	-		-	1	1		-	1	1		-	1	1					
	3	-	1	1	3	-	1	1	3	-	2	2	3	-	1	1	3	-	1	1	3	-	1	1					
	2	-	1	1		-	1	1		-	1	1		-	-	-		-	-	-		-	-	-					
	1	-	-	-	1	-	-	-	1	-	-	-	1	-	-	-	1	-	-	-	1	-	-	-					
	Total		6	26	32		5	26	31		5	26	31		3	25	28		3	25	28		3	25	28				
Grand Total		10	35	45		10	35	45		10	34	44		9	36	45		9	36	45		9	36	45					



Annex IV. Human Resources – Qualitative

Recruitment policy

Two staff members applied to the 2016 certification procedure and both were selected. They both underwent the adequate training in 2016 and one of them was successful. The aim is to allocate tasks appropriate for an AD post for which the successful candidate can apply. The other candidate will re-sit the exam she failed and will hopefully be certified in 2017.

Of the 45 posts in the Establishment Plan for the year 2016, 13 posts are in category AD and 32 in the AST category. There are a total of 10 permanent posts and 35 temporary posts.

The 10 permanent posts in the current Establishment Plan are covering staff working with both technical and administrative tasks. The reason for having permanent staff is to have a “steady structure” and to assure a minimum stability in times when restrictions might be made and the activities of the CPVO might decrease. One of these posts was in 2016 occupied by an official coming from the Commission and for the others, internal competitions were organised in 2000 and 2001.

On 31 December 2016, 44 posts in the Establishment Plan were occupied. As a result of staff members working part-time (80% or 90%), the full time equivalents for the filled posts were 43.30 posts.

Due to its mission and its small size, the CPVO requires qualified staff within all units and services. In many cases, there are only one or two staff members to cover each specific activity. Specialist skills and specific competences are needed in agriculture, vegetables, ornamentals and fruits for the technical experts, as well as in legal matters for the legal staff, IT and Accounting.

Temporary agents are employed on posts which are created for long term activities. These posts are of both technical and administrative nature. This does not exclude the possibility that in specific cases temporary agents are employed for a limited period. This approach will not change with the new Staff Regulations, which entered into force on 1 January 2014.

For the first time, the CPVO launched recruitment procedures for four contract agents in 2016. They will start working for the CPVO in 2017.

The CPVO follows the rules laid down in the Staff Regulations and the CEOS (Article 31 of the SR, Article 12(5) of the CEOS and the CPVO implementing rules) concerning entry grades. There is a possibility to recruit on grades SC 1 to SC 2, AST 1 to AST 4 and on grades AD 5 to AD 8, depending on the post in question and the needs of the CPVO. It is not always possible, nor suitable, to recruit staff at the lowest grades, depending on the post to be fulfilled and the needs of the CPVO, in order to comply with Article 31 of the SR, which states: “the grade of the competition notice shall be determined by the institution in accordance with the following criteria:

- the objective of recruiting officials of the highest standard as defined in Article 27;
- the quality of the professional experience required”.

Officials

Officials from other Institutions/Agencies recruited to permanent posts are transferred in accordance with the procedure currently in force in the Commission. Internal competitions were organised in 2000 and 2001 but it is not envisaged to organise such competitions again.

All tasks of a permanent nature, both in the AD and the AST function groups, will be carried out by the core staff, i.e. officials/temporary agents.

Key functions occupied by officials are:

Head of Unit (entry grade AD9)



Officers	(entry grade AD6)
Assistants	(entry grade AST4)
Internal auditor	(entry grade AST4)
Secretaries	(entry grade AST/SC2)

Temporary agents on long term employment

The recruitment policies for temporary agents are laid down in the new implementing rules on the engagement and use of temporary agents 2(f), adopted by the CPVO on 9 December 2015. In accordance with this new decision, a selection committee is created for each selection procedure; the vacancy notice is published in all official EU languages on the web site of the CPVO and on the web site of EPSO. It is also sent to the other EU institutions. Before organising an external selection procedure, the CPVO shall explore the possibilities of selecting candidates on existing reserve lists, to organise internal selection procedures, or to organise an interagency selection procedure. If an external selection procedure is deemed necessary, the CPVO shall apply EPSO standards in the selection procedure. In the cases when permanent posts are vacant and no officials are found for these posts, temporary agents may occupy such posts for a limited period of time (maximum six years). The contracts of these temporary agents fall under article 2b of the Staff Regulations.

