

Draft CPVO Single Programming Document 2019-2021

List of acronyms

AC	Administrative Council
AD	Administrator
ARIPO	African Regional Intellectual Property Organisation
AST	Assistant
Basic Regulation	Council Regulation (EC) 2100/94 of 27 July 1994
BoA	Board of Appeal
CA	Contract Agent
CC	Common Catalogue
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
DPO	Data Protection Officer
DUS	Distinction – Uniformity - Stability
EC	European Commission
EO	Examination Office
EU	European Union
EUIPO	European Union Intellectual Property Office
FTE	Full Time Equivalent
HR	Human Resources
IMODDUS	Integration of Bio-molecular Data into DUS testing
IP	Intellectual Property
IPC-EUI	Intellectual Property Cooperation – European Union/India
IT	Information Technology
MY PVR	CPVO online application tool
KAVB	Koninklijk Algemene Vereniging voor Bloembollencultuur
MIPS	IT Tool to handle data related to missions
OAPI	Organisation Africaine de la Propriété Intellectuelle
PVP	Plant Variety Protection
PVR	Plant Variety Rights
R&D	Research and Development
SC	Secretary and Clerk

SMART	Specific – Measurable – Accepted – Relevant – Time bound
SNE	Seconded National Expert
SYSPER	IT Tool to handle data related to HR
TU	Technical Unit
UPOV	Union internationale pour la Protection des Obtentions végétales
VF	Variety Finder
VTC	Virtual Training Center

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Foreword of the President

In October 2017 the CPVO Administrative Council adopted the Strategic Plan for 2017-2021 in which it is established that 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. As will be explained in this programming document important strategic goals and objectives are identified in the Strategic Plan. This programming document 2019-2021, which includes the Working Programme 2019, sets out the more detailed objectives and the key performance indicators for the period. In 2018 the objectives have been implemented in the Career Development Reports of all CPVO staff. All these documents and procedures aim to show to the CPVO staff, the CPVO AC, the EU Institutions and all CPVO external stakeholders and the public the path forward for the CPVO. With the resources made available I am convinced that the CPVO is well equipped to implement the objectives.

As I see it, the main challenges will be to ensure that technical examinations can be done in an efficient manner taking into account the ever increasing number of reference varieties of common knowledge. Investments need to be done to ensure that new technologies are developed to meet this challenge. IT tools and data bases will continue to be key to handle the ever increase of relevant data. Strengthening CPVO communication will be important in order for the CPVO to convey its messages and to satisfy a broader demand for information and access to documents.

Working together with its stakeholders, the network of Examination Offices, the EU Agencies and other IP players is important for the CPVO in order to implement the priorities set out at EU level on innovation and job creation.

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 EU plant variety rights (PVR) 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 EU 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 cooperation with the EU Commission, who represents the EU in the International Union for the Protection of New Varieties of Plants (UPOV), the CPVO is very active as regards technical cooperation amongst UPOV members. CPVO 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. Furthermore, the Industry-Level Analysis Report of October 2016³ has provided an update on IPR-intensive industries. The study shows that the agricultural and horticultural sectors are major users of CPVRs, representing the most PVR-intensive part of agriculture.

As regards the promotion of plant variety rights in international fora, the CPVO supports the implementation of the European Commission funded Ip Key projects in China, South-East Asia and Latin America⁴. Those actions in the field of PVRs are consistent with the strategic indications of the European Commission as defined in the in the Communication by the Commission "Trade, growth and intellectual property - Strategy for the protection and enforcement of intellectual property rights in third countries"⁵. These projects face the challenge of improving the protection and enforcement of IPRs in the above regions, while raising public awareness of the economic and other impacts of IPR-infringing goods and their detriment to innovation and also on health and safety, and safeguarding the common interest of promoting a sustainable and healthy development of trade relationships.

1.2. Strategic Plan

The Strategic Plan of the CPVO provides an overall vision up to 2021 and this Single Programming Document elaborates on that vision, detailing the activities planned each year on a rolling 3 years basis.

¹ This mission has been defined in the CPVO 2017-2021 Strategic Plan

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

³ Intellectual property rights intensive industries and economic performance in the European Union: https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/observatory/documents/IPContributionStudy/performance_in_the_European_Union/performance_in_the_European_Union_full.pdf

⁴ <https://ipkey.eu/en>

⁵ COM(2014) 389 final, Strasbourg 1.7.2014

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 EU 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 to the Sustainable Development Goals and 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.

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. Operation 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.

The CPVO management focused in the last 2017 quarter on the acknowledgement of the four strategic objectives by the CPVO staff. Workshops were organised with the help of external consultants (PwC). The aim of these workshops, facilitated by the Management Team, was to help each staff member to understand his/her contribution to implement the CPVO strategy. Each of the four objectives has been explained with practical examples to ease the link with day-to-day activities.



The next step has been to help the staff to build individual SMART objectives fully coherent with the Strategic Plan and with the Work Programme and the CPVO objectives. This has been implemented as for 2018 individual objectives.

1.3. Report approval process

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

- Draft report sent to DG SANTE and DG BUDG on 31 January 2018 in order to allow integration of preliminary budget figures in the European Commission System
- Draft for comment presented to the Administrative Council during Spring meeting 21-22 March 2018
- Revision of documents based on comments of the Administrative Council and the European Commission
- Presentation of final document for approval by the Administrative Council in 2018 Autumn meeting.

2. Multi-Annual Programme 2019-2021

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 2019 (Chapter 3 below).

The components correspond to the elements included in each of the four objectives of the 2017-2021 Strategic Plan to materialise the coherent link between the Strategic Plan and the Work Programme.

2.1.1. Process efficiency and High quality, reliable DUS results and PVP decisions

The main tasks of the CPVO relate 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 2019-2021:	
<ul style="list-style-type: none">• Optimise the efficiency of applications processing• High level of online application processing• Paperless Processing	
Key Indicators	2019-2021 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	64
% of online applications	>95%
% of acknowledgement of receipt of an application within 5 working days	>95%
Average number of processing days between receipt of final report and grant	< 85 for technical examinations < 60 for take-overs

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

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 2019-2021: <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	2019-2021 Target
% of implementation of IT Masterplan	100%
Operational indicators	
MyPVR implementation	Phase 3 (including online payments): 95% in 2019
Integration with EU Commission HR System (SYSPER)	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 (2019)

2.1.3. Implement the R&D strategy -

Research and development projects financed by the CPVO have the aim to improve the efficiency of DUS testing, to reduce the time/cost of such tests while maintaining the quality. These developments are long-term contributions to the improvement of the system. One tool to stimulate R&D and profiting from the project results is the creation of the ad hoc working group IMODDUS of the CPVO, that group meets once per year.

