



CPVO

Community Plant Variety Office

DOC-AC-2020-2-04-Annex 1

BP

Draft CPVO Single Programming Document 2021-2023

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
CEPOL	European Union Agency for Law Enforcement Training
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
EPO	European Patent Office
EU	European Union
EUIPO	European Union Intellectual Property Office
EUROJUST	The European Union Agency for Criminal Justice Cooperation
EUROPOL	European Union Agency for Law Enforcement Cooperation
FTE	Full Time Equivalent
HR	Human Resources
IMODDUS	Integration of molecular data into DUS testing
INTERPOL	International Criminal Police Organisation
IP	Intellectual Property
IPC-EUI	EU-India Intellectual Property Cooperation
IP Key	Intellectual Property: a Key to sustainable competitiveness
IT	Information Technology
ITU	International Telecommunication Union
MY PVR	CPVO online application tool

KAVB	Koninklijk Algemene Vereniging voor Bloembollencultuur
OAPI	Organisation Africaine de la Propriété Intellectuelle
OECD	Organization for Economic Co-operation and Development
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
SPD	Single Programming Document
SYSPER	IT Tool to handle data related to HR
TU	Technical Unit
UNICRI	United Nations Interregional Crime and Justice Research Institute
UN SDG	United Nation's Sustainable Development Goals
UPOV	Union internationale pour la Protection des Obtentions végétales
VF	Variety Finder
VTC	Virtual Training Center
WCO	World Customs Organisation
WIPO	World Intellectual Property Organisation
WTO	World Trade Organisation

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Foreword of the President

In 2020 the CPVO celebrates its 25th anniversary and it can now be said that the creation of the EU plant variety right system was a good decision for Europe.

Over the past 25 years, the CPVO processed nearly 70,000 applications and granted over 50,000 plant variety rights titles. Today, more than 28,000 new plant varieties are being protected in the European Union by the CPVO, and this is mainly possible because of the enthusiasm, trust and support we received from Member States, the EU institutions, the industry and, to put things in perspective, society at large.

The CPVO system, based on the 1991 act of the UPOV Convention, is the largest and most efficient cross-national system for plant variety rights' protection worldwide. Our increasing involvement in international cooperation projects in Asia, Africa and Latin America testifies the relevance of CPVO's role in contributing to address common global challenges.

One of the priorities of the European Commission is the digitalisation of the EU. In this respect the CPVO needs to become a leader when it comes to the use of IT tools and databases. We will remain committed to make as much data as possible on plant varieties accessible online to stakeholders and the public at large.

Trying to be increasingly relevant in global markets, the CPVO application system is now connected to the new born UPOV PRISMA system which should facilitate the life of breeders that are active in the EU as well as in other jurisdictions. We can also be proud that the My PVR online system is meeting expectations among our customers and that EU Member States are keen to use it for national purposes.

National collaboration is key to the success of our system. The CPVO is constantly working with the EU network of examination offices to ensure high quality testing methods and in this regard, the work of the examination offices is fundamental. New methods of testing involving bio-molecular and DNA techniques are being developed and this is just the start of a process which will lead to the modernisation of plant variety testing.

Another priority of the European Commission is the newly presented European Green Deal in which it resets the Commission's commitment to tackling climate change and environmental-related challenges. The Green Deal maps a new, sustainable and inclusive growth strategy to boost the economy, improve people's health of life, care for nature, and leave no one behind. One of the steps taken by the Commission to implement the Green Deal was to adopt the Farm to Fork Strategy. The Farm to Fork Strategy is at the heart of the Green Deal and addresses comprehensively the challenges of sustainable food systems and recognises the inextricable links between healthy people, healthy societies and a healthy planet. The Green Deal and the Farm to Fork Strategy are both central to the Commission's agenda to implement the United Nation's 2030 Sustainable Agenda and the Sustainable Development Goals. The CPVO will analyse how to best contribute to the implementation of these policies. The CPVO has recently strengthened its external communication sector and one important task will be to explain to the public how the CPVO contributes directly or indirectly to a more sustainable Europe.

As outlined at the beginning of my introduction, the success of the EU Plant Variety Protection system makes it attractive to countries outside the EU and the CPVO is increasingly being solicited to promote its system and to provide training to countries outside the EU where EU breeders are active. Although the CPVO has a policy for international activities in place, it will be necessary to take a more systematic approach to such activities in the years to come to ensure effectiveness and that such activities are proportionate to other CPVO activities. The CPVO looks forward to working with the Commission, Member States, UPOV, EUIPO and the breeders to build up these capacities.

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 and is involved in an R&D project financed by the Commission under Horizon 2020.²

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 large³. Through the protection of new plant varieties CPVO plays a prominent role in the plant breeding sector and contributes to a more sustainable EU, fostering innovation, boosting growth, creating jobs. Furthermore, the Industry-Level Analysis Report of September 2019⁴ 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.⁵

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 America⁶ which are

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

² Horizon 2020 program which fits in the Societal Challenge 2 on 'Food security, sustainable agriculture and forestry, marine and maritime and inland water research and the bioeconomy' (Call for Sustainable Food Security / Building capacities / Research and innovation actions)

³ Cf. European Seed Association press release on recent study: http://www.plantetp.org/system/files/publications/files/hffa_research_paper_plant_breeding_eu.pdf

⁴ Intellectual property rights intensive industries and economic performance in the European Union: https://euiipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/observatory/documents/IPContributionStudy/IPR-intensive_industries_and_economicin_EU/WEB_IPR_intensive_Report_2019.pdf

⁵ The study shows that 28% of all jobs in the EU (60 million) can be directly attributed to IPR-intensive industries; 38% of all employment in the EU (82 million) can be attributed, directly and indirectly, to IPR intensive industries; IPR-intensive industries pay significantly higher wages than other industries, with a wage premium of 46%; 42% of the total economic activity (GDP) in the EU is attributable to IPR-intensive industries, worth EUR 5.7 trillion; IPR-intensive industries account for about 90% of EU trade with the rest of the world, generating a trade surplus for the EU of EUR 96 billion.

⁶ <https://ipkey.eu/en>

now being extended to the Caribbean region.⁷ 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”⁸. The CPVO also supports the implementation of the OAPI Road Map on Plant Variety Rights in 17 West African countries, a project co-financed by the Commission. 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. The CPVO will also contribute to the implementation of the ‘Intellectual Property Rights (IPRs) Action for Africa’, that has the objective to support the creation, protection, use and enforcement of Intellectual Property Rights (IPR) across Africa, in line with international and European best practice and in support of the African Continental Free Trade Area (AfCFTA) and the African Union’s Agenda 2063.

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. Although this SPD stretches beyond the duration of the present CPVO Strategic Plan the principles therein are applied when drafting this SPD 2021-2023. A new Strategic Plan is envisaged to be adopted in 2022 and it is expected that it will last during the mandate of the President of the CPVO.

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 on 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

The CPVO objectives reflect the EU commitment to address some of the most urgent global challenges such as climate change, the ever-growing human population, food safety and scarcity of natural resources.

The CPVO objectives also take stock of the European Commission’s actions to include the United Nation’s Sustainable Development Goals (UN SDG) into EU policies and initiatives.

Since the adoption of the CPVO Strategic Plan the Commission has put in place the European Green Deal⁹ in which it resets the Commission’s commitment to tackling climate change and environmental-

⁷ <https://euiipoef.eu/en/caripi>

⁸ COM(2014) 389 final, Strasbourg 1.7.2014

⁹ 11.12.2019 COM (2019) 640 final, Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions

related challenges. The CPVO will in the coming years analyse on how to best contribute to the implementation of this policy.

Through the promotion of sustainable agricultural production within the EU and with third countries, more efficient variety testing and respect for Plant Variety Protection and the rule of law, the activities of the CPVO are supporting the European Commission's efforts towards these goals.

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 an effective system which promotes research and development and breeding of better varieties. High yield, disease resistant varieties which are better suited to the changing climactic 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. In addition, the contribution of plant breeding and the plant variety protection to UN's Sustainable Development Goals is jointly addressed with UPOV. 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 CPVO is part of a consortium that was awarded a grant under the call SFS-29-2018 entitled "Innovations in plant variety testing". This call is part of the Horizon 2020 programme and fits in the Societal Challenge 2 on 'Food security, sustainable agriculture and forestry, marine and maritime and inland water research and the bioeconomy' (Call for Sustainable Food Security / Building capacities / Research and innovation actions). The project was awarded eight million euros in a decision taken by the Commission in December 2018 and the project will run for a period of five years.

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.

Only key performance indicators ('KPI') are included, since they focus on measuring the performance of the Office's business and administrative activities with significant impact and/or consequences. Some operational indicators have been turned into KPIs.

Thirty-nine KPIs were identified with their targets. These indicators will be used to analyse the fulfilments of the CPVO objectives when writing the Annual Activity Report.

Individual SMART objectives fully coherent with the Strategic Plan and with the Work Programme and the CPVO objectives were introduced in the Career Development Plan of each staff member for the year 2018 and this practise is continuing.

1.3. Report Approval process

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

- The budgetary figures contained in the present document were sent to DG SANTE in January 2020.
- Draft for comments presented to the Administrative Council during Spring meeting on 1 April 2020
- 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 2020 Autumn meeting.