Temporary agents, will be recruited at the levels indicated below in order to permit a long term career development.

SC 1 to SC 2

AST 1 to AST 4 for the AST category

AD 5 to AD 8 for the AD category.

The CPVO considers that recruitment in AST 4 is justified in line with what is stated above: "It is not always possible, nor suitable, to recruit staff at the lowest grades, depending on the post to be filled and the needs of the CPVO".

Temporary agents at the level of Head of Unit will be recruited at the level of AD 9-11.

Recruitment at grades AD 9-11, and in exceptional cases, at grade 12, shall remain within the limits of 20% of recruitments per year (averaged over five years) for long-term employment within the CPVO.

When the CPVO recruits temporary agents it has as a rule to create long term employment. In exceptional cases short term employment can be foreseen. All temporary agent posts (with the exception of the President and the Vice President) are identified as posts of long duration.

Temporary agents are in general offered a contract of four years, renewable for another time limited period not exceeding four years. Renewals for a second prolongation will be for indefinite period. All renewals of contract are subject to an assessment of the needs of the post in the Unit or Service concerned, a thorough examination of the performance of the staff member, and depend on available budgetary provisions.

The posts of the President and Vice President, and their recruitment, are governed by specific rules laid down in the Basic Regulation and should therefore not be included in this plan. The recruitment grade for a President is AD 14 and AD 12 for a Vice President.

Key functions occupied by temporary agents are:



Function	Grade
President	(entry grade AD14)
Vice President (currently also Head of Legal Unit and of the HR service)	(entry grade AD12)
Head of Unit	(entry grade AD9)
Senior officers	(entry grade AD7)
Junior officers	(entry grade AD5)
Webmaster-Editor	(entry grade AST4)
Accounting officer	(entry grade AST4)
Secretaries	(entry grades AST/SC2)
Data protection officer	entry grade AD5)

The CPVO has made the choice to attach the HR service to the Presidency, and more particularly to the Vice-President, since HR issues are very much management related. This choice is made taking into consideration the small size of the CPVO and the necessity to use our resources efficiently.

Temporary agents on short/medium term employment

The posts of President and Vice President are considered as short-term temporary agent contracts, with contracts of 5 years which are renewable in accordance with the basic regulation.

Contract agents on short/medium term employment

The CPVO has recruited one contract agent who took up employment on 1 January 2017. The contract is for a duration of two years. It can be renewed if necessary depending on the needs at the end of the contract. The three other CA posts currently published will be of a duration of three years, with a possibility to renewal as well, depending on the needs at the end of the contracts.

Seconded national experts

The CPVO rarely makes use of seconded national experts. When it does, it is for high level technical expertise for either replacements or specific projects. There was one SNE working for the CPVO for the period October 2015 to September 2016, but there are no SNEs working at the CPVO currently. There might be needs for seconded national experts during the period 2018-2020, but they have not been identified at this stage. Experience has shown that apart from the specialized work that SNEs carry out during the period they stay in the CPVO, they are extremely important to enhance the relations between the CPVO and the network of CPVO Examination Offices.



Structural service providers

The CPVO makes use of two structural service providers, one at 100% and the other at 50%, as defined by the Commission.

Appraisal of performance and promotion/reclassification

The CPVO has adopted implementing rules on the appraisal procedure, both for long-term staff members and for the President and Vice-President in line with the new Staff Regulations, which entered into force on 1 January 2014. In this procedure the exercise starts in the beginning of the year following the evaluated year in question. The performance of staff is evaluated and work objectives and training needs identified. There is one decision applicable to the President and Vice President, and another for the rest of the staff. No distinction is made between different job profiles.