Objective 2019-2021: <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	2019-2021 Target
% of R&D projects that lead to implementation*)	75%
Operational Indicators	
% of projects delivered on time	100%
% of R&D budget consumption	Close to 100%
% of finalized R&D projects leading to operational means or substantial information allowing improvement of variety testing procedures	100%

*) It will be specified in numbers for which of the 3 objectives as laid down in the R&D strategy an implementation has been achieved

2.1.4. Promote the PVR 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. The CPVO will start to work on a new policy on external communication during 2018 which will be implemented in 2019-2021.

This approach is fully in line with the CPVO's international relations strategy as outlined in 3.6 below.

Objectives 2019-2021: <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	2019-2021 Target
Number of projects with IP actors in third countries	Minimum 6/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. Contribute to the enforcement of Community rights –

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.

Building up on the cooperation with the Observatory the CPVO has entered into an enhanced cooperation that foresees the further development of activities in the following areas. The Observatory has developed a Virtual Training Center (VTC) in cooperation with CEPOL with the objective to become the main focal point on IP for EU member states' enforcement agencies. The CPVO has committed to support the VTC platform providing training content on substantive law; enforcement, registries and any other material available in relation to CPVRs.

The CPVO has contributed in updating the Observatory's Case-Law Database in the field of PVRs on an annual basis with the relevant jurisprudence related to enforcement of IP rights rendered at national level in the EU member states is selected.

The CPVO takes part to the Inter-Agency Coordination Group established by the Observatory with the participation of the following organisations: EC, EPO, Eurojust, Europol, CEPOL, INTERPOL, ITU, OECD, UNICRI, WIPO, WCO and WTO. The CPVO participates actively by sharing information on the relevant initiatives in the area of enforcement of IP rights, especially with regards to knowledge building and CPVO's annual events calendar.

The CPVO will continue cooperation with the Observatory in order to analyse the feasibility of carrying out a sectorial study in the field of PVRs.

2.1.6. Cooperation with strong IP actors –

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 has taken place on 29 November 2017 in Brussels.

A new level of collaboration would arise through the participation of EPO examiners to crop sectors experts' meetings, the annual meeting of Examination Offices (EO) and by the attendance of CPVO experts to courses organised by the European Patent Academy. The EPO and CPVO experts will continue meeting once a year. Moreover, a joint working group has been established with the aim of studying the disclosure to EPO examiners of technical questionnaires and variety descriptions in a searchable format for their prior art searches.

Objectives 2019-2021:	
<ul style="list-style-type: none"> Support breeders with actions related to the enforcement of CPVRs in cooperation with the Observatory and other Institutions active in the field of enforcement of Intellectual Property Rights. Continue cooperating with the EPO 	
Key Indicator	2019-2021 Target
Total number of initiatives carried out	At least 5
Operational indicators	
% of participation to the meeting with the observatory, Legal and Enforcement WG, Inter-Agency Coordination Group	100%
Number of seminars / presentations of issues on enforcement	3
Number of participation to meetings with the EPO during the period	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:

	2013	2014	2015	2016	2017	2018
HR (Est. Plan)	48	47	46	45	45	45
Budget⁴ (€ million)	16.4	16.9	16.9	18	18.8	18

2.2.1. Human Resources breakdown

The table below provides a breakdown by staff type for the situation in 2017 (budget and actual filled posts), the approved 2018 budget and the proposed 2019 preliminary draft budget.

Staff levels							
		Approved Budget 2017	Actual in post end 2017	Approved Budget 2018	Preliminary Budget 2019	Forecast 2020	Forecast 2021
Officials	AD	5	5	5	5	6	6
	AST	5	5	4	4	4	4
TA	AD	9	8	11	11	11	11
	AST	26	26	25	25	25	25
Total⁶		45	44	45	45	45	45
CA GF IV		5	4	5	5	5	5
CA GF III		1	2	1	1	1	1
CA GF II		-	-	-	-		
CA GF I		-	-	-	-		
Total CA		6	-	6	6	6	6
SNE		0	0	0	0	0	0
In-house structural service providers		1,5	1,5	1,5	1.5	1.5	1.5
TOTAL		1,5	1,5	1.5	1.5	1.5	1.5
GRAND Total		52.5	51.5	52.5	52.5	52.5	52.5

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

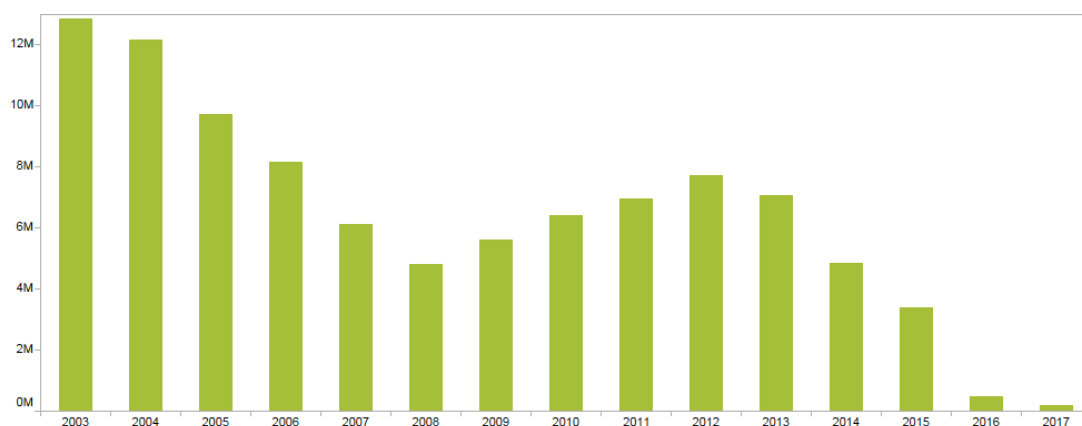
As already mentioned, the CPVO is a demand driven agency, with budgetary outturn depending inter alia on the level of applications in any given year. With this in mind, the aim of the CPVO is to reach a break-even budget (Outturn zero) in the medium term.

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

	2012	2013	2014	2015	2016	2017
Income	13.15	13.05	12.72	12.84	13.45	16.18
Expenditure	11.74	12.76	13.25	13.98	15.59	14.94
Outturn	1.41	0.29	-0.53	-1.14	-2.13	1.24
Outturn (net¹⁰)	1.55	0.38	-0.46	-1.05	-2.03	1.37

The negative outturns over the past years were forecast and planned in order to bring the CPVO free reserve to a more acceptable position. The rise in 2017 can be attributed almost completely to the change in annual fees to EUR 330 as from 1 January 2017.

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. The positive outcome in 2017 brought the trend of falling free reserve to a halt.

