

ADMINISTRATIVE COUNCIL OF THE CPVO

Angers, 19 March 2019

Main conclusions

1. Opening of the meeting and approval of the draft agenda (DOC-AC-2019-1-1)

The Chairperson of the AC declared the agenda adopted with one addition from Germany under Any Other Business.

2. Consolidated Annual Activity report 2018

- 1 - The AC members took note of the reporting part of the Annual Activity Report for 2018: management report, statistics, social and financial reports and Provisional Annual Accounts 2018.
- 2 – They welcomed the recruitment of new staff with view of transfer of knowledge and acknowledged the overall heavy workload of the CPVO.
- 3 - The AC members unanimously adopted the AC Analysis and Assessment to be signed by the Chairperson of the AC.
- 4 - The AC members unanimously adopted the discharge of the President of the CPVO for the budget year 2017.

3. Preliminary Draft budget (PDB) 2020 (DOC-AC-2019-1-3 + annex)

The AC members took note of the Preliminary Draft Budget for 2020. The AC members were fully aware of the staffing issue and would support the current situation when adopting the 2020 budget, including the establishment plan for 2020.

4. Fees Regulation update (DOC-AC-2019-1-4 + 4 annexes)

- 1- The AC members expressed unanimously in favour of **option 1**, 100 % costs recovery of the real examination costs and annual fees unchanged, for the **period 2020-2023**.
- 2- They agreed to amend five articles and annex of the Fees Regulation as proposed by the CPVO, taking into account the change of the proposal regarding article 7.
- 3- They took note of DOC-AC-2019-1-4-Annex 4 detailing the Costs Calculation Exercise.
- 4- They invited the European Commission to update the Fees Regulation in line with the changes proposed to the text and the chosen option for fee changes for the period 2020-2023.
- 5- Finally, they acknowledged the setting up of a working group to consider amongst other cost related aspects the specific situation of fruit crops' breeders for the following period (2024 onwards).

5. AC Opinion on Draft Single Programming Document (DOC-AC-2019-1-5 + annex)

The AC members took note of the draft Single Programming Document for 2020-2022, to be adopted in September 2019. Comments may be sent to the CPVO by 2 April 2019.

6. Appointment of a new member to the R&D Advisory Group (DOC-AC-2019-1-6 + 3 annexes)

The AC members unanimously appointed Mr Dennis Eriksson as member of the R&D Advisory Group, with abstention of Sweden.

7. Appointment of a Reporting Officer for the President's evaluation (DOC-AC-2019-1-7)

The AC members unanimously appointed Mr van Goethem, as Reporting Officer for the appraisal of the President of the CPVO. Mr M. Valstar (Vice Chairperson) remains the second reporting officer and Mrs B. Pavlovska (Chairperson), the appeal officer.

8. Decision on the adoption of CPVO Technical Protocols (DOC-AC-2019-1-8 + 8 annexes)

1 - The AC members unanimously adopted the two new technical protocols presented for *Vicia faba* L. var. *equina* St.-Amans; *Vicia faba* L. var. *minuta* (hort. ex Alef.) Mansf. (CPVO-TP/008/1) for an entry into force on 1/6/2019 and *Sorghum bicolor* (L.) Moench; *Sorghum ×drummondii* (Steud.) Millsp. & Chase (CPVO-TP/122/1) for an entry into force of 1/8/2019.

2 - The AC members unanimously adopted the six revisions of existing technical protocols presented for *Triticum aestivum* L. (CPVO-TP/003/5), for *Lolium perenne* L.; *Lolium multiflorum* Lam. spp. *italicum* (A. Br.) Vokart- *Lolium multiflorum* Lam. ssp. *non alternativum* - *Lolium multiflorum* Lam. var. *westerwoldicum* Wittmt - *Lolium multiflorum* Lam. ssp. *Alternativum* - *Lolium boucheanum* Kunth - *Lolium x hybridum* Hauskn - *Lolium rigidum* Gaudin (CPVO-TP/004/2), for *Hordeum vulgare* L. (CPVO-TP/019/5), for *Prunus salicina* Lindl (CPVO-TP/084/3), for *Cichorium intybus* L. var. *foliosum* Hegi (CPVO-TP/154/1 Rev) and for *Cucumis sativus* L. (CPVO-TP/061/2 Rev. 2.)