The CPVO has also adopted implementing rules on the promotion and reclassification procedure, in line with the new Staff Regulations, which entered into force on 1 January 2014. Since all temporary agents' posts are created for long term duration, they are all subject to the reclassification rules (with the exception of the President and Vice President). On average, the CPVO applies the promotion rates foreseen in the Staff Regulations; however, as can be expected for an agency with a small staff population, there can be significant differences in promotion rates from year-to-year. In 2016 a total of 13 staff members were awarded a promotion or reclassification to the next grade in their career with retroactive effect from 1 January 2016. This represents 30% of the staff in total. 7 of those (7 AST) were in the segment in which the average rate laid down in **Annex I B** of the new Staff Regulations is 25%. 5 of those (5 AST) were in the segment in which the average rate laid down in **Annex 1 B** of the new Staff Regulation is 33%. 1 of those (1 AD) was in the segment in which the average rate laid down in **Annex 1 B** of the new Staff Regulation is 25%.

Category and grade	Staff in activity at 31.12.2016		How many staff members were promoted/ reclassified in 2017		Average years in grade of Reclassified / promoted staff members
	officials	TA	officials	TA	
AD 16					
AD 15					
AD 14		1			
AD 13	1				
AD 12		1			
AD 11	1	1			
AD 10				1	2,3 years
AD 9	2	1			
AD 8		1			
AD 7		2			
AD 6					
AD 5					
Total AD	4	7		1	
AST 11					
AST 10					



AST 9	3	5		1	5 years
AST 8		1	1		3 years
AST 7	1	1	1	1	5 years + 4 years
AST 6	1	4	1	2	4 + 4 +4 years
AST 5	1	8		3	3 + 3 + 3 years
AST 4		5		1	2,6 years
AST 3		1			
AST 2		1		1	7,7 years
AST 1		1			
Total AST	6	27	3	9	
Total	10	34	3	10	

Mobility (internal mobility, between the agencies and between the agencies and the institutions)

Mobility within the agency

The staff of the CPVO is informed about vacant posts before they are published externally. Where appropriate, staff is reassigned to the vacant posts. Certain posts are published internally before being published externally. Due to the small size of the CPVO and the very specialised tasks of most posts, internal mobility is very limited.

Mobility among agencies (Inter-agency Job Market)

The CPVO is taking part in the interagency job market in accordance with the agreement between agencies signed in this respect. The CPVO has already adopted (with the Commission's approval of 3 April 2006) the implementing provisions concerning the criteria applicable to classification in grade and step on appointment or engagement. The CPVO wants to offer possibilities of mobility to temporary staff in agencies by assuring a continuation of careers and grades. No agents have so far left the CPVO or been recruited through the Interagency Job Market.

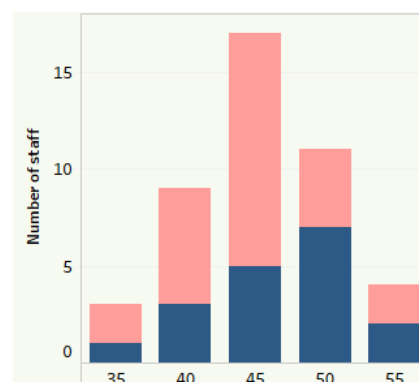
Mobility between the agencies and the institutions.

The 10 permanent posts in the Establishment Plan are occupied by officials who have either succeeded in an internal competition or have been transferred from other institutions or agencies. One staff member, who succeeded in an internal competition in 2000, was transferred to the Commission in 2002. Two other officials were transferred from the Commission to the CPVO in 2002 and 2008. This proves that mobility for officials between the CPVO and the Commission works both ways although the number of transfers are very low.

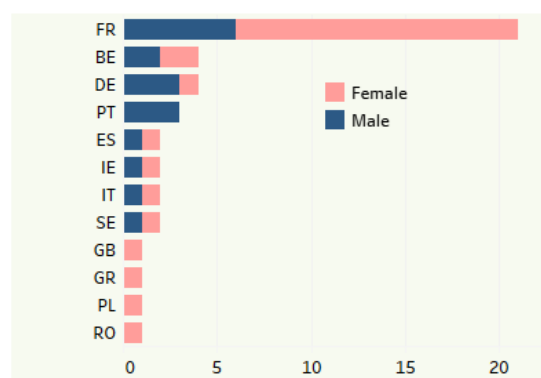


*Gender balance***CPVO Staff Gender Balance**

		12-2016				Grand Total	
		Official		Temporary		Number	%
		Number	%	Number	%		
Female	AD			3	6.8%	3	6.8%
	AST	5	11.4%	18	40.9%	23	52.3%
	Total	5	11.4%	21	47.7%	26	59.1%
Male	AD	4	9.1%	5	11.4%	9	20.5%
	AST	1	2.3%	8	18.2%	9	20.5%
	Total	5	11.4%	13	29.5%	18	40.9%
Grand Total		10	22.7%	34	77.3%	44	100.0%