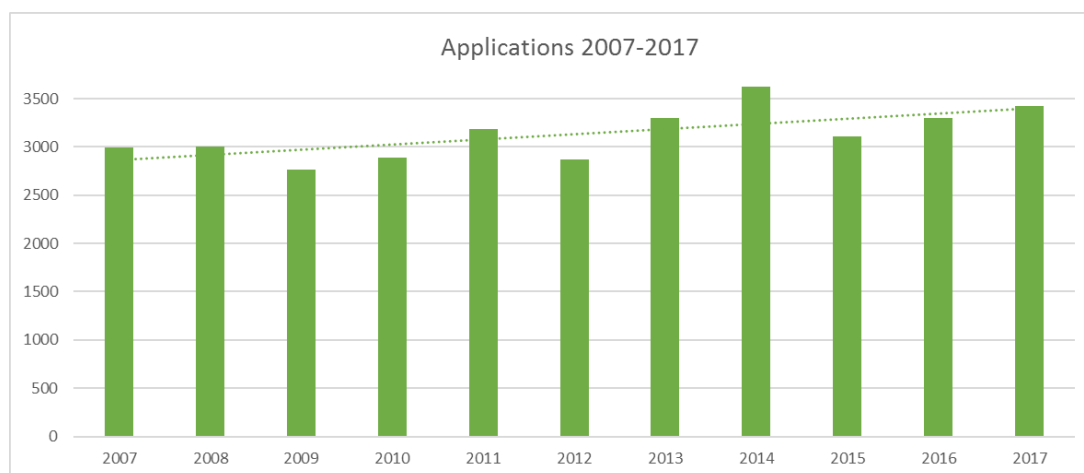
2.3. Key Workload indicators

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 case holders, 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:

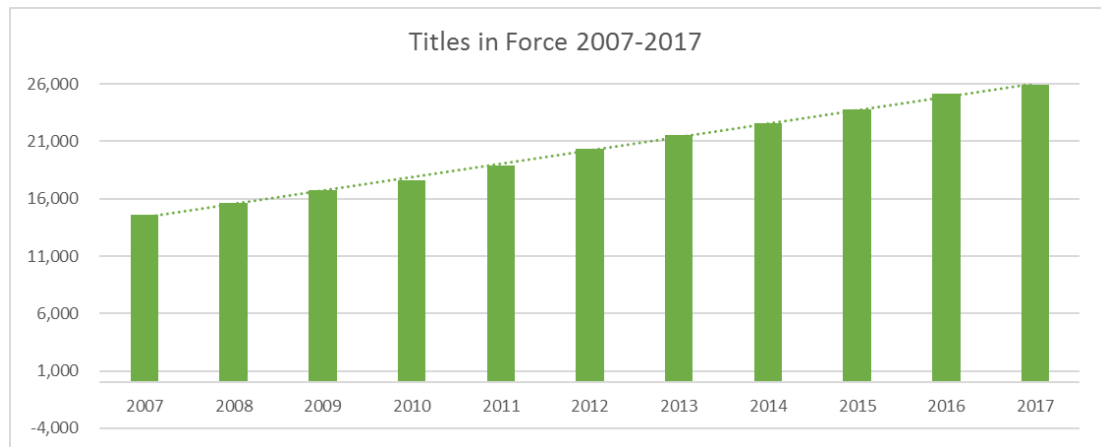


While the level fluctuates each year, the trend is clearly one of increase.

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' since 2007:

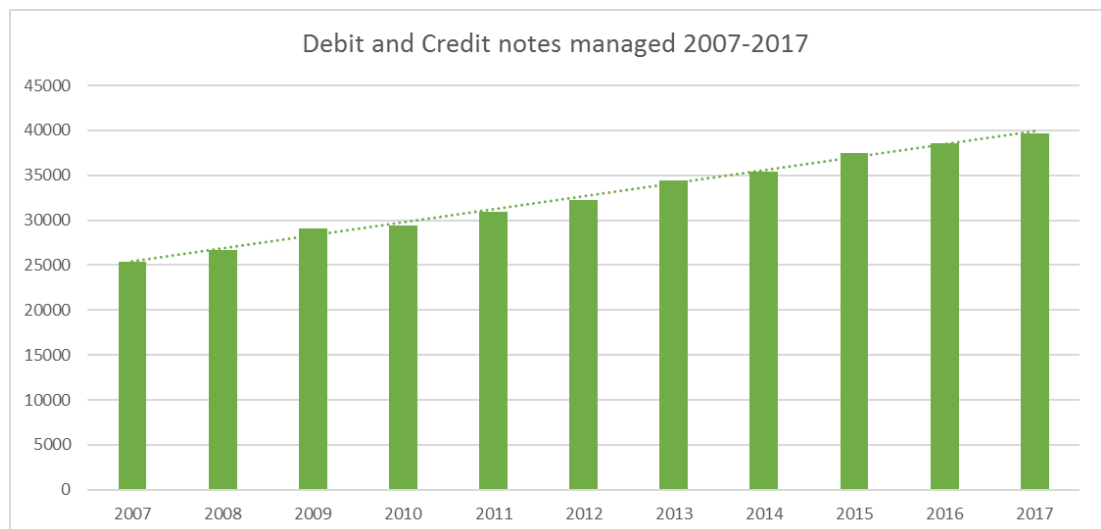


2.3.3. Fee Management

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%**.

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 cooperates with the Member States with the aim to harmonise methodologies, improving quality of the services offered to its users and reducing costs. This is evident as regards technical matters but the CPVO has also increased the number of IT projects with the Member States for which the CPVO is the coordinator. IT pilot projects with a selected number of National Offices are expected to lead to efficiency gains at the CPVO and also at EU level. The idea will be to offer more National Offices the possibility to use these IT tools during programming document period. 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 are expected to lead to 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 PVR. 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. The CPVO and DG SANTE has initiated a cooperation for the purpose of developing a single database for varieties in the EU. This would create synergies between the two bodies and will increase transparency to the public as regards information on plant varieties.

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 funded 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 funded IPKEY projects for China, South-East Asia and Latin America managed by the EC and implemented by the EUIPO. The CPVO has also participated to an activity on exchange of best practices between India and EU on Plant Variety Rights. The said activity has been funded under the EU-India Intellectual Property Cooperation "IPC-EUI". 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 policies⁶. 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.

The CPVO has spent considerable amount of resources to align the UPOV online application system PRISMA to the CPVO online application system. The EU has in its capacity as UPOV Member supported the creation of PRISMA and the CPVO needs to develop, harmonise and maintain IT tools in order to ensure a well-functioning cooperation with UPOV in this respect.