2. Multi-Annual Programme 2021-2023

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. As stated above, only key performance indicators are reported on in this report. The order of the objectives are linked to the objectives in the Strategic Plan. It should be noted that the multi-annual objectives are also aligned with the work programme for 2021 (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. Achieving Excellence through people

a) Recruit and develop 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 2021-2023:

- Recruit, train, assess, (motivate and retain) high quality staff so that effective and efficient operation of the CPVO is ensured.
- Assist the Management in the implementation of the traineeship programme.
- Give an expertise in the domain of HR to the Management and the Staff.
- Draft and implement clear rules for all HR aspects.
- Prepare salaries on due time. Processing missions reimbursements in due time.
- Give access to a wide choice of trainings in line with the needs expressed.

Key Indicators	2021-2023 Target
% of non-recoverable extra hours vs. Total of hours spent during the year	<5%
Average length of recruitment process (publication to accepting post)	8 months
% of completion of the mandatory training program	100%
% of feedbacks filled in by staff following a training	100%

b) Empower and motivate staff

Objectives 2021-2023:	
<ul style="list-style-type: none"> • Continue delegation of responsibilities for staff • Promote internal mobility for staff 	
Key Indicators	2021-2023 Target
% of staff satisfaction regarding job description quality and work responsibilities (question included in annual staff survey)	>80%
Number of internal mobility exercises	1 per year
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 staff surveys	80%

c) 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.

A new internal communication policy was adopted in 2019 and a working group on internal communication exists to monitor its implementation.

Objectives 2021-2023:	
Measure the satisfaction of the staff regarding the internal communication through a survey	
Key Indicators	2021-2023 Target
% of satisfaction of the staff regarding the internal communication (through the staff survey)	80%

d) Cost and Process Efficiency

The aim of achieving cost and process efficiency is far-reaching and covers many different parts of the CPVO. To relate the number of staff to the number of applications gives an idea of the trend of work done directly related to the processing of applications which is one of the core activities of the CPVO. The number of applications received online has stabilised. An increase of the fees for paper applications entered into force on 1 April 2020 and it will be important to monitor if that will have an effect on the number of applications received on line in 2020 and onwards. As a next step the CPVO is considering taking away the possibility to file applications by paper.

The CPVO online system is connected to the UPOV PRISMA application portal for all species except most agricultural species. The CPVO is working with the UPOV Office to extend the number of agricultural species. The Office receives very few applications through PRISMA (44 altogether so far, 4 in 2020 until end July). Feedback tells us that many EU breeders makes an application in the EU before they file elsewhere. The CPVO and the UPOV Office is therefore considering making it possible for breeders to use the application data they submitted to the CPVO when applying for a CPVR also when filing applications in third countries through the PRISMA platform.

*Effective and efficient **processing of applications** for Community Plant Variety Rights*

Processing Applications - Objective 2021-2023:	
<ul style="list-style-type: none">• Optimise the efficiency of applications processing• High level of online application processing• Paperless Processing	
Key Indicators	2021-2023 Target
Number of applications received in relation to the number of staff indicated in the establishment plan	>70
% of online applications	>95%

*Responding as needed to **public access requests**.*

The CPVO abides by the provisions on public access to documents of EU Institutions and Agencies 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 thirteen years, reaching 110 requests in 2017, 120 in 2018 and 137 in 2019.

Public Access: Objectives 2021-2023:	
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.	
Key Indicator	2021-2023 Target
% of public access requests dealt within the deadlines	100%

*Providing **sound public procurement and financial management**.*

In order to meet CPVO needs, 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. Furthermore, the budgetary and financial accounts should comply with rules concerning legality and regularity of transactions.

Procurement and financial management: Objectives 2021-2023:

- Balanced budget
- Stable Free Reserve
- No comments from Court of Auditors
- Fast payment of invoices

Key Indicators	2021-2023 Target
Ratio of invoices received, processed and paid in relation to the number of staff indicated in the establishment plan	(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=) 822
% of cancellations of carry forward commitments	<15%
Level of free reserve vs. total budget for payment appropriations	50%

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.

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;
- fraud and irregularities are prevented, detected, corrected and followed-up on.

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

The CPVO adopted an Anti-Fraud Strategy in 2016, which was up-dated in October 2019. The strategy contains six strategic objectives which aims to prevent fraud and that possible fraud situation occurs. The implementation of the strategy is monitored by the Internal Control Coordinator.

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 2019. The Internal Auditor regularly reviews the achievements made on the previous recommendations raised in the previous years' reports.

Evaluations

Ex ante and retrospective evaluations (Article 29) of CPVO's Financial Regulation) reads:

1. Programmes and activities that entail significant spending shall be subject to ex-ante and retrospective evaluations ("evaluation"), which shall be proportionate to the objectives and expenditure.
2. Ex-ante evaluations supporting the preparation of programmes and activities shall be based on evidence, if available, on the performance of related programmes or activities and shall identify and analyse the issues to be addressed, the added value of Union involvement, objectives, expected effects of different options and monitoring and evaluation arrangements.
3. Retrospective evaluations shall assess the performance of the programme or activity, including aspects such as effectiveness, efficiency, coherence, relevance and EU added value. Retrospective evaluations shall be based on the information generated by the monitoring arrangements and indicators established for the action concerned. They shall be undertaken periodically and in sufficient time for the findings to be taken into account in ex-ante evaluations or impact assessments that support the preparation of related programmes and activities.
4. The director shall prepare an action plan to follow-up on the conclusions of the evaluations referred to in paragraph 3 and report on its progress to the Commission in the consolidated annual activity report referred to in Article 48 and regularly to the Management Board.
5. The management board shall scrutinize the implementation of the action plan referred to in paragraph 4.

In order to improve decision-making, the Office shall undertake both ex ante and retrospective 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. As stated above, the President shall prepare an action plan to follow-up on the conclusions of the evaluations referred to in paragraph 4 of Article 29 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 5.¹

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

The latest retroactive 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 retroactive evaluation will take place in 2021. The previous retroactive evaluations from 2010 (Organisation/Communication) and 2014 (SharePoint Review) were adequately followed up and all, but one action, were effectively implemented.

This 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 left the Register due to invalidity. No new target date has been set for this action.

The detailed objectives and indicators are provided hereunder:

Internal Control Objectives 2021-2023:	
<ul style="list-style-type: none"> • Risk based internal audits with regular follow-up of recommendations • 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. 	
Key Indicator	2021-2023 Target
Number of exceptions recorded in the exception register	Max. 10 per year
% of recommendations of the Internal Auditor closed from three preceding years	>75%

2.1.2. Supporting Breeders with a robust and reliable Intellectual Property Right

- a) High quality, reliable distinctness, uniformity and stability (DUS) results

Efficiency of the application process

Objective 2021-2023:	
<ul style="list-style-type: none"> • Optimise the efficiency of applications processing • High level of online application processing • Paperless Processing 	
Key Indicators	2021-2023 Target
% of acknowledgement of receipt of an application within 5 working days	>85%
Average number of processing days between receipt of final report and grant	< 107 for technical examinations & 112 for take-overs

The reason why the time between receiving a final report and the granting date is not shorter in cases where the CPVO takes over a report is linked to the rules on publications. In cases where the national examination has already been concluded, we usually receive the final report before even having published the application in the gazette. This publication takes 3 months and the gazette is only published every two months. Accordingly, it can take up to 5 months before we can initiate the granting process. Similarly, the publication of the denomination can delay the process taking into account the applicable legal deadlines for publications and objections. In cases where the CPVO asks an examination office to proceed with a technical examination, the publication of the application is done when the report is submitted to the Office and the Office can immediately initiate the granting process unless problems have been identified.

Maintain good cooperation with the Examination offices

The technical examination of candidate varieties is 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 and administrative issues of mutual interest.

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

Objective 2021-2023:	
<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	2021-2023 Target
Coverage of applications by CPVO Technical Protocols	>90%
% of late reports ¹⁰	<5%

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 beyond a critical point 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 2021-2023:	
<ul style="list-style-type: none"> • Carry out the foreseen number of audit visits, while applying the risk-based audit strategy • Ensure availability of technical experts 	
Key Indicators	2021-2023 Target
Number of surveillance procedures initiated	Three of the period (one yearly)
Number of Audit Advisory Board consultations/objections	None
Number of unsolved issues in the cooperation reports	None
Number of Technical experts for next assessment	At least 30 experts appointed for 2021-23 and trained

Implement the R&D strategy

Research and development projects (co-)financed by the CPVO have the aim to improve the efficiency of DUS testing and to reduce the time/cost of such tests while maintaining or improving the quality of the results. These developments are long-term contributions to the improvement of the system.

¹⁰ A report is considered late if it arrives after the date defined in annex 11 to the designation agreement for interim and final reports, or later than two weeks after the request to an examination office for a technical examination for preliminary reports.

In 2020 the existing R&D strategy needs to be analysed and potentially updated. It will be up to the CPVO's AC to adopt the revised R&D strategy for the period 2021-2025 in early 2021.

Objective 2021-2023:	
<ul style="list-style-type: none"> • Improvement of quality and reduction of cost 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	2021-2023 Target
% of finalized R&D projects leading to operational means or substantial information allowing improvement of variety testing procedures	90 %

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 of Council Regulation (EC) 2100/94). 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 2021-2023:	
<ul style="list-style-type: none"> • Present clearly and convincingly the position of the CPVO before the Board of Appeal and the Court of Justice of the European Union and ensure the deadlines are met. 	
Key Indicators	2021-2023 Target
% of legal decisions maintained	95 %
% legal deadlines met	100%

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.