9. Decision of the AC on a decision process to be applied when attributing candidate varieties to Examination Offices (DOC-AC-2019-1-9+ annex)

The AC members unanimously adopted decision process to be applied by the CPVO when attributing candidate varieties to Examination Offices with the highlight proposed for small species. The decision comes into force on 20 March 2019.

10. QAS Decisions (DOC-AC-2019-1-10)

10.1. Recommendations to entrust Examination Offices (DOC-AC-2019-1-10a)

The AC members adopted the four recommendations put forward by the Audit Team Leader for Ireland (Department of Agriculture Food and the Marine), Austria (Bundesamt für Ernährungssicherheit (AGES)), Greece (Hellenic Ministry of Rural Development and Food) and Italy (CREA-OFA-Roma and CREA-VE).

10.2. Conditional entrustment CREA-OFA (DOC-AC-2019-1-10.b)

The AC members confirmed the continued entrustment of CREA-OFA for five *Eucalyptus* species under the conditions defined in an action plan established between CPVO and CRE-OFA. Italy abstained to vote.

10.3. Approval of additional QAS Technical Experts for 2019-2021 (DOC-AC-2019-1-10.c + annex)

The AC members adopted the inclusion of three new QAS technical Experts to the list of qualified members for the 2019-2021 cycle, with abstention from France, Italy and Hungary.

The AC members adopted the Quality Audit Service review report for 2018.

12. Research and Development (R&D)

12.1 Ongoing and new projects (DOC-AC-2019-1-12a)

The AC members took note of the report and the update on ongoing and new R&D projects.

12.2 Horizon 2020 – Update on the INVITE project (DOC-AC-2019-1-12b.)

The AC members took note of the state of play of the INVITE project.

12.3 Revision of CPVO IMODDUS Strategy paper (DOC-AC-2019-1-12c. + annex)

The AC members endorsed the revision of the CPVO IMODDUS Strategy paper.

13. Cooperation CPVO-European Patent Office (EPO) (DOC-AC-2019-1-13+2 annexes)

The AC members took note of the state of affairs of the cooperation between European Patent Office (EPO) and CPVO.

14. Update on Brexit related issues (oral presentation)

The AC members took note of the state of affairs as regards Brexit.



15. Update CPVO International Relations Strategy (DOC-AC-2019-1-15a and 15b + annex)

1 - The AC members took note of the update on the CPVO International Relations Strategy.

2 - The AC members gave mandate to the CPVO to explore administrative possibilities to offer financial support to beneficiary countries under one of the EU funding instruments for international cooperation and development by means of scholarship to attend specialised PVR university courses in cooperation with Member States. They also asked the CPVO to get back to the AC in autumn with details on the time and resources invested in the implementation of the IPKey projects.

16. Update on the joint CPVO-Commission IT project (DOC-AC-2019-1-16)

The AC members took note of the update on the joint CPVO-Commission IT project.

17. Ombudsman procedure (DOC-AC-2019-1-17)

AC members took note of the recommendation of the European Ombudsman of 7 June 2018 and follow-up given by the CPVO to the action brought to the European Ombudsman on 16 February 2016 by a former staff member of the CPVO.

18. Amendment of the policy on plant material submitted for DUS tests (DOC-AC-2019-1-18 + annex)

The AC members unanimously adopted the amendment of the CPVO policy on the status of plant material used for DUS Testing Purposes.

19. Annual Meeting with Examination Offices 2018 - Minutes (DOC-AC-2019-1-19 + annex)

The AC members took note of the report of the annual Meeting with Examination Offices (MEOs) 2018 and the date of the forthcoming meeting: 5-6 December 2019.

20a. AOB1 - Seconded National Experts – Call for expression of interest

The AC members took note of the CPVO call for expression of interest for SNEs.

20b. AOB2 - Court judgement on some specific new breeding technics

The AC members took note of the state of play as regards the implementation of the judgment on breeding technics and are encouraged to send input in writing.

21. Draft Agenda of next AC meeting (DOC-AC-2019-1-21)

AC members and observers were invited to add items to the draft agenda for the next meeting. They took note that Mr Lv Bo, Chinese 'attaché' in Brussels, has been approached to give a presentation at that occasion.

22. Feedback on the new registration platform

AC members and observers were invited to give feedback if and when necessary.

The Chairperson of the AC confirmed that next AC meeting would take place on 18 September 2019 in Brussels