⁶ 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

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

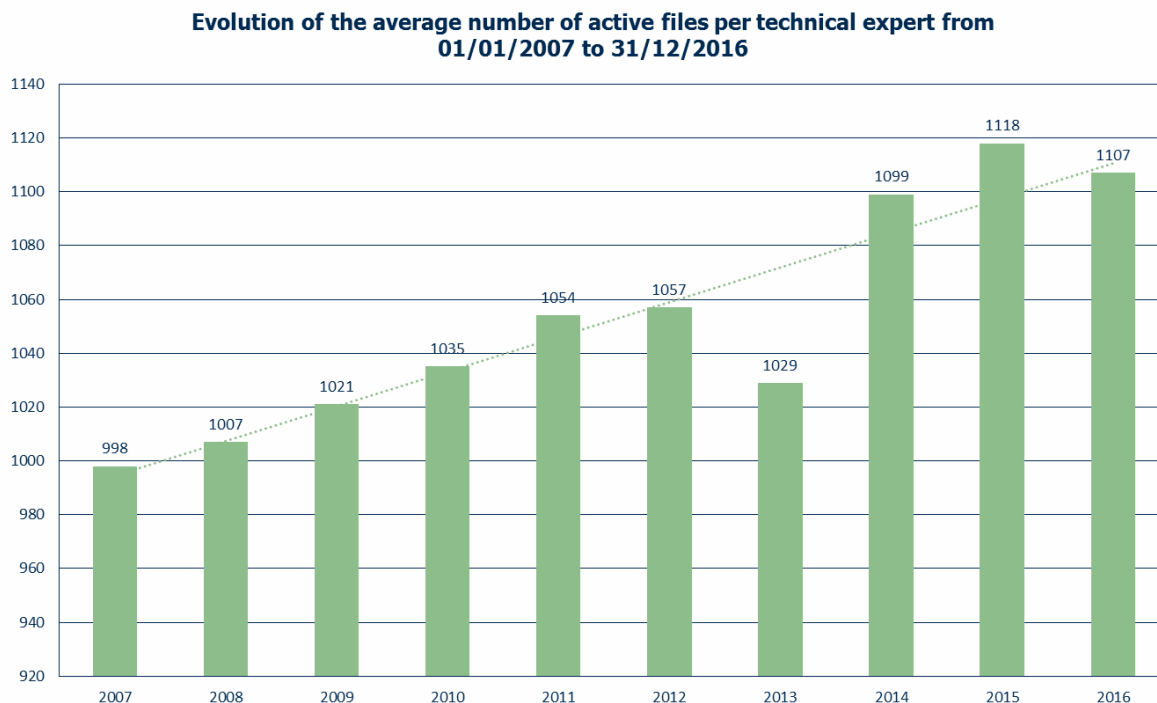
A solid indicator of workload for the technical experts is the number of 'Active' files, as these give rise not only to follow-up for files under examination, but also management of follow-up work. The table above shows clearly that the workload of technical experts has risen significantly in the past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

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
Establishment Plan	46	48	47	46	45	45	45	45	45

All figures up to 2018 have been approved by the budgetary authority.



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.

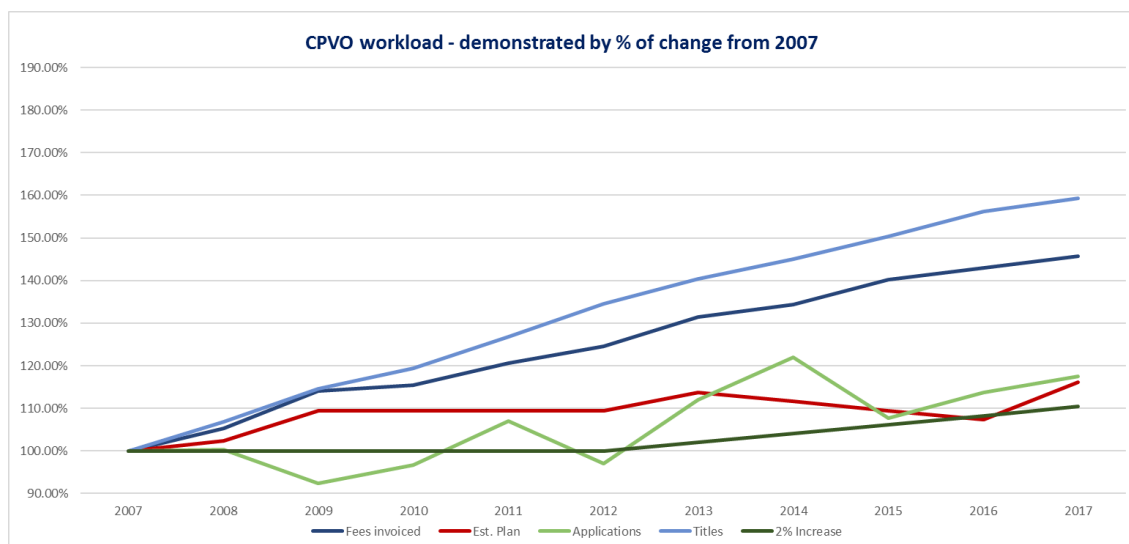
Within the tasks performed by the CPVO it is possible to establish a distinction between **core tasks** such as the processing of applications which include: the formal, substantive and technical examination of applications (DUS exams), dealing with appeals, objections, nullities, actions before the 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 and trainings 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 the EPO, EUIPO and the European Observatory on the Infringement of Intellectual Property Rights, IT developments, Universities with specialised master programs in IP rights). Should the CPVO need to decrease its activities, the CPVO would present options on negative priorities for the so called other tasks.

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 in 2017 decided to a freeze of 45 staff in the establishment plan and to the recruitment of 6 contract agents.

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.

With this in mind, and even considering the increase in contract agents in 2017, it is crucial that the human resources in the establishment plan proposal (45 Officials and Temporary Agents and 6 contract agents) be maintained or increased in the foreseeable future).

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 2019-2021) 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, a

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.

3. Implementation of the CPVO Strategic Plan: Work Programme 2019

The work programme for 2019 is fully in line with the four strategic objectives formulated in the 2017-2021 Strategic Plan. The CPVO management and the Strategic Working Group reflected on a new set of objectives to demonstrate clearly the implementation of the Strategic Plan through the annual work programme. Each of the main points of this work programme refers to the corresponding component of the Strategic Plan.

The indicators are divided into two categories: Key and Operational Indicators. The first category has a prominent role in giving a key measure to the fulfilment of the objectives. The operational indicators are in some cases part of the key indicators calculation or just give a supplementary level of detail.

3.1. High quality, reliable DUS results and PVP decisions

3.1.1. Efficiency of the application process

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 2019:	
<ul style="list-style-type: none">• Rapid processing of applications• High level of online application processing• Paperless Processing	
Key Indicators	2019 Target
Number of applications received in relation to the number of staff indicated in the establishment plan	3200/45
Operational Indicators	
% of acknowledgements of receipt within 5 working days	≥ 95%
% of online applications	≥ 95%

3.1.2. Reliable decisions

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 2019:
<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	2019 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 99 requests in 2016 and 110 in 2017. The number of files concerned by public access requests has also increased. In 2017 558 files have been examined in comparison to 486 files in 2016.

Objectives 2019:

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	2019 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 2019: <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	2019 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. Maintain good cooperation with the Examination offices

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 TP's are discussed are the annual crop sector expert meetings the CPVO is organising.