The Commission and the five decentralised agencies in the health and food safety area recently launched an initiative for a closer collaboration on IT, which should be fully up to speed in 2020. As they have similar business requirements, they need interoperable IT services and solutions for their stakeholders.

Objective 2021-2023:	
<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 • Full cloud backup implementation 	
Key Indicator	2021-2023 Target
% of implementation of IT Masterplan	100%

b) Contribute to the enforcement of Community Rights

Enforce Community rights

In the recent years the CPVO has been involved in 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 activities 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 contributes to update 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. The CPVO is constantly updating the case-law database with new decisions from national courts and EU bodies.

The CPVO takes part to the Coordination Group on IP rights 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 enforcement.

Objectives 2021-2023:

- 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.

Key Indicator

2021-2023 Target

Number of enforcement initiatives carried out

2 per year

2.1.3. Making the CPVO strong in a strong Intellectual Property Network

a) Develop external communication

A new communication strategy and action plan focusing on four pillars (i.e. human face, staff empowerment, collaborative/open and digital) was reviewed by the Administrative Council in September 2019 and adopted by the President in October 2019. This strategy will be implemented in 2019-2021.

Objectives 2021-2023:

- Develop external communication through various channels

Key Indicators

2021-2023 Target

Produce and publish relevant social media content

Average 250 posts on social media/year

Produce CPVO webinars

3 webinars/year

Newsletters

2/year

CPVO-led event with over 100 guests

1/year

b) International cooperation with strong IP actors

As regards the interface between PVRs and patents, the CPVO has prolonged the Administrative Arrangement originally signed with the EPO on 11 February 2016. The new Administrative Arrangement has been signed for a period of three years started in February 2019.

In 2019 the CPVO contributed with data from the Register of CPVRs to the joint EUIPO-EPO's Third edition of the Industry-Level Analysis Report on "IPR-intensive industries and economic performance in the European Union"¹¹.

The CPVO is continuing the sharing of data with the EPO on a monthly basis. On technical level, the exchange of know-how and technical trainings among patent examiners and CPVO experts will continue.

As regards the cooperation with EUIPO, in 2019 a common IT project was initiated to re-write the database Variety Finder, a cooperation that is aimed to continue in 2020 and years beyond on other IT projects.

Objectives 2021-2023:	
<ul style="list-style-type: none"> • Support breeders with actions related to the enforcement of CPVRs in cooperation with the Observatory and other Institutions active in the field of enforcement of Intellectual Property Rights. • Continue cooperating with the EPO 	
Key Indicator	2021-2023 Target
Number of participations to meetings and trainings / collaborations with other strong IP actors (UPOV, EPO, EUIPO)	10/year
Number of new partnerships	1/year

2.1.4. Promoting PVR, in Europe and Internationally

a) 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 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, which was done in 2019. The CPVO adopted a new policy on external communication in 2019 which will be implemented in 2019-2021, as outlined in section 2.1.3.a. In particular, focus is placed in aligning the CPVO's narrative with its core missions and the relevant political priorities of the new European Commission. The CPVO will strive to ensure brand consistency across traditional and digital communication channels, to train staff on communication matters in order to foster a more open and collaborative corporate culture change when it comes to communication activities, and to develop joint visibility partnerships with a larger number of stakeholders and local communities.

This approach is fully in line with the CPVO's international relations strategy as outlined in section 2.2.4.b. However, the aim of the CPVO during the period 2021-2023 is to take on a more systematic approach in terms of participating in projects and to provide for training. This would mean a more long-term planning with partners such as the Commission, examination offices and breeders rather than reacting to ad hoc requests. It will also be explored if it would be appropriate to create a specific budget line for these activities with the aim of supporting the implementation of EU policies. This would have the advantage of ensuring efficiencies as well as ensuring that time spent on these activities are in the right proportion to other activities of the CPVO.

¹¹ [https://euiipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/observatory/documents/IPContributionStudy/IPR-intensive industries and economic EU/WEB IPR intensive Report 2019.pdf](https://euiipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/observatory/documents/IPContributionStudy/IPR-intensive%20industries%20and%20economic%20performance%20in%20the%20EU%20WEB%20IPR%20intensive%20Report%202019.pdf)

Objectives 2021-2023:	
<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	2021-2023 Target
Number of projects with IP actors in third countries	6/year
Number of organisation of or participation to Open Days, public seminars, contributions to events with the "Maison de l'Europe" etc...	6/year

2.2. Resource Programming

2.2.1. 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 CPVO is a self-financed, demand-driven agency which receives no money from the European Union General Budget. In 2013, the establishment plan was for 48 posts (officials and temporary agents). A blanket communication of the European Commission concerning resources for all agencies (mainly financed by the European Commission) required that the CPVO reduce the establishment plan from 48 to 43 posts over a number of years. This request was made notwithstanding the clear evidence of workload increases.

In order to meet the increases in workload, the CPVO was compelled to employ contract agents (off the establishment plan). It was also necessary to make use of trainees and external support when possible to meet the increased demand from applicants, but also the increased administrative burden placed by reporting requirements of the central services.

Significant increases in workload can be seen through the number of titles in force and debit notes processed. Increases in expectations in communication and international cooperation have recently been seen. There is a significant backlog of IT work to be carried out, for which a unit needs to be put in place. The contract agent solution is not working when it comes to attracting and retaining staff as it is only intended as a short-term fix.

The CPVO now needs to ensure a viable future and ensure that it has the necessary resources to meet the coming challenges. The proposal in this document is not to vastly increase total headcount, but to re-balance the situation between contract agents and establishment plan to attract capable candidates.

Prior to the outbreak of COVID-19, the CPVO foresaw that staff increase to 48 staff in 2021 and 51 in 2022, with a progressive reduction in contract agents. This was to allow the CPVO to face the upcoming challenges posed by a wave of retirements in the coming 4-6 years.

The table below shows the development of human and financial resources in the CPVO since 2013 based on the **approved** budgets:

	2013	2014	2015	2016	2017	2018	2019	2020
HR (Est. Plan)	48	47	46	45	45	45	45	46
Budget (€ million)	16.4	16.9	16.9	18	18.8	18	19.6	20.5

It should be noted that the CPVO has been progressively moving to having more Administrator level staff and less Assistant level staff each year. In 2015 the Administrative Council confirmed the CPVO approach to

replace retiring Assistant staff with Administrators and these changes are regularly reflected in the budget. The figure of 46 posts in 2020 reflects the agreement of the Administrative Council to allow a temporary post to recruit in advance of a retirement in 2021.

Given the current situation, the CPVO is putting on-hold its request to increase the establishment plan in 2021 and holds at the level of 45 posts. This will be reviewed in 2021 as the staff needs are clear from the evolution of all key indicators.

a) Total headcount

The table below shows the current situation (approved 2018-2020) and forecast (2021-2024) based on a realignment of posts.

		Approved Budget 2018	Approved Budget 2019	Approved Budget 2020-revision 1	Draft Budget 2021	Forecast 2022	Forecast 2023	Forecast 2024
Est. Plan	AD Staff	16	16	18	19	22	24	24
	AST Staff	29	29	28	26	26	27	27
Total Est Plan		45	45	46	45	48	51	51
Non-est. plan long-term	Contract Agents	6	6	6	6	2	2	2
	SNE's	0	0	1	1	1	0	0
Total CA / SNE		6	6	7	7	6	2	2
Other Resources	In-house service providers	1.5	1.5	0.5	0.5	0.5	0.5	0.5
	Trainees	6	7	6	6	5	4	4
Total Other		7.5	8.5	6.5	6.5	5.5	4.5	4.5
Total Head Count		58.5	59.5	59.5	58.5	59.5	57.5	57.5

In July 2020, the Administrative Council, with positive comments from the Commission, approved the temporary increase of posts in 2020 to 46 in order to have an early recruitment to replace a retirement which will take place in early 2021.

Given the effects of COVID-19, in particular on the ornamental sector the draft budget for 2021 proposes **no increases** in the establishment plan. Depending on the evolving situation in the industry, it will be determined during 2021 if the increases needed for the following years can indeed be sustained. .

2.2.2. Financial Resources

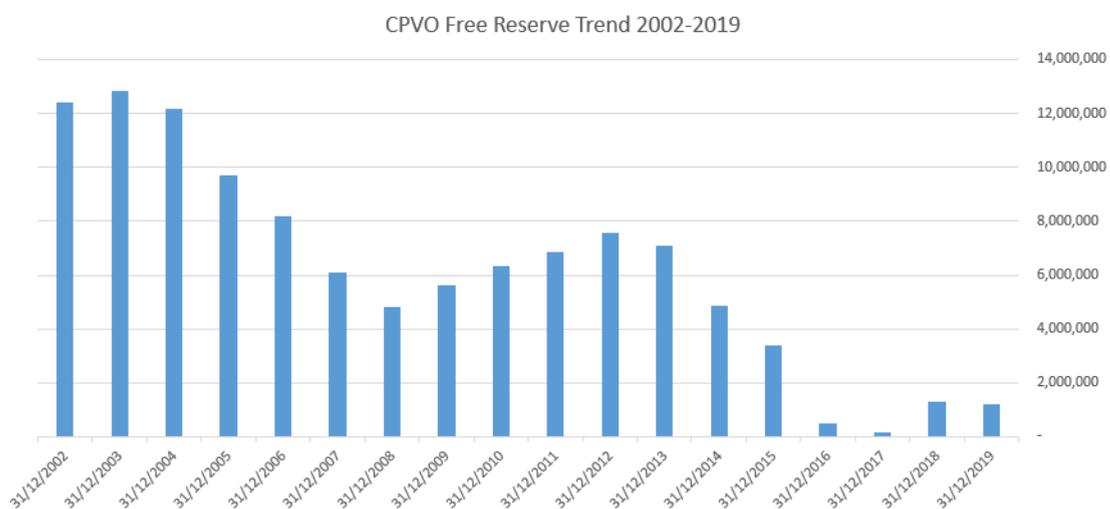
As already mentioned, the CPVO is a demand driven agency, with budgetary outturn depending inter alia on the level of applications in any given year. With this in mind, the aim of the CPVO is to reach a break-even budget (Outturn zero) in the medium term.