CPVO Staff by age bracket*Geographical balance***CPVO Staff breakdown by nationality**

	12-2016		Grand Total
	Official	Temporary	
BE	2	2	4
DE	1	3	4
ES	1	1	2
FR	4	17	21
GB		1	1
GR		1	1
IE	1	1	2
IT		2	2
PL		1	1
PT	1	2	3
RO		1	1
SE		2	2
Grand Total	10	34	44

CPVO Staff nationality and gender*Schooling*

There are neither European nor international schools available in Angers and the number of expatriates is probably too limited for creating European sections in existing schools. The CPVO tries, however, to facilitate the integration of children of non-francophone origin into local schools by supporting French language training if required. An extension to further languages might be considered in order to facilitate interinstitutional or interagency mobility. Mother tongue trainings are also be reimbursed by the CPVO. A new English bilingual school (nursery and primary) has been established in Angers since September 2014. The CPVO has concluded an agreement with that school in order to directly finance the tuition for staff members' children, attending the school, as from primary school. Currently three CPVO staff members' children are enrolled in that school (1 in nursery school and two in primary school).



Annex V. Buildings

	Name, location and type of building	Other Comment
	3 Boulevard Foch, Angers	Presidency, Legal, Logistics
Surface area (in square metres)	590	Non-Office space includes main meeting room, canteen, and servers' rooms.
Of which office space	204	
Of which non-office space	386	
Annual rent (in EUR)	None – Owned	
Type and duration of rental contract	N/A	
Host country grant or support	7 855 000 FFR (EUR 1.2 Mio)	
Present value of the building		

	Name, location and type of building	Other Comment
Information to be provided per building:	3 bis Bd Foch, Angers	Administration Unit, IT
Surface area (in square metres)	279	
Of which office space	177	
Of which non-office space	102	
Annual rent (in EUR)	None – Owned	
Type and duration of rental contract	N/A	
Host country grant or support	None	
Present value of the building		

	Name, location and type of building	Other Comment
Information to be provided per building:	9 Bd Foch, Angers	Technical Unit, Denominations
Surface area (in square metres)	596	
Of which office space	371	
Of which non-office space	225	
Annual rent (in EUR)	None – Owned	
Type and duration of rental contract	N/A	
Host country grant or support	None	
Present value of the building		



There are currently no plans to purchase new buildings. Refurbishment of 3 bis Boulevard Foch started in 2016 and will finish in 2017.

Annex VI. Privileges and immunities

The Basic Regulation of the CPVO refers to the Protocol on Privileges and Immunities of the European Communities. The CPVO does not have a Seat Agreement with the French Government. The CPVO has made numerous attempts to secure a Seat Agreement with the French Government. Unfortunately, such efforts have not resulted in any meaningful interaction or engagement from the French Government. The CPVO will continue to seek such an agreement.

Annex VII. Evaluations

The CPVO organized regularly, and at least every six years, an evaluation of its activities.

An evaluation was organized in 2016-2017. The next *ex post* evaluation will be launched in 2020-2021.

Risks

The CPVO performs regular risk assessments (at least every three years) since 2003 in the frame of its internal audit programme. The risks are rated on the basis of their likelihood and impact on the CPVO activities.

The list of risks below was adopted in 2016. The risks and their rating are updated regularly, through yearly meetings with the management, but also according to the findings during the audits. Likelihood, impact and mitigation level are fine-tuned continuously. A complete risk assessment will be organised in 2019.