Objective 2019: <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 CPVO Technical Protocols 	
Key Indicators	2019 Target
Coverage of applications by CPVO Technical Protocols	>90% of applications covered
Operational Indicators	
% of satisfaction of examination offices present to meetings	≥85%
% of examination offices present at CPVO meetings	100%
% of late reports	<5%

3.4. Implement the R&D Strategy

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 2019: (this list might increase depending on the candidatures received and approved) <ul style="list-style-type: none"> Continue the monitoring and the 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" Continue the follow up project of the pre- project "Test of the potential use of SNP markers in oilseed rape varieties" Organize meetings of the ad hoc WG IMODDUS Depending on the outcome of the offer to the H2020 call 'SFS-29 Innovations in Plant Variety Testing', fulfil tasks of a partner in the Consortium 	
Strategic Indicator	2019 Target
% of R&D projects that lead to implementation	75%
Operational Indicators	
% of projects delivered on time	100%
% of R&D budget consumption	Close to 100%

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

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 2019: <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	2019 Target
% of implementation of the annual IT master plan	100%
MyPVR Phase 3	Implemented

3.6. Promotion the PVR system in the EU and internationally

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 and the EU-India Intellectual Property Cooperation IPC-EUI.

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 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 the Eos annual meeting and by the attendance of CPVO experts to courses organised by the European Patent Academy. The EPO and CPVO experts will continue meeting once a year. The joint EPO-CPVO working group on the availability of technical questionnaires and variety descriptions in a searchable format to EPO examiners is analysing how to include those documentation in the prior art search of patent applications.

Objective 2019: <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	2019 Target
Number of participations 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 of Community Rights

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. The CPVO expects to organize an enforcement seminar in 2019. Moreover, the CPVO will continue its participation in the legal and the enforcement working groups of the Observatory on the infringements of Intellectual Property Rights. The CPVO will also attend the Coordination Group meeting of the Observatory on an annual basis. The CPVO will continue its enhanced cooperation with the Observatory providing material on PVRs to the Virtual Training Center and the Observatory Case Law Database.

Objectives 2019:	
<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	2019 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

3.8. Process efficiency

Budget, Accounting & Treasury

This component includes objectives related to a number of processes linked to the budget, the implementation of the budget (procurement, treasury, and finance in general) and the efficiency of the processes linked to these elements. It also gives an idea of the volume of the operations processed and the workload it creates.

This 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.

It also 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.

Procurement & Logistics Sector

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 2019: <ul style="list-style-type: none"> Balanced budget Stable Free Reserve No comments from Court of Auditors Fast payment of invoices 	
Key Indicators	2019 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%
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%
% of procurement procedures (call for tender, negotiated procedures, etc.) initiated vs. finalized	85%
Average length of procurement procedures processing	3 months

3.9. Recruit and develop staff - Empower and motivate staff

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 2019:

- 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

2019 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	80%
% 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 an employer, I am proud to work at CPVO, I am satisfied with my work environment...) measured through surveys	80%

3.10. Internal Control, Audit and Evaluation

These activities are not mentioned explicitly in the Strategic Plan. They are complying with the Financial Regulation of the CPVO and its Implementing Rules. They nevertheless contribute to the success of component 1.4 Process efficiency, by giving a control framework and providing regular assessments of the efficiency of all processes within the CPVO.

3.10.1. 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.

3.10.2. 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.

3.10.3. 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 next *ex post* evaluation will take place in 2021. The previous ex post evaluations from 2010 (Organisation/Communication) and 2014 (SharePoint Review) were adequately followed up and all, but two actions, were effectively implemented.

The first of these two actions, the independence of the accountant, will be addressed during the Administrative Council meeting on 19 September 2018, when a new appraisal procedure for the accountant will be presented. This new procedure introduces the Administrative Council as reporting officer of the accountant.

The second action, the transfer of the tasks of the Mailroom to the Register, has been postponed due to the fact that the implementation of a new IT software, MYPVR, did not meet the expected gain of time and resources, and due to the fact that one staff member leaved the Register due to invalidity. No new target date has been set for this action.

Objectives 2019:

- 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	2019 Target
n/a	n/a
Operational indicators	2019 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%

3.11. 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. A survey on internal communication elements is foreseen to take place in the beginning of 2018, included in the staff engagement survey which will be launched each year. The results of this regular assessment will lead to some practical actions from the management to refine the internal communication policy.

Objectives 2019:

Measure the satisfaction of the staff regarding the internal communication through a survey

Key Indicators	2019 Target
% of satisfaction of the staff regarding the internal communication (through the staff survey)	80% of staff satisfied
Operational indicators	
Number of serious issues / problems raised by the staff to the staff committee	Less than 5/year
Number of reviews and updates of the internal communication policy	At least 1, according to staff survey outcome
% 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 2019. The total commitment budget for the year is expected to be EUR 19 605 000. 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	36.6%	9,100,000	3,361,710	12,461,710	63.6%
QAS	1	2.0%	30,000	183,700	213,700	1.1%
Development of the system	2.5	5.0%	-	459,250	459,250	2.3%
R&D Projects	0.5	1.0%	500,000	91,850	591,850	3.0%
Information Technology	10.4	20.8%	670,000	1,910,480	2,580,480	13.2%
External Relations	3.5	7.0%	-	642,950	642,950	3.3%
Enforcement and interface PVR/Patents	0.1	0.2%	-	18,370	18,370	0.1%
Total Core Activities	36.3	72.6%	10,300,000	6,668,310	16,968,310	86.6%
Budget	0.3	0.6%	-	55,110	55,110	0.3%
Accounts	3.7	7.4%	-	679,690	679,690	3.5%
Total Neutral Activities	4	8.0%	-	734,800	734,800	3.7%
HR	1.6	3.2%	-	293,920	293,920	1.5%
General Services	7.1	14.2%	-	1,304,270	1,304,270	6.7%
Internal Control, Audit, other	1	2.0%	120,000	183,700	303,700	1.5%
Total Horizontal support	9.7	19.4%	120,000	1,781,890	1,901,890	9.7%
Grand total	50	100.0%	10,420,000	9,185,000	19,605,000	100.0%

Annex II. Financial Resources

Overall Expenditure

	2019		2020	
Title	Commitment Appropriations	Payment Appropriations	Commitment Appropriations (n+1)	Payment Appropriations (n+1)
Title 1	7,785,000	7,785,000	7,980,000	7,980,000
Title 2	1,870,000	1,870,000	1,915,000	1,915,000
Title 3	9,950,000	8,820,000	9,890,000	9,009,000
Grand Total	19,605,000	18,475,000	19,785,000	18,904,000