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

	2013	2014	2015	2016	2017	2018	2019
Income	13.05	12.72	12.84	13.45	16.18	17.63	17.72
Expenditure	12.76	13.25	13.98	15.59	14.94	16.43	16.38
Outturn	0.29	-0.53	-1.14	-2.13	1.24	1.20	1.34
Outturn (net¹⁰)	0.38	-0.46	-1.05	-2.03	1.37	1.30	1.42

The negative outturns from 2014-2016 were forecast and planned in order to bring the CPVO free reserve to a more acceptable position. The rise in 2017 and 2018 can be attributed almost completely to the change in annual fees to EUR 330 as from 1 January 2017. This trend continued in 2019 and an update to the fees regulation from 1 April 2020 with an increase in examination fees to reflect full costs will allow a continuation of this trend in the near future.

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. For 2018, the free reserve rose again, and remained steady in 2019 due to a high level of commitments for examinations. It is expected that the reserve will steadily rise in the coming 3-4 years to approach the target of 50% of the budget agreed in the Administrative Council.

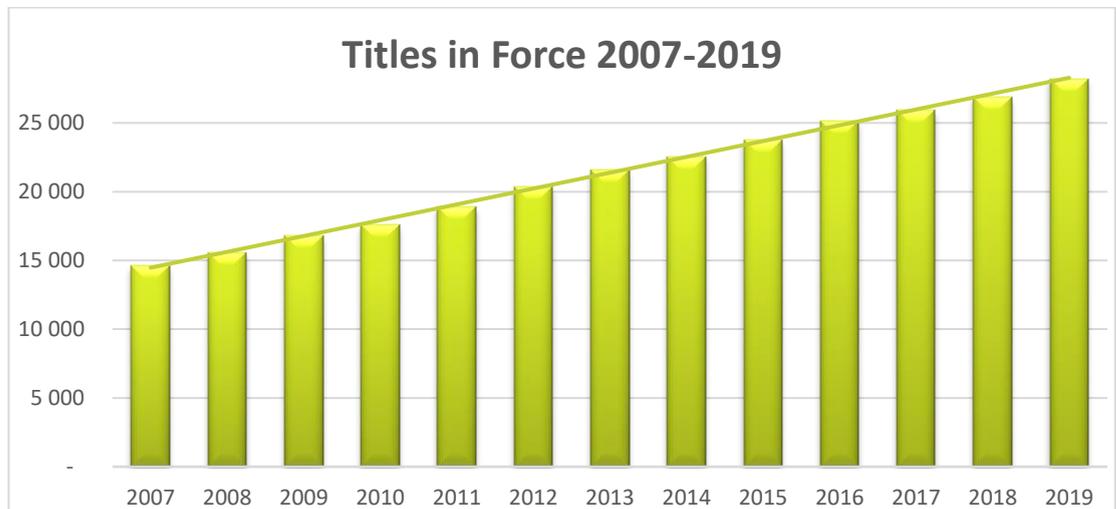
2.2.3. Key Workload indicators

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.

a) 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:



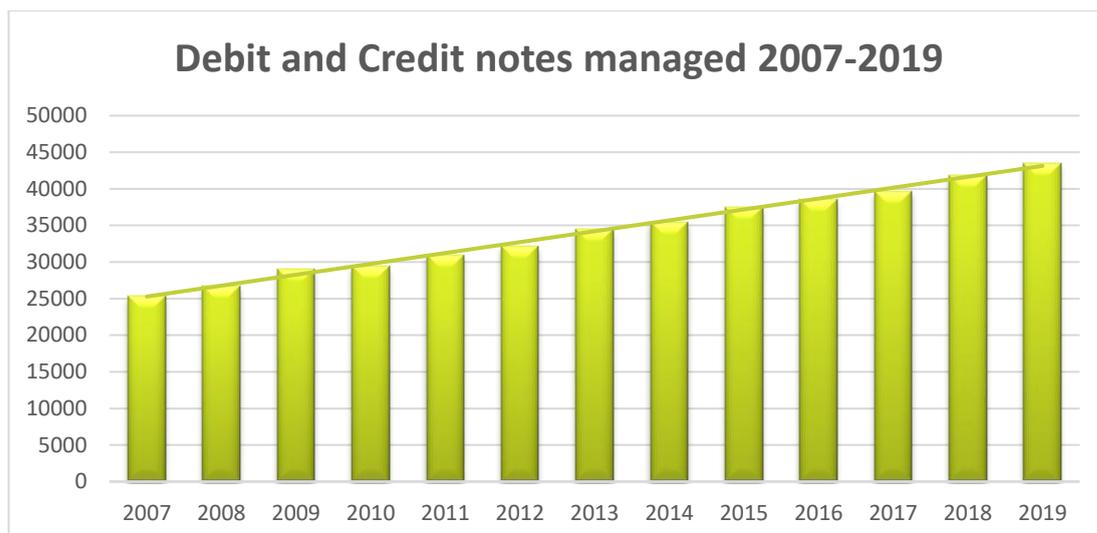
The trend is one of practically linear increase. At year-end 2019, there were 28,228 titles in force, **an increase of 68% since 2007**. More tellingly, the titles in force have increased by 31% since 2013 while in the same period, the establishment plan has **fallen** from 48 to 45 staff.

b) 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 **over 70%**.

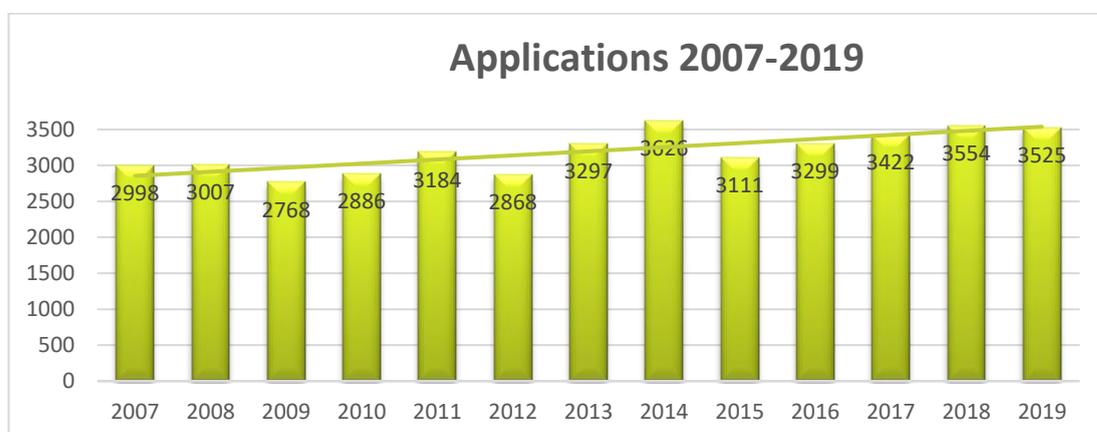
Since 2013, the increase was 26%. While efforts currently underway for e-invoicing etc. are alleviating some of this pressure, it is very difficult to manage.



c) 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 evolution of application levels over the years since 2007:



The record level of more than 3500 applications reached in 2014 has now become the norm.

2.2.4. Other workload indicators and tasks

a) 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.

The key indicator as regards IT workload is the number of approved projects in the pipeline and in progress - at time of writing, this included: MyPVR Communication Centre, Variety Finder Re-write, upgrade of Documentation management, Sysper2, Plant Material Request in all languages, MyPVR e-denomination proposal, Online Applications sub-projects (transfer of application data from CPVO to PRISMA/CPVO to Naktuinbouw, PRISMA to CPVO), Paperless purchase request system, MyPVR sub-projects (e-remedying information, e-action for objectors, e-withdrawal, surrenders, dematerialisation of PR form), Sysper modules (NDP, MIPS, Certificate Management), VDC Letter automation, inventory management and TLO sub-projects (Re-write of site, Annex 2/12).

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.

b) Cooperation with third countries and international organisations

The CPVO has also been very 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 CPVO assists the Commission in forming the EU position in the UPOV Technical Committee and assists the Commission in UPOV meetings (Council, Consultative Committee, Legal and Administrative Committee). Technical Experts are active in UPOV's four annual Technical Working Parties (TPs) during which technical guidelines are discussed. A CPVO Staff Member is Chairing one of the TPs. New UPOV TPs and amended UPOV TPs are in most cases implemented in CPVO technical protocols. CPVO staff participates in other working groups of UPOV such as the Working Group on Biochemical and Molecular Techniques and DNA Profiling in Particular (BMT), the **Editorial Committee, the Enlarged Editorial Committee** the Working Group on the Development of an Electronic Application Form and occasionally to the Technical Working Party on Automation and Computer Programs,

The CPVO works closely with UPOV in outreach projects together with partners such as the African Regional Intellectual Property Organisation (ARIPO), the African Intellectual Property Organisation (OAPI) and the East Asia Plant Variety Protection Forum. Moreover, the CPVO continues being a partner to the IPKey projects encompassing China, South-East Asia and Latin America managed by the Commission 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 policies¹². EU breeders benefit from protection in such countries. The CPVO monitors the potential development of further cooperation activities in the field of IP Rights between the EU and other countries. Moreover, the CPVO will participate to implement PVRs related activities within the framework of the CarIPI project, funded under the 11th European Development Fund. CarIPI is conceived as one of the components of the Programme 'Support to CARIFORUM States in furthering the implementation of their Economic Partnership Agreement commitments and in meaningfully reaping the benefits of the Agreement'. CARIPI aims at contributing to attaining the commitments and expected benefits of the EPA, laying the ground for a sustainable long-term regional framework and cooperation on Intellectual Property (IP). CarIPI has an initial duration of four years started from the 1 November 2019.