List of CPVO risks updated in 2016

R1	Enforcement of PVR	There is a risk of abuse of the PVR system (Illegal reproduction - possible infringements from illegal breeders or counterfeiters, importing varieties that can't be tested easily, saved seeds - farmers stop paying royalties to breeders, further decrease of the minimum distance between distinct varieties), which could result in a decrease of the attractiveness and effectiveness of the PVR system. This could be mainly due to insufficient enforcement and awareness of breeders.
R6	CPVO Governance	There is a risk that the Administrative Council does not get involved sufficiently in CPVO matters, leading to a lack of governance and control. This could be due to the composition of the AC.
R8	Health and Safety	The Office must endeavour to maintain the health of workers and prevent occupational risks in compliance with the relevant legal framework by assessing how its operations impact on people, effectively mitigating any identified risk and ensuring that a culture of Health and Safety is embedded across the organisation. Failing to do so could potentially pose a risk to the Health and Safety of persons working at CPVO premises.
R9	Insufficient Business Continuity Management	BCM is the strategic and tactical capability of an organization to plan for, and respond to, incidents and business disruptions in order to continue business operations at an acceptable pre-defined level. A Business Continuity Plan aims to reduce confusion during a disaster by anticipating critical impacts and by providing directions to support an effective recovery and the return to normal operations. Lack thereof bears the risk of not being able to provide an organizational, functional and operational framework to guarantee and ensure the continuity of CPVO's critical business functions.



R10	Monitoring and Controlling	Management requires feedback in order to effectively and efficiently control progress and to prevent and correct deviation and anomalies in production flows. Indicators provide data which, after analysis, is used to support decision making. Lack of monitoring and controlling tools could lead to wrong management decision as work force problems or detecting deviations of expenses and revenue might not be detected.
R12	Liability Claims	Failure to comply with EU regulations or insufficient knowledge of jurisprudence, wrong decisions taken in the handling of applications could lead to holding CPVO liable for claims, contractual claims and/or third party liability claims, in particular from examination offices.
R13	Delays in application treatment and registration process	Due to different reasons: process inefficiency / Illness of staff / Issues with building / External issue that has an important effect on staff morale / strike the maintenance of the register and applications treatment could be impacted, leading to delays in register update and create backlogs. Consequently the Office might not comply with regulatory timings, which could damage the Office's reputation and impact the PVR system.
R15	Serious malfunctioning of core-business IT Systems	Downtime of back-office systems could create backlogs or a system error could potentially impact many users (e.g.: a wrong system validation affecting all IP rights) which might impact: <ul style="list-style-type: none"> - recovery resources - KPIs - deadlines, leading to not achieving the SLAs and have legal consequences, as well as damage the Office's reputation.
R16	Cyber-attacks to access confidential information	As the Office provides more services, manages more confidential information, this increases the possibility of suffering "cyber-attacks" trying to gain access to this confidential information. These attacks are aimed at attacking both systems and people, taking advantage of technical vulnerabilities or trying to gain access to key personnel's credentials, emails, information and so on.
R18	Accounting errors due to complex processes	Potential errors (human or system) in the process, due to the significant amount of tasks requiring knowledge of complex scenarios and the IT systems involved could impact the completeness and accuracy of finance data and reporting, leading to financial loss and/or wrong management decisions.
R19	Inadequate Staff	The risk of inefficiency impacting productivity exists in all processes because of the limitations to recruit new staff, dismiss inadequate staff on short term and the lack of training.
R20	Miscalculation of salaries	There is a risk of introducing errors in the calculation of payments (PMO or CPVO) that could impact staff satisfaction and lead to demotivation impacting productivity. This might be due to insufficient controls.
R22	Dependency on outsourced services	There is a dependency on outsourced services for carrying out several activities of the Office. The inherent risks of this situation relates to: <ul style="list-style-type: none"> - Knowledge management and retention of Office core business (losing know-how) - If provider fails to provide the service the Office has limited capacity to take over these activities (in particular IT services) - External staff recruitment process (limited Office knowledge/control on external staff) - Management of confidential information (leakages of confidential information) - Conflict of interest / additional consulting work that might not be a priority