Commitments

			2017	2018	2019	2019	2020	2021
Title	Budget article	Article description	Executed amount (n-2)	Budget n-1	Budget Year n	Var n / n-1	Budget Year n+1	Budget Year n+2
Title 1	E1100	Staff	6,009,210	7,005,000	7,290,000	4.1%	7,473,000	7,660,000
	E1200	Training	75,753	90,000	90,000	0.0%	93,000	96,000
	E1300	Travel	254,000	270,000	280,000	3.7%	287,000	294,000
	E1400	Interim staff	173,028	80,000	80,000	0.0%	82,000	84,000
	E1500	Assistance	28,762	30,000	35,000	16.7%	35,000	10,000
	E1700	Representation	10,232	10,000	10,000	0.0%	10,000	10,000
	Total		6,550,984	7,485,000	7,785,000	4.0%	7,980,000	8,154,000
Title 2	E2000	Property	268,555	350,000	340,000	-2.9%	347,000	354,000
	E2100	IT expenses	605,368	620,000	800,000	29.0%	820,000	841,000
	E2200	Other equipment	65,275	60,000	70,000	16.7%	72,000	74,000
	E2300	General admin	39,771	70,000	65,000	-7.1%	67,000	69,000
	E2400	Postage and telecom	62,527	90,000	85,000	-5.6%	87,000	89,000
	E2500	Meetings and notices	246,798	380,000	360,000	-5.3%	368,000	376,000
	E2600	Audit and evaluation	94,349	105,000	150,000	42.9%	154,000	158,000
	Total		1,382,643	1,675,000	1,870,000	11.6%	1,915,000	1,961,000
Title 3	E3000	Examination office fees	8,597,294	7,600,000	8,700,000	14.5%	8,600,000	8,800,000
	E3200	Examination reports	395,440	440,000	400,000	-9.1%	440,000	440,000
	E3400	Publications	71,407	170,000	150,000	-11.8%	150,000	150,000
	E3500	Studies	318,124	500,000	500,000	0.0%	500,000	500,000
	E3600	Special advisors	98,219	200,000	200,000	0.0%	200,000	200,000
	Total		9,480,484	8,910,000	9,950,000	11.7%	9,890,000	10,090,000
Grand Total			17,414,111	18,070,000	19,605,000	8.5%	19,785,000	20,205,000

Payments Budget

			2017	2018	2019	2019	2020	2021
			Execution n-2	Budget n-1	Payment Budget Year n	Var. Payment Budget	Payment Budget Year n+1	Payment Budget Year n+2
Title 1	E1100	Staff	6,009,209.63	7,020,000.00	7,290,000.00	3.8%	7,473,000.00	7,660,000.00
	E1200	Training	75,753.04	90,000.00	90,000.00	0.0%	93,000.00	96,000.00
	E1300	Travel	254,000.00	270,000.00	280,000.00	3.7%	287,000.00	294,000.00
	E1400	Interim staff	173,027.84	80,000.00	80,000.00	0.0%	82,000.00	84,000.00
	E1500	Assistance	28,761.86	30,000.00	35,000.00	16.7%	35,000.00	10,000.00
	E1700	Representation	10,231.53	10,000.00	10,000.00	0.0%	10,000.00	10,000.00
	Total		6,550,983.90	7,500,000.00	7,785,000.00	3.8%	7,980,000.00	8,154,000.00
Title 2	E2000	Property	268,555.49	350,000.00	340,000.00	-2.9%	347,000.00	354,000.00
	E2100	IT expenses	605,368.02	620,000.00	800,000.00	29.0%	820,000.00	841,000.00
	E2200	Other equipment	65,275.41	60,000.00	70,000.00	16.7%	72,000.00	74,000.00
	E2300	General admin.	39,770.51	70,000.00	65,000.00	-7.1%	67,000.00	69,000.00
	E2400	Postage and telecom	62,526.55	90,000.00	85,000.00	-5.6%	87,000.00	89,000.00
	E2500	Meetings and notices	246,798.07	380,000.00	360,000.00	-5.3%	368,000.00	376,000.00
	E2600	Audit and evaluation	94,349.02	90,000.00	150,000.00	66.7%	154,000.00	158,000.00
	Total		1,382,643.07	1,660,000.00	1,870,000.00	12.7%	1,915,000.00	1,961,000.00
Title 3	E3000	Examination office fees	6,293,996.61	6,400,000.00	7,570,000.00	18.3%	7,759,000.00	7,953,000.00
	E3200	Examination reports	341,040.00	480,000.00	400,000.00	-16.7%	400,000.00	410,000.00
	E3400	Publications	71,659.24	150,000.00	150,000.00	0.0%	150,000.00	154,000.00
	E3500	Studies	194,419.66	530,000.00	500,000.00	-5.7%	500,000.00	513,000.00
	E3600	Special advisors	100,431.12	200,000.00	200,000.00	0.0%	200,000.00	205,000.00
	Total		7,001,546.63	7,760,000.00	8,820,000.00	13.7%	9,009,000.00	9,235,000.00
Grand Total			14,935,173.60	16,920,000.00	18,475,000.00	9.2%	18,904,000.00	19,350,000.00

Revenue

REVENUES	General revenues				
	Executed Budget 2017	Budget 2018	Draft Budget 2019		VAR 2019/2018 (%)
			Agency request	Budget forecast	
1 REVENUE FROM FEES AND CHARGES	15 988 423.50	16 160 000	17 627 500	17 627 000	6%
2 EU CONTRIBUTION					
- <i>Of which assigned revenues deriving from previous years' surpluses</i>					
3 THIRD COUNTRIES CONTRIBUTION (incl. EEA/EFTA and candidate countries)					
- <i>Of which EEA/EFTA (excl. Switzerland)</i>					
- <i>Of which candidate countries</i>					
4 OTHER CONTRIBUTIONS					
5 ADMINISTRATIVE OPERATIONS	192378.33	260 000	97 500	97 500	15%
- <i>Of which interest generated by funds paid by the Commission by way of the EU contribution (FFR Art. 58)</i>					
6 REVENUES FROM SERVICES RENDERED AGAINST PAYMENT					
7 CORRECTION OF BUDGETARY IMBALANCES	-1 245 628.23	500 000	750 000	750 000	-37%
TOTAL	14 935 173.6	16 920 000	18 475 000	18 475 000	8%