¹² 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

CPVO is also supporting the implementation of the OAPI Road Map on Plant Variety Rights in 17 West African countries, a project co-financed by the Commission. 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. The CPVO will also contribute to the implementation of the 'Intellectual Property Rights (IPRs) Action for Africa', that has the objective to support the creation, protection, use and enforcement of Intellectual Property Rights (IPR) across Africa, in line with international and European best practice and in support of the African Continental Free Trade Area (AfCFTA) and the African Union's Agenda 2063.

The importance of an effective PVR protection system has been emphasised recently by the Commission in the Report on the protection and enforcement of intellectual property rights in third countries (SWD(2019) 452 final/2 of 8.1.2020¹³, in which an Annex focuses on the protection and enforcement of plant variety rights.

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 and EPO's Academies, the European IPR-Helpdesk 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.

Although the CPVO has a policy for international activities in place it will be necessary to take a more systematic approach to such activities in the years to come to ensure effectiveness and that such activities are proportionate to other CPVO activities. The CPVO looks forward to working with the Commission, member states, UPOV, EUIPO and the breeders to build up these capacities.

c) 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 Offices, 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.

Furthermore, the CPVO is partner of the INVITE (INnovations in plant VarIety Testing in Europe) project which is one of the two laureate projects of the call SFS-29-2018 "Innovations in plant variety testing" ¹⁴ of the Horizon 2020 program. It aims at improving efficiency of variety testing and availability of information to stakeholders on variety performances under diversified production conditions and on biotic and abiotic stresses for 10 crops. It addresses DUS and performance testing in a balanced way and intends to maximize synergies between them through related activities based on phenotyping, genotyping, modelling and database management.

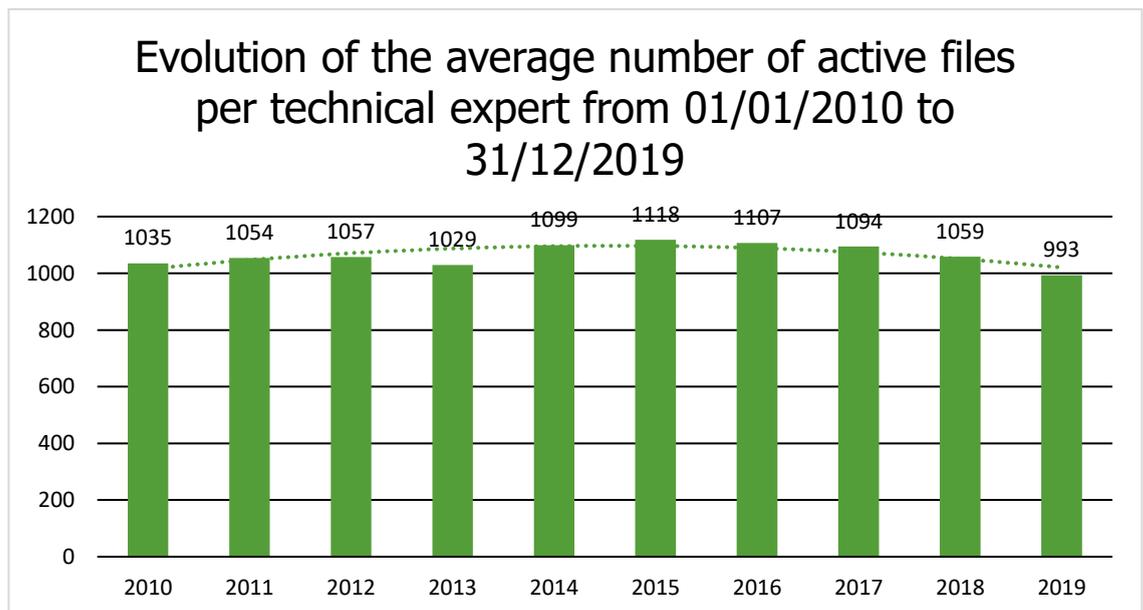
¹³ https://trade.ec.europa.eu/doclib/docs/2020/january/tradoc_158561.pdf

¹⁴ The SFS-29 call fits in the Societal Challenge 2 on 'Food security, sustainable agriculture and forestry, marine and maritime and inland water research and the bioeconomy' of the Horizon 2020 programme.

The increasing workload is related to the number of new and ongoing projects co-financed per year as shown in this overview:

Project year	number of projects ongoing
2010	2
2011	3
2012	4
2013	5
2014	8
2015	5
2016	7
2017	4
2018	8
2019	9
2020	8

d) Active files per technical expert



A solid indicator of workload for the technical experts is the number of 'Active' files that result in the immediate processing work and in a variety of follow-up activities throughout their lives. In order to be able to cope with the increase of other tasks linked to strategic priorities such as research and development, contributions to IT developments and technical communications, the core tasks have been re-organised in a way that the average of active files managed by the main technical experts went under just 1000 files.

e) EASA approach background

A pilot exercise was launched with a view to linking human resource establishment plan levels to real workload in Agencies receiving contributions from the General Budget (Commission). This seems completely self-evident, but while the Commission were in favour of the approach, it was rejected by the Council when

it became clear that it would lead to increased resources for non-fee receiving agencies, and therefore an increased cost to the general budget.

The ethos of this pilot fully applies to the CPVO as it is a demand-driven agency and that demand directly affects the workload. Given that the CPVO is fully self-financed, it is even more pertinent to apply this through decision of the Administrative Council.

f) The '2% inflator'

The European Commission have requested in the 2013 Communication that each agency should be able to deal with workload increases of 2% per year (compounded indefinitely) through efficiency gains and not through resource increases. This is a valid approach, but it becomes much less relevant when we have reduced certain services to an absolute minimum required by legislation. For example, the Accounting sector of the CPVO has been reduced progressively from 7 to 4 staff. This cannot be further reduced as there is a need to separate certain functions (verifications and payments for example) and ensure that there can be backups in place.

The 2% efficiency gains proposed do not take account of the administrative burden being progressively being placed on agencies of all sizes – is it normal that the CPVO is audited the same number of days as agencies fifty times its size, or is required to produce a single programming document or consolidated annual activity report similar to those bodies?

The CPVO has had to face workload increases well beyond the 2%, and while there are certainly will be improvements to come in terms of efficiency, this will only be sustainable in the long term with the resources defined in the present document.

In the key workload indicators above, increases since 2013 (when the establishment plan was at 48 staff) go well beyond 2% annual increases.

g) Recruitment issues

The contract agent post was used as a response to the Commission communication forcing a reduction in the establishment plan. This administrative status is not on the same level as temporary agents in the establishment plan, and this has led to difficulties in attracting and retaining staff (particularly IT staff that are in very high demand).

There are many difficulties in attracting and retaining highly qualified staff, particularly in IT using contract agent posts.

h) Increased work in IT (new unit)

During the Autumn meeting of the Administrative Council in 2019, the IT Strategy for the 'Move to Cloud', as well as the need for the CPVO to be involved with more pan-European projects in the plant sector was discussed. The AC unanimously endorsed the strategy and accepted that implementing this strategy will require additional resources.

The CPVO plans to put in place a unit specifically dealing with IT issues (which is currently managed by the Administration unit). This will require new resources.

Furthermore, 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.

i) Increased work in administrative support

One needs look no further than the Single Programming Document and Consolidated Annual Activity report to have a clear idea of the level of administrative burden being placed on all agencies. This is increasing as time goes by with more and more requirements.

j) Charge-out for IT support (Sharing Online Applications)

It should not be forgotten that certain IT developments and the support needed for these developments will be financed by outside entities. This is the case for example where the online application system will be paid for in part by examination offices making use of it. This means that resources are budget neutral.

k) Difference average retirement v. average recruitment

Retiring staff are more senior, and typically in grades 9-11 (either assistant or AD), but replacements will be at lower levels as the policy is to recruit in future at grades AD5-6 for non-management posts.

l) Upcoming retirements – need for overlaps

As can be seen in the social report of the CPVO (annex to the CAAR), the staff is aging, and in the coming years, there will be an exodus of senior staff. For continuity reasons, it is preferable to have overlaps of at least 3, but ideally 6 months for the replacements for these staff, particularly in the case of technical experts which is very CPVO-specific knowledge.

2.2.5. 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.

2.2.6. Impact of workload on human resources needs

All of the above has contributed to the substantial increase in workload for the CPVO. Such increase in workload has been managed without much 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.