R24	Vulnerable Strategy	The Office has little possibility to develop beyond its current scope and therefore lacks the ability to offer new paying products/services for its clients, limiting its market position. This is due to the Office's legal basis (EC2100/94) which provides a narrow scope. Potentially impacted by EPO interference.
R33	Other legislations affecting PVR System	There is a risk that other legislations (CBD, Nagoya protocol) impact the European plant breeding industry and the PVR System, in the worst case leading to a loss in business for the CPVO.
R34	Loss of know-how due to retirement of key personnel	There is a risk of loss of expertise that could impact the CPVO's productivity, effectiveness and efficiency, because knowledgeable staff will retire in the coming years (within 10 years) and replacement is impacted by the 5% staff reduction.
R38	internal organization / Segregation of duties	Separation of duties to complete certain task may lead to inefficiencies in processes and loss of legal certainty in taking decisions. This is mainly due to an internal work distribution which goes beyond the necessary segregation of duties and too many persons intervening in the execution of such tasks.
R39	Quality of CPVO services to clients (examinations)	The risk of a decrease in quality standards of examinations could lead to a loss in quality (deficient DUS testing) of the CPVO's service and consequently to a decrease in its attractiveness, causing financial loss. This could either be due to the reason that Examination Offices (EOs) are paid based on actual costs, but some of them make a loss, which is being taken for political reasons, or other factors impacting the quality standards applied in the Eos.
R40	Competition / Coordination with EPO	In case the EPO granted patents for plants there would be an interference with the PVR system that would allow breeders to resort to the EPO or may be other protection systems which would weaken the PVR system and lead to a financial loss for the Office. This could be due to uncertainty about the subject matter protected by each system or uninformed stakeholders.
R41	Stakeholder interactions / communication	The Office may not detect client needs for additional services or needs resulting from client's projects and therefore miss out on development chances. This may be due to insufficient or uncoordinated communication/interaction with its stakeholders, or the fact that no internal department has the task and responsibility to carry out market intelligence/research.
R42	Inadequate or insufficient project follow up	The Office carries out a number of projects which are essential for its functioning. The risk of not obtaining the pursued benefits, overspending, delays and/or results of poor quality or staff not being committed to accept the new IT tools or the use of it exists because of lack of project follow up or due to the amount of tools being implemented. This is partly due to not following a project management methodology, lack of change management, improper organisation of training and inadequate reporting.
R43	Erroneous publication	There is a risk of publication of erroneous data like application and protections dates and/or publication of confidential information that could impact the image of the Office and lead to financial losses for CPVO. This might be due to an increasing dependency on the IT environment.
R44	Potential fraudulent behaviour	Potential fraudulent behaviour – there is a risk of misappropriations of CPVO assets, embezzlement, collusion with vendors, corruption, bribery and kickbacks, as well as of confidential information being disclosed on purpose. Engagement (long term relationship) with users could lead to situations of favouritism. Such actions could result in financial loss and reputational damages for the Office. Reasons could be conflict of interest situations due to previous working ties, personal ties or financial interests, among others.

R45	Negligible staff turnover resulting in demotivation and productivity loss	The low staff turnover and internal mobility, the lack of career opportunities and the limited possibility to incentivise staff may lead to stagnation of the organisation culture, staff demotivation, loss of opportunity to incorporate new skill sets, ideas and proposals. This could also lead to loss of productivity and introduction of errors, delays and backlogs that could impact the Office's operation and administration.
R46	Staffing constraints and increasing requirements leading to operational problems	The imposed staff reduction (5% annual), the increasing amount of rigid and purely administrative requirements and the increase of working hours may affect the overall productivity of the Office: backlogs and delays in operations, rise of stress and absenteeism, increase of errors and decline of overall quality of services provided. This could have an impact on staff health (burn out, depression, heart diseases, etc.), operational efficiency, compliance with expected service levels and client dissatisfaction.

Annex VIII. Procurement plan for coming years

The CPVO has a relatively limited number of open procedures for procurement. The following outlines the key procurements over the coming years:

Year	Designation	Procedure	Amount
2017	Banking Services	Negotiated	15.000
	Mobile telephony	Negotiated	96.000
	IT Developments	Open	1.000.000
	IT Infrastructure (PC's)	Negotiated	50.000
	IT Infrastructure support	Open	300.000
	Logistics for AC meetings	Negotiated	75.000
2018	Cleaning of premises	Negotiated	134.000
	Server Purchase	Negotiated	50.000
	Photocopiers	Negotiated	60.000
	Maintenance of Electric and Security equipment	Negotiated	40.000
	Maintenance of Heating and Air conditioning	Negotiated	50.000
	Travel Agency	Negotiated	30.000
2019	Legal Services	Negotiated	125.000
	Audit Services	Open	280.000
	Provision of electricity	Negotiated	112.000
	Provision of gas	Negotiated	60.000



Annex IX - Organisation chart