Annex III. Human Resources- Quantitative

Human Resources

2017 - Est. Plan				2017 - Actual			2018 - Est. Plan*			2019 - Est. Plan*			2020 - Est. Plan*			2021 - 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
AD	16	-	-	-		-	-	-		-	-	-		-	-	-		-	-	-
	15	-	1	1		-	1	1		-	1	1		-	1	1		-	1	1
	14	1	-	1		-	-	-		1	-	1		1	-	1		1	-	1
	13	-	-	-		1	-	1		-	-	-		1	-	1		1	1	2
	12	1	1	2		1	1	2		1	2	3		-	2	2		-	1	1
	11	-	1	1		-	1	1		-	-	-		-	-	-		1	-	1
	10	2	1	3		-	-	-		2	-	2		2	1	3		1	1	3
	9	1	1	2		3	1	4		1	1	2		1	1	2		-	2	2
	8	-	1	1		-	1	1		-	2	2		-	2	2		-	1	1
	7	-	2	2		-	2	2		-	1	1		-	-	-		-	4	4
	6	-	1	1		-	1	1		-	4	4		-	4	4		-	-	-
	5	-	-	-		-	-	-		-	-	-		-	-	-		-	-	-
Total		5	9	14		5	8	13		5	11	16		5	11	16		5	11	16
AST	11	-	-	-		-	-	-		-	-	-		-	-	-		-	-	-
	10	2	3	5		-	-	-		2	3	5		2	3	5		2	3	5
	9	-	3	3		2	6	8		-	3	3		-	3	3		-	3	3
	8	1	1	2		1	-	1		-	1	1		1	2	3		1	3	4
	7	1	1	2		1	2	3		1	2	3		2	3	5		1	6	7
	6	1	8	9		1	7	8		1	8	9		-	9	9		-	6	6
	5	-	7	7		-	8	8		-	6	6		-	4	4		-	3	3
	4	-	1	1		-	-	-		-	1	1		-	-	-		-	1	1
	3	-	1	1		-	2	2		-	1	1		-	1	1		-	-	-
	2	-	1	1		-	1	1		-	-	-		-	-	-		-	-	-
	1	-	-	-		-	-	-		-	-	-		-	-	-		-	-	-
	Total		5	26	31		5	26	31		4	25	29		4	25	29		4	25
Grand Total		10	35	45		10	34	44		9	36	45		9	36	45		9	36	45

* With possible promotions/reclassifications included. These are only estimates since promotions/reclassifications are based on merit and not known in advance. The potential promotions have been included in the table in order to avoid budgetary restrictions on promotions/reclassifications where these are merited.



Annex IV. Human Resources – Qualitative

Recruitment Policy

One staff member re-sat an exam of the 2017 certification procedure but was not successful. This candidate will probably re-sit the exam she failed and will hopefully be certified in 2018.

Of the 45 posts in the Establishment Plan for the year 2017, 14 posts are in category AD and 31 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 2017 occupied by an official coming from the Commission and for the others, internal competitions were organised in 2000 and 2001.

On 31 December 2017, 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. In addition, two more contract agents were selected from the EPSO Recruiter Portal.

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.

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	(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)

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 six contract agents who took up employment in 2017. The contracts are for different durations; one, two or three years depending on the tasks. They can be renewed if necessary depending on the needs at the end of the contracts.

Seconded national experts (SNE)

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 is no SNE working at the CPVO currently. There might be needs for seconded national experts during the period 2020-2022, but they have not been identified at this stage. Experience has shown that apart from the specialised 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 2017 a total of 8 staff members were awarded a promotion or reclassification to the next grade in their career with retroactive effect from 1 January 2017. This represents 18% of the staff in total. 3 of those (2 AST and 1 AD) were in the segment in which the average rate laid down in **Annex I B** of the new Staff Regulations is 25%. 4 of those (2 AST and 2 AD) 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 AST) was in the segment in which the average rate laid down in Article 31.4 of **Annex XIII** of the new Staff Regulation is 10%.

Category and grade	Staff in activity at 31/12/2017		Number of staff members promoted / reclassified in 2017		Average years in grade of reclassified / promoted staff members
	Officials	Temporary Agents	Officials	Temporary Agents	
AD 16					
AD 15		1			
AD 14					
AD 13	1				
AD 12		1	1		4 years
AD 11	1	1			
AD 10					
AD 9	3	1		1	3 years
AD 8		1		1	3 years
AD 7		2			
AD 6		1			
AD 5					
Total AD	5	8	1	2	
AST 11					
AST 10					
AST 9	2	6			
AST 8	1				
AST 7	1	2			
AST 6	1	7		2	4 + 4 years
AST 5		8		3	2 + 3 + 8 years
AST 4					
AST 3		2			
AST 2		1			
AST 1					
Total AST	5	26		5	
Total	10	34	1	7	

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. However, in 2017 an internal mobility policy was adopted. Two staff members moved to other posts in 2017 and in 2018 four other staff members moved to other posts in the Office.

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

Situation at 31/12/2017

CPVO Gender Balance all staff

		Official Staff %		Temporary Staff %		Contract Agents Staff %		Grand Total Staff %	
Female	Administrators Level	1	2.0%	4	8.0%			5	10.0%
	Assistant Level	4	8.0%	18	36.0%	1	2.0%	23	46.0%
	Total	5	10.0%	22	44.0%	1	2.0%	28	56.0%
Male	Administrators Level	4	8.0%	4	8.0%	4	8.0%	12	24.0%
	Assistant Level	1	2.0%	8	16.0%	1	2.0%	10	20.0%
	Total	5	10.0%	12	24.0%	5	10.0%	22	44.0%
Grand Total		10	20.0%	34	68.0%	6	12.0%	50	100.0%

Contract Agents Group IV are included with AD's in 'Administrator Level'.

Contract Agents Group III are included with AST's in 'Assistant Level'.

Geographical balance

Country Breakdown for Administrator level staff

Country of Origin	Officials		Temporary Agents		Contract Agents		Grand Total	
	%	Staff	%	Staff	%	Staff	%	Staff
BG					5.9%	1	5.9%	1
DE	5.9%	1	5.9%	1			11.8%	2
ES	5.9%	1	5.9%	1			11.8%	2
FR	5.9%	1	17.6%	3	5.9%	1	29.4%	5
IE	5.9%	1					5.9%	1
IT			5.9%	1			5.9%	1
PL			5.9%	1			5.9%	1
PT	5.9%	1					5.9%	1
RO					11.8%	2	11.8%	2
SE			5.9%	1			5.9%	1
Grand Total	29.4%	5	47.1%	8	23.5%	4	100.0%	17