In order to meet the future challenges, there should now be a re-alignment of resources in the CPVO the CPVO proposes the following evolution:

	Approved Budget 2018	Approved Budget 2019	Approved Budget Revision 2020	PDB 2021	Forecast 2022	Forecast 2023	Forecast 2024
Total Est Plan	45	45	46	45	48	51	51
Total CA / SNE	6	6	7	6	6	2	2
Total Other	7.5	8.5	6.5	6.5	5.5	4.5	4.5
Total Head Count	58.5	59.5	59.5	57.5	59.5	57.5	57.5

This approach keeps the overall headcount stable while retirements and replacements at lower grades will mean that the financial impact is minimised while putting the CPVO in a position to attract and retain the strong candidates it needs for the future. It should be noted that the CPVO exceptionally postponed the planned increase in establishment plan to 48 staff until 2022 in the wake of the COVID crisis and uncertainty regarding future income.

3. Implementation of the CPVO Strategic Plan: Work Programme 2021

3.1. Executive Summary

The work programme for 2021 is fully in line with the four strategic objectives formulated in the 2017-2021 Strategic Plan.

As stated above under point 2.1, only Key Indicators are reported on in this report. These indicators have a prominent role in giving a key measure to the fulfilment of the objectives. The KPIs are the same for the multi-annual and the annual program. The targets might differ due to the different time spans. The explanations for the objectives given above are not repeated hereunder.

Activities

3.1.1. Achieving Excellence through people

- a) Recruit and develop staff

Objectives 2021:	
<ul style="list-style-type: none"> • Recruit, train, assess, (motivate and retain) high quality staff so that effective and efficient operation of the CPVO is ensured. • Assist the Management in the implementation of the traineeship programme. • Give an expertise in the domain of HR to the Management and the Staff. • Draft and implement clear rules for all HR aspects. • Prepare salaries on due time. Processing missions reimbursements in due time. • Give access to a wide choice of trainings in line with the needs expressed. 	
Key Indicators	2021 Target
% of non-recoverable extra hours vs. Total of hours spent during the year	<5%

Average length of recruitment process (publication to accepting post)	8 months
% of completion of the mandatory training program	100%
% of feedbacks filled in by staff following a training	100%

b) Empower and motivate staff

Objectives 2021:	
<ul style="list-style-type: none"> • Continue delegation of responsibilities for staff • Promote internal mobility for staff 	
Key Indicators	2021 Target
% of staff satisfaction regarding job description quality and work responsibilities (question included in annual staff survey)	>80%
Number of internal mobility exercises	1
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 staff surveys	80%

c) Internal Communication

Objectives 2021:	
Measure the satisfaction of the staff regarding the internal communication through a survey	
Key Indicators	2021 Target
% of satisfaction of the staff regarding the internal communication (through the staff survey)	80%

d) Cost and Process Efficiency

Processing Applications - Objective 2021:	
<ul style="list-style-type: none"> • Optimise the efficiency of applications processing • High level of online application processing • Paperless Processing 	
Key Indicators	2021 Target
Number of applications received in relation to the number of staff indicated in the establishment plan ¹⁵	>70
% of online applications	>95%

¹⁵ This provides a global workload indication even though not all staff are dealing directly with applications

Public Access to documents

Public Access: Objectives 2021:	
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.	
Key Indicator	2021 Target
% of public access requests dealt within the deadlines	100%

Procurement & Logistics Sector

Procurement and financial management: Objectives 2021:	
<ul style="list-style-type: none"> Balanced budget Stable Free Reserve No comments from Court of Auditors Fast payment of invoices 	
Key Indicators	2021 Target
Ratio of invoices received, processed and paid in relation to the number of staff indicated in the establishment plan	(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=) 822
% of cancellations of carry forward commitments	<15%
Level of free reserve vs. total budget for payment appropriations	50%

Internal Control, Audit and Evaluation

Internal Control Objectives 2021:	
<ul style="list-style-type: none"> Risk based internal audits with regular follow-up of recommendations 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. 	
Key Indicator	2021 Target
Number of exceptions recorded in the exception register	Max. 10
% of recommendations of the Internal Auditor closed from three preceding years	>75%

3.1.2. Supporting Breeders with a robust and reliable Intellectual Property Right

- a) High quality, reliable distinctness, uniformity and stability (DUS) results

Efficiency of the application process

Objective 2021:	
<ul style="list-style-type: none"> • Optimise the efficiency of applications processing • High level of online application processing • Paperless Processing 	
Key Indicators	2021 Target
% of acknowledgement of receipt of an application within 5 working days	>85
Average number of processing days between receipt of final report and grant	< 107 for technical examinations & 112 for take-overs

Maintain good cooperation with the Examination offices

Objective 2021:	
<ul style="list-style-type: none"> • Organisation of the annual EO meeting • Organisation of one crop sector expert meeting per crop sector • Elaboration of new and/or revised CPVO Technical Protocols 	
Key Indicators	2021 Target
Coverage of applications by CPVO Technical Protocols	>90%
% of late reports	<5%

Quality Audit System

Objective 2021:	
<ul style="list-style-type: none"> • Carry out the foreseen number of audit visits, while applying the risk based audit strategy • Ensure availability of technical experts 	
Key Indicators	2021 Target
Number of surveillance procedures initiated	Three
Number of Audit Advisory Board consultations/objections	None
Number of unsolved issues in the cooperation reports	None
Number of Technical experts for next assessment	At least 30 experts appointed for 2021-23 and trained ¹⁶

Implement the R&D strategy

Objective 2021:	
<ul style="list-style-type: none"> • Improvement of quality and reduction of cost 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	2021 Target
% of finalized R&D projects leading to operational means or substantial information allowing improvement of variety testing procedures	90 %

¹⁶ The experts are appointed in one go, so there is no target for one specific year.

Reliable decisions

Objectives 2021: <ul style="list-style-type: none">• Present clearly and convincingly the position of the CPVO before the Board of Appeal, the Court of Justice of the European Union and ensure the deadlines are met.	
Key Indicators	2021 Target
% of legal decisions maintained	95%
% legal deadlines met	100%

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

Objective 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• Full cloud backup implementation	
Key Indicator	2021 Target
% of implementation of IT Masterplan	100%

b) Contribute to the enforcement of Community Rights

Objectives 2021: <ul style="list-style-type: none">• Support breeders with actions related to the enforcement of CPVRs in cooperation with the Observatory and other Institutions active in the field of enforcement of Intellectual Property Rights.• Continue cooperating with the EPO	
Key Indicator	2021 Target
Number of enforcement initiatives carried out	2

3.1.3. Making the CPVO strong in a strong Intellectual Property Network

a) Develop external communication

Objectives 2021: <ul style="list-style-type: none">• Develop external communication through various channels	
Key Indicators	2021 Target
Produce and publish relevant social media content	Average 250 posts on social media
Produce CPVO webinars	3 webinars
Newsletters	2
CPVO-led event with over 100 guests	1

b) International cooperation with strong IP actors –

Objectives 2021:	
<ul style="list-style-type: none"> • Support breeders with actions related to the enforcement of CPVRs in cooperation with the Observatory and other Institutions active in the field of enforcement of Intellectual Property Rights. • Continue cooperating with the EPO 	
Key Indicator	2021 Target
Number of participations to meetings and trainings / collaborations with other strong IP actors (UPOV, EPO, EUIPO)	10
Number of new partnerships	1

3.1.4. Promoting PVR, in Europe and Internationally

a) Promote the PVR System

Objectives 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	2021 Target
Number of projects with IP actors in third countries	6
Number of organisation of or participation to Open Days, public seminars, contributions to events with the "Maison de l'Europe", etc...	6

Annexes

Annex I. Overall resource allocation per activity

In addition to the budget (see Annex 2), the table below provides a breakdown of how staff resources are allocated. The categories of allocation correspond to the European Commission 'Screening Categories'.

Screening - position end 2019

Screening category	Screening sub-category	
Operational	Evaluation & impact assessment	2%
	General operational	14%
	Programme management & implem..	50%
	Top level operational coordination	2%
	Total	68%
Administrative support	Head of resources	2%
	HR management	8%
	ICT	2%
	Internal audit	2%
	Logistics	2%
	Total	16%
Coordination	Communication	4%
	Total	4%
Neutral	Neutral - finance and procurement	12%
	Total	12%
Grand Total		100%

Annex II. Financial Resources

Overall Expenditure 2021

Title	2021		2022	
	Commitment Appropriations	Payment Appropriations	Commitment Appropriations (n+1)	Payment Appropriations (n+1)
Title 1	8,787,000	8,787,000	9,031,000	9,031,000
Title 2	1,916,000	1,916,000	1,839,000	1,839,000
Title 3	9,335,000	8,620,000	10,270,000	9,670,000
Grand Total	20,038,000	19,323,000	21,140,000	20,540,000