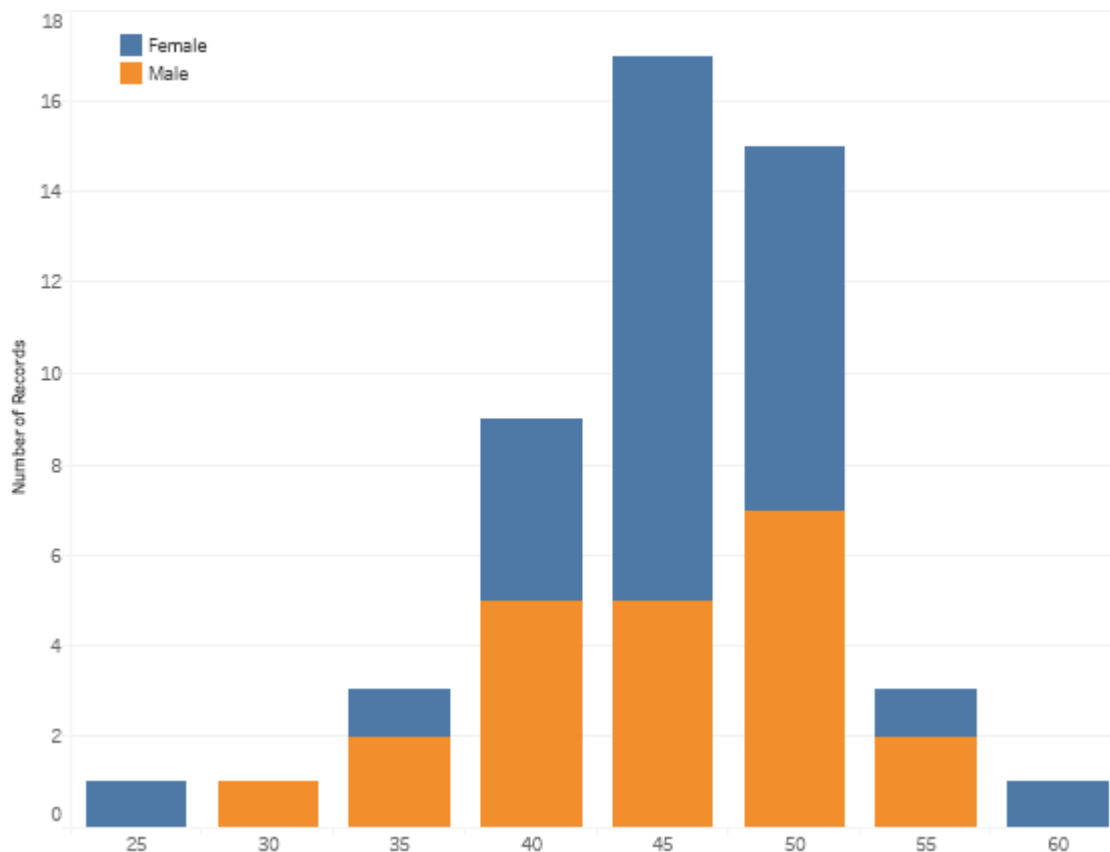
With a view to ensuring the proportionality of the measures, and in the same way as the analysis is carried out by the European Commission, this table focuses on the AD-level (inc. CA Group IV) only. While Article 27 SR applies to all staff irrespective of the function group, a wider margin of tolerance is left for the AST and AST-SC function groups. Indeed, the requirement to reflect the national diversity of the European Union is more stringent for officials in charge of managerial, conceptual, analytical, linguistic and scientific duties (i.e. the ADs) than for those in charge of executive and technical duties (i.e. the ASTs) or clerical and secretarial duties (i.e. the AST-SCs). Furthermore, executive, technical, clerical and secretarial tasks are typically carried out by staff recruited locally and are often less attractive for expatriates.

Situation at 31/12/2017

Breakdown by Unit and sector

Unit	Sector	Officials		Temporary Agents		Contract Agents		Grand Total	
		Staff	%	Staff	%	Staff	%	Staff	%
Presidency	Presidency	1	2%	3	6%			4	8%
	QAS	1	2%					1	2%
	Total	2	4%	3	6%			5	10%
Administration Unit	Administration	2	4%	1	2%			3	6%
	Accounting Sector	1	2%	2	4%	2	4%	5	10%
	HR Sector	1	2%	3	6%			4	8%
	IT Sector			3	6%	3	6%	6	12%
	Total	4	8%	9	18%	5	10%	18	36%
Legal Unit	Legal	1	2%	3	6%			4	8%
	Procurement and logistics	2	4%	3	6%			5	10%
	Total	3	6%	6	12%			9	18%
Technical Unit	Technical	1	2%	10	20%			11	22%
	Denominations			3	6%			3	6%
	Registry			3	6%	1	2%	4	8%
	Total	1	2%	16	32%	1	2%	18	36%
Grand Total		10	20%	34	68%	6	12%	50	100%

Staff By Age Bracket (Officials, Temporary, Contract Agents)



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 inter-institutional or inter-agency mobility. Mother tongue trainings are also 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 one CPVO staff member child is enrolled in that school (primary school).

Annex V. Buildings

	Name, location and type building	Other Comment of
	3 Boulevard Foch, Angers	Presidency, Legal, Logistics
Surface area (in square meters)	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 building	Other Comment of
Information to be provided per building:	3 bis Bd Foch, Angers	Administration Unit, IT
Surface area (in square meters)	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 building	Other Comment of
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 Boulevard Foch will be done in 2018.

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 2021. As usual, a Steering Committee composed out of the main CPVO stakeholders will define the scope of the evaluation. An open call for tender will be launched in due time.

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...
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 (EC 2100/94) 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.

R47	Uncertainty associated with the Brexit process	<p>As a result of the Brexit referendum on 23rd June 2016, the UK has taken the decision of exiting the European Union by eventually triggering Article 50 of the EU Treaty. This separation process is expected to last two years and will imply significant changes and challenges for the European Union in general and the Office in particular:</p> <ul style="list-style-type: none"> - uncertainty regarding the geographical scope of protection of PVRs - potential significant variations in user behavioural trends - financial impact to users (increased registration/renewal fees for current EU protection) - management of IP rights during the transitional period, etc. - Office staff with UK Nationality - Changes in the membership of Office governing bodies - etc.
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Action plans to mitigate the risks:

Risk 9: Thorough revision of current BCP is ongoing. Once finalized, trainings will be carried out, as well as extensive communication on BCP. "Real-life" BCP exercises will be organized.

Risk 15: Complete review and check of the systems and provide training to staff.

Risk 33: No action plan possible. Follow evolution and monitor

Risk 38: Implement actions agreed as an outcome of the BPR. Revise controls in place. Use Checklists.

Risk 42: Apply PM methodology as well as Change Management Methodology. Require that Project Boards approve Go-live. Exhaustiveness in the choice of people for training and training tailored to needs. Pay attention to R&D projects.

Risk 45: Regular involvement of staff in decision taking. Effort to have good communication. Regular training. Setting of SMART objectives. Team building. Revision of current staff allocation by management.

Risk 47: Assess the possibility of creating of a task force on the Brexit process in order to outline a coordinated action plan to tackle the different challenges. This activity should start as soon as the chapters regarding the Brexit negotiations will be known, namely the one affecting IPRs. Scenarios will be developed to encompass all potential concerns and issues.

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
2019			
	Audit Services	Open	280.000
	Legal support	Open	135.000
	Provision of electricity	Negotiated	112.000
	Maintenance of Heating and Air conditioning	Negotiated	50.000
2020			
	Security Services	Open	280 000
	Phone Centrex	Negotiated	85 000
	Insurances	Negotiated	35 000
	Garden	Negotiated	40 000
2021			
	Mobile phones	Negotiated	45 000
	Internet Access Fiber	Negotiated	60 000
	Logistics for AC meetings	Negotiated	75.000

Annex IX. Organisation Chart