2021 Commitments Budget

			2019	2020	2021	2021	2022	2023
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	7,052,271	7,820,000	8,302,000	6.2%	8,599,000	8,314,000
	E1200	Training	112,908	90,000	110,000	22.2%	61,000	116,000
	E1300	Travel	225,532	290,000	250,000	-13.8%	275,000	266,000
	E1400	Interim staff	97,388	100,000	80,000	-20.0%	50,000	52,000
	E1500	Assistance	27,176	40,000	40,000	0.0%	41,000	35,000
	E1700	Representation	3,959	10,000	5,000	-50.0%	5,000	5,000
		Total		7,519,235	8,350,000	8,787,000	5.2%	9,031,000
Title 2	E2000	Property	293,469	370,000	356,000	-3.8%	364,000	375,000
	E2100	IT expenses	472,881	800,000	800,000	0.0%	800,000	813,000
	E2200	Other equipment	19,541	60,000	55,000	-8.3%	34,000	37,000
	E2300	General admin	16,971	66,000	58,000	-12.1%	66,000	68,000
	E2400	Postage and telecom	69,835	95,000	92,000	-3.2%	90,000	98,000
	E2500	Meetings and notices	251,923	385,000	345,000	-10.4%	275,000	363,000
	E2600	Audit and evaluation	163,844	170,000	210,000	23.5%	210,000	224,000
		Total		1,288,466	1,946,000	1,916,000	-1.5%	1,839,000
Title 3	E3000	Examination office fees	8,690,993	9,000,000	8,055,000	-10.5%	8,900,000	9,070,000
	E3200	Examination reports	460,256	460,000	460,000	0.0%	450,000	450,000
	E3400	Publications	49,537	150,000	120,000	-20.0%	170,000	170,000
	E3500	Studies	493,643	400,000	500,000	25.0%	500,000	500,000
	E3600	Special advisors	114,022	200,000	200,000	0.0%	250,000	250,000
		Total		9,808,451	10,210,000	9,335,000	-8.6%	10,270,000
Grand Total			18,616,152	20,506,000	20,038,000	-2.3%	21,140,000	21,206,000

Payments Budget 2021

			2019	2020	2021	2021	2022	2023
			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	7,052,270.89	7,830,000.00	8,302,000.00	6.0%	8,599,000.00	8,314,000.00
	E1200	Training	112,908.48	90,000.00	110,000.00	22.2%	61,000.00	116,000.00
	E1300	Travel	225,531.82	290,000.00	250,000.00	-13.8%	275,000.00	266,000.00
	E1400	Interim staff	97,388.46	80,000.00	80,000.00	0.0%	50,000.00	52,000.00
	E1500	Assistance	27,176.08	40,000.00	40,000.00	0.0%	41,000.00	35,000.00
	E1700	Representation	3,959.09	10,000.00	5,000.00	-50.0%	5,000.00	5,000.00
	Total			7,519,234.82	8,340,000.00	8,787,000.00	5.4%	9,031,000.00
Title 2	E2000	Property	293,469.46	370,000.00	356,000.00	-3.8%	364,000.00	375,000.00
	E2100	IT expenses	472,881.15	800,000.00	800,000.00	0.0%	800,000.00	813,000.00
	E2200	Other equipment	19,541.40	60,000.00	55,000.00	-8.3%	34,000.00	37,000.00
	E2300	General admin.	16,971.43	66,000.00	58,000.00	-12.1%	66,000.00	68,000.00
	E2400	Postage and telecom	69,835.21	95,000.00	92,000.00	-3.2%	90,000.00	98,000.00
	E2500	Meetings and notices	251,923.28	395,000.00	345,000.00	-12.7%	275,000.00	363,000.00
	E2600	Audit and evaluation	163,844.36	170,000.00	210,000.00	23.5%	210,000.00	224,000.00
	Total			1,288,466.29	1,956,000.00	1,916,000.00	-2.0%	1,839,000.00
Title 3	E3000	Examination office fees	6,881,065.25	8,400,000.00	7,500,000.00	-10.7%	8,300,000.00	8,100,000.00
	E3200	Examination reports	441,936.00	440,000.00	420,000.00	-4.5%	450,000.00	420,000.00
	E3400	Publications	35,659.27	150,000.00	80,000.00	-46.7%	170,000.00	84,000.00
	E3500	Studies	167,252.48	500,000.00	420,000.00	-16.0%	500,000.00	300,000.00
	E3600	Special advisors	42,195.24	200,000.00	200,000.00	0.0%	250,000.00	150,000.00
	Total			7,568,108.24	9,690,000.00	8,620,000.00	-11.0%	9,670,000.00
Grand Total			16,375,809.35	19,986,000.00	19,323,000.00	-3.3%	20,540,000.00	19,820,000.00

Revenue

REVENUES	General revenues				
	Executed Budget 2019	Budget 2020	Draft Budget 2021		VAR 2021/2020 (%)
			Agency request	Budget forecast	
1 REVENUE FROM FEES AND CHARGES	17,671,918	19,130,000	18 910 000		-1.1%
2 EU CONTRIBUTION	-	-	-		0%
<i>- Of which assigned revenues deriving from previous years' surpluses</i>	-	-	-		0%
3 THIRD COUNTRIES CONTRIBUTION (incl. EEA/EFTA and candidate countries)	-	-	-		0%
<i>- Of which EEA/EFTA (excl. Switzerland)</i>	-	-	-		0%
<i>- Of which candidate countries</i>	-	-	-		0%
4 OTHER CONTRIBUTIONS					0%
5 ADMINISTRATIVE OPERATIONS	52,792	100,000	150,000		50%
<i>- Of which interest generated by funds paid by the Commission by way of the EU contribution (FFR Art. 61)</i>					0%
6 REVENUES FROM SERVICES RENDERED AGAINST PAYMENT					0%
7 CORRECTION OF BUDGETARY IMBALANCES	- 1,348,900	756,000	263 000		-65%
TOTAL	16,375,809	19,986,000	19 323 000		-3.3%

Annex III. Human Resources- Quantitative

		2019 - Est. Plan			2020 - Revision			2021 - Est. Plan*			2022 - Est. Plan*		
		FO	TA	Grand Total	FO	TA	Grand Total	FO	TA	Grand Total	FO	TA	Grand Total
AD	16	-	-	-	-	-	-	-	-	-	-	-	-
	15	-	1	1	-	1	1	-	1	1	-	-	-
	14	1	-	1	1	-	1	1	-	1	1	1	2
	13	1	-	1	1	1	2	1	2	3	1	2	3
	12	-	2	2	-	1	1	-	-	-	-	-	-
	11	-	-	-	1	-	1	1	-	1	1	-	1
	10	2	1	3	1	2	3	1	2	3	1	3	4
	9	1	1	2	-	2	2	-	2	2	-	2	2
	8	-	2	2	-	1	1	-	1	1	-	-	-
	7	-	-	-	-	2	2	-	4	4	-	4	4
	6	-	4	4	-	4	4	-	3	3	-	6	6
	5	-	-	-	-	-	-	-	-	-	-	-	-
	Total		5	11	16	4	14	18	4	15	19	4	18
AST	11	-	-	-	-	-	-	-	-	-	-	1	1
	10	2	3	5	1	3	4	1	2	3	1	2	3
	9	-	3	3	-	4	4	-	4	4	-	4	4
	8	-	2	2	-	2	2	-	2	2	1	2	3
	7	2	4	6	2	6	8	2	7	9	1	8	9
	6	-	9	9	-	5	5	-	4	4	-	2	2
	5	-	2	2	-	3	3	-	3	3	-	3	3
	4	-	1	1	-	2	2	-	1	1	-	1	1
	3	-	1	1	-	-	-	-	-	-	-	-	-
	2	-	-	-	-	-	-	-	-	-	-	-	-
	1	-	-	-	-	-	-	-	-	-	-	-	-
Total		4	25	29	3	25	28	3	23	26	3	23	26
Grand Total		9	36	45	7	39	46	7	38	45	7	41	48

The establishment plan 2020 has been revised to allocate an additional (temporary) post for recruitment prior to a retirement in 2021. For 2021, no increases are foreseen pending the evolution of the COVID crisis, and for 2022, increases are foreseen to allow for a conversion of contractual agent posts to temporary agents

Annex IV. Human Resources – Qualitative

Recruitment Policy

Of the 45 posts in the Establishment Plan for the year 2019, 16 posts are in category AD and 29 in the AST category. There is a total of 9 permanent posts and 36 temporary posts. The CPVO deviates from the Commission Communication COM(2013) 513 which required a reduction in establishment plan to 43 posts. This deviation has been approved by the budget authority (the Administrative Council).

The 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.

On 31 December 2019, 44 posts in the Establishment Plan were occupied.

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.

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)
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 2¹⁷

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.

¹⁷ The Administrative Council has in the past taken note of the CPVO aim to reduce the number of AST and SC posts and replacement with using contract agents, thereby freeing up the establishment plan for AD posts. In this regard, all AST retirements shall be reviewed in detail to determine the most appropriate level for republishing. If the tasks cannot be eliminated, then the possibility of replacing AST with SC shall be considered. Current turnover is very low.

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 two contract agents (replacements of contracts ended in 2018) who took up employment in 2018 for one and early January 2019 for the second. These contracts are for three years. 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. An SNE has also started work in the Technical Unit of the CPVO in January 2020.

Structural service providers

The CPVO, following the recommendations of the European Court of Auditors, has reduced the use of *intra muros* structural service providers in 2019 from 1.5 to 0.5.

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 Staff Regulations, which entered into force on 1 January 2014. All temporary agents' posts are all

subject to the reclassification rules (with the exception of the President and Vice President). Contract agents also are subject to reclassification rules, but these will not be applied before 2020 at the earliest.

The general principle of the CPVO is that the speed to get a promotion follows the average time indicated in the Staff Regulation that members of staff should remain in a grade before getting a promotion. However, as the word "average" indicates, there is room for the Office to award faster promotions for staff performing on a very high level and at the same time leave staff in a grade longer than the average if the performance is less than expected. The staff regulations allow for such an approach and the Office finds it reasonable to encourage hard work with the prospect of getting a faster promotion. Taking into account the size of the Office, there some years where there are more promotions than in other years.

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 2019 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 2019. This represents 16% of the staff in total. 1 of those (1 AD) was in the segment in which the average rate laid down in **Annex I B** of the new Staff Regulations is 33%. 6 of those (6 AST) were in the segment in which the average rate laid down in **Annex 1 B** of the new Staff Regulation is 25%. One AST colleague benefited from the Senior Assistant procedure, allowing a senior AST9 colleague to apply for an AST10 post. In this particular case, the staff member spent 7 years in the same grade, compared to the 12.5 years of the average rate laid down in **Annex I B** of the new Staff Regulations (8%).

Category and grade	Staff in activity at 31/12/2019		Number of staff members promoted / reclassified in 2019		Years in grade before reclassification/promotion	Average career path
	Officials	Temporary Agents	Officials	Temporary Agents		
AD 16						
AD 15		1				
AD 14						
AD 13	1					
AD 12	1	2		1	4 years	4 years
AD 11						
AD 10	1					
AD 9	1	1				
AD 8		3		1	2 years 9 months	3 years
AD 7						
AD 6		4				
AD 5						
Total AD	4	11				
AST 11						
AST 10		1		1	Senior Assistant procedure – 7 years	13 years (12.5)
AST 9	2	5				
AST 8		2		1	3 years	4 years
AST 7	2	3	1	2	4/3/4 years	4 years
AST 6		6		1	4 years	4 years
AST 5		6				
AST 4		1				
AST 3		1				
AST 2						
AST 1						
Total AST	4	25		7		
Total	8	36	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.

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 9 permanent posts (one person on non paid leave) 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

As regards the gender balance in management positions on AD level (presidency and heads of units) both the President and the vice-President are men. These posts are not appointed by the CPVO but by the Council on a proposal from the Commission. There are two heads of units at the Office, both are men. The CPVO considers it an important objective to address this unbalanced situation. Factors that have made it hard to achieve this objective for the CPVO appointing authority is the low turnover on these posts and the low/no number of females applying for the posts in question. An overview of the gender balance at the CPVO is found below.

Gender balance CPVO Staff 2019 (staff in post 31/12/2019)

		Official		Temporary Agent		Contract Agent		Grand Total	
		Staff	% Total	Staff	% Total	Staff	% Total	Staff	% Total
Administrator Level	Female	1	2.0%	6	12.0%			7	14.0%
	Male	3	6.0%	5	10.0%	4	8.0%	12	24.0%
Assistant Level	Female	3	6.0%	18	36.0%	1	2.0%	22	44.0%
	Male	1	2.0%	7	14.0%	1	2.0%	9	18.0%
Grand Total		8	16.0%	36	72.0%	6	12.0%	50	100.0%

Geographical balance

Nationality balance CPVO Staff 2019 (staff in post 31/12/2019)

	Official		Temporary Agent		Contract Agent		Grand Total	
	Staff	% Total	Staff	% Total	Staff	% Total	Staff	% Total
BE			1	5.3%	1	5.3%	2	10.5%
DE	1	5.3%	1	5.3%			2	10.5%
ES	1	5.3%	1	5.3%	1	5.3%	3	15.8%
FR	1	5.3%	4	21.1%	1	5.3%	6	31.6%
IE	1	5.3%					1	5.3%
IT			2	10.5%			2	10.5%
PL			1	5.3%			1	5.3%
RO					1	5.3%	1	5.3%
SE			1	5.3%			1	5.3%
Grand Total	4	21.1%	11	57.9%	4	21.1%	19	100.0%

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 (including contract agent group IV) only. This reflects that accepted practice in all institutions that nationality diversity is more relevant and stringent for AD staff than AST Staff

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.

Annex V. Buildings

	Name, location and type of building	Other Comment
	3 Boulevard Foch, Angers	Presidency, Legal, Procurement & Logistics, communication, HR, Registry to the BoA
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 of building	Other Comment of building
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 of building	Other Comment of building
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 has been 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 retroactive 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 2019. 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.

List of CPVO risks updated in 2019

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.
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.
R15	Serious malfunctioning of core-business IT Systems	Downtime of back-office systems could create backlogs or a system error could potentially impact many users (e.g.: a wrong system validation affecting all IP rights) which might impact: <ul style="list-style-type: none"> - recovery resources - KPIs - deadlines, leading to not achieving the SLAs and have legal consequences, as well as damage the Office's reputation.
R16	Cyber-attacks to access confidential information	As the Office provides more services, manages more confidential information, this increases the possibility of suffering "cyber-attacks" trying to gain access to this confidential information. These attacks are aimed at attacking both systems and people, taking advantage of technical vulnerabilities or trying to gain access to key personnel's credentials, emails, information and so on.
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.
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	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: <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.
R48	Entrustment requirements	Due to the flexibility initially built into the entrustment requirements grey areas exist, which leave room for interpretation. This could lead to the situation that a non-conformity, even though considered justified, is not given, as it is not sustained by the entrustment requirements or if given could be challenged through an appeal.
R49	QAS Expert's experience	Assessment decisions may be inaccurate. This can be particularly the case with variety collections if the QAS Expert, assisting the QAS team leader, lacks experience and not all varieties are considered when deciding on distinctiveness.

Action plans to mitigate the risks:

Risk 1: Further increase participation in the Observatory to organize conferences and create actions tailor made to the CPVO.

Risk 9: BIA and BCP revision are ongoing with PwC. SAAS and IAAAS are planned. Training to be carried out. Communication on BCP. Run BCP exercises. Further training on BCP.

Risk 15: Could initiative in progress. Complete review and check of the systems and provide training to staff.

Risk 16: Training of staff on IT security. Create awareness about potential scams and social engineering techniques.

Risk 20: Currently moving to Sysper. Full management of salaries by PMO.

Risk 22: Evaluation of the Cascade system for new FwC ongoing. Standard conflict of interest policy for all staff (internal/external). Screening of external staff (either in-house, or at least requested contractually to the provider).

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

Risk 34: Materialization of working processes. Knowledge retention : establish documentation taking into account experience and good practices. Knowledge transfer to new staff. Policy for replacement/succession planning.

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

Risk 41: Currently drafting of the external communication strategy. Internal communication group is revising internal communication strategy. Regular meetings with stakeholders and close contacts with clients. Increase communication to general public and NGOs.

Risk 40: Closer cooperation between the CPVO and EPO with the following aims; to ensure that the institutions well understand each other's systems and the subject matter protected; and to organize training among both institutions' staff. Promote awareness and provide information to stakeholders through website and seminars. Continuous improvements of the system to make it more attractive.

Risk 42: PM training for all staff planned. Require that Project Boards approve Go-live. Change management: Exhaustiveness in the choice of people for training. Training tailored to needs. Pay attention to R&D projects.

Risk 46: Revise processes and administrative burden. Streamlining of processes (Business Process Reengineering) and re-organisation of work. Raise awareness – Information sessions – for staff and management.

Risk 47: Watch the progress of the Brexit process especially with focus on losing expertise and increase of cost for breeder associations.

Risk 48: Revise the entrustment requirements.

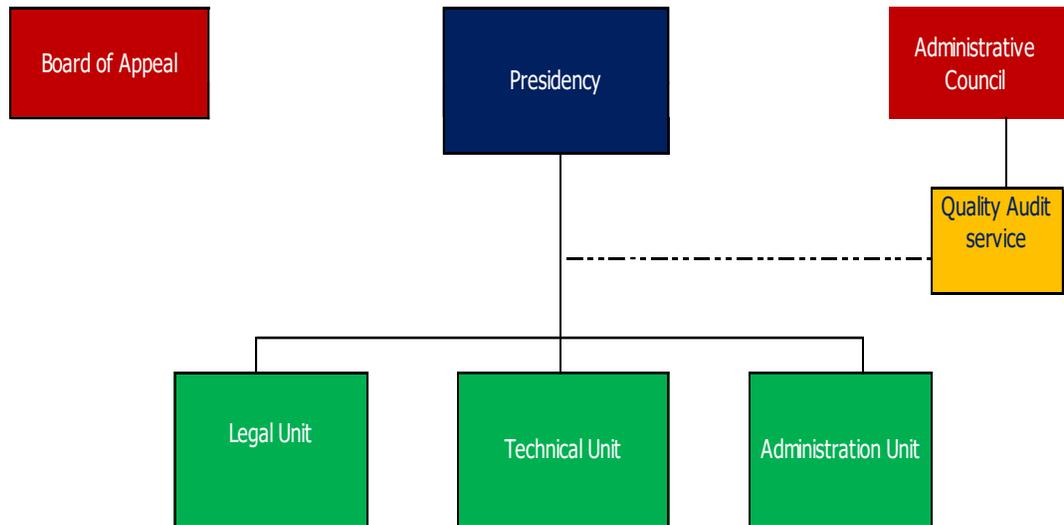
Risk 49: Revise expert selection criteria.

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
2021			
	Mobile phones	Negotiated	45 000
	Phone Centrex	Negotiated	85 000
	Internet Access Fiber	Negotiated	60 000
	Banking services	Negotiated	25 000
	Provision of electricity	Negotiated	100 000
	Provision of gas	Negotiated	48 000
2022			
	IT infrastructure en régie	Open	300 000
	Cleaning of premises	Negotiated	140 000
	Language training	Negotiated	144 000
	Maintenance of security equipment	Negotiated	40 000
2023			
	Copiers	Negotiated	65000

Annex IX. Organisation Chart



There are 4 staff (permanent officials, temporary agents and contract agents) in Presidency, 18 in the Administration Unit, 9 in the Legal unit and 18 in the technical unit (see Annex IV above for details).