

ADMINISTRATIVE COUNCIL OF THE CPVO

Angers, 4 October 2017

Main conclusions

1. Opening of the meeting and approval of the draft agenda

The Chairperson of the AC declared the agenda adopted as initially proposed with only limited changes in the topics' order.

2. CONFIDENTIAL: Election of AC Chair and Vice-Chair (DOC-AC-2017-2-2-EN + Annex)

2.1. Election of Chair of the AC for the period 4/10/2017-03/10/2020

Mrs Bistra PAVLOVSKA from Bulgaria was appointed Chairperson of the AC for 3 years, starting from 4 October 2017.

2.2. Election of Vice-Chair of the AC for the period 4/10/2017-03/10/2020

Mr Marien VALSTAR from The Netherlands was elected Vice-Chairperson of the AC for 3 years, starting from 4 October.

3. Appointment of rapporteurs for appraisal of President and Vice-President (DOC-AC-2017-2-3)

Mr Ladislav Miko and Mr Marien Valstar as well as Mrs. Dorothée André and Mr Marien Valstar were appointed by the members of the AC to perform the evaluations of the President and Vice-President of the CPVO respectively. Mrs. Bistra Pavlovska, as Chair of the AC, was appointed as appeal officer for both the President and the Vice President.

4. CONFIDENTIAL: Vote on shortlist for the appointment of Chair of the Board of Appeal (DOC-AC-2017-2-4-EN + 2 annexes)

Restricted to AC members.

5. Update on recent developments ((DOC-AC-2017-2-5-EN + annex)

The AC members took note of the President's report and of the statistics for 2017.

6. Evaluation of CPVO External Communication activities (DOC-AC-2017-2-6-EN + 2 annexes)

The AC members took note of the ICF evaluation study of CPVO external communication activities. They were informed of the recommendations made by ICF and welcomed that the CPVO had already some ideas on the possible follow-up to be given; the first one being the drafting of a CPVO communication strategy which could be adopted in 2018.

7. Draft Budget 2018 for approval (DOC-AC-2017-2-7-EN + annex)

The AC members adopted the Draft Budget for 2018 as proposed with an Establishment plan of 45 posts for 2018.

8. Revisions of the 2017 budget for approval (DOC-AC-2017-2-8-EN + annex)

The AC members adopted the revision of the 2017 budget as proposed with an update of the establishment plan and no change to any budget amount.

9. Brexit and potential effects on the EU PVP system (DOC-AC-2017-2-9-EN)

The AC members took note of the report on the potential effects of Brexit on the PVR system given that the CPVO possible actions would highly depend on the outcome of the negotiations taking place.

10. Entrustment of Examination offices following extraordinary new species procedure 2017-B (DOC-AC-2017-2-10-EN + annex)

The AC members unanimously entrusted the 6 EOs proposed in the framework of the extraordinary New Species Procedure, carried out further to Brexit, for 322 botanical taxa listed in the Annex of document 10 as modified for proposal 217/2017.

11. Decision on the recommendations to entrust Examination Offices (DOC-AC-2017-2-11-EN)

The AC members adopted the eight recommendations put forward by the Audit Team Leader for Croatia (Croatian Centre for Agriculture Food and Rural Affairs), Poland (COBORU), Slovakia (UKSUP), Germany (BSA), Czech Republic (UKZUZ), Estonia (Agricultural Research Center), Portugal (DGAV) and Bulgaria (Executive Agency for Variety Testing, Field Inspection and Seed Control).

12. Appointment of the Chair of the Audit Advisory Board (DOC-AC-2017-2-12-EN)

The AC members appointed Mr G. Dancet as Chair of the Audit Advisory Board until end 2018.

13. Potential payment of annual fees in advance (DOC-AC-2017-2-13-EN + annex)

The AC members took note of the discussion paper presented by the CPVO on potential payment of annual fees in advance to answer a request from breeders' organisations. The AC members asked the CPVO for some feedback at next meeting after the exchanges with the breeders' organisations had taken place.

14. Cost calculation exercise (DOC-AC-2017-2-14-EN + 3 annexes)

The AC members took note of the discussion paper and its annexes. They expressed in favour of the second option proposed by the CPVO to keep both comitology approach and public consultation with an entry into force of the new examination fees six months after their publication in the Official Journal.

15. EU PVR and Patents (DOC-AC-2017-2-15-EN + 3 annexes)

The AC members took note of the state of affairs of the CPVO-EPO cooperation.

16. Cooperation CPVO and EUIPO: state of affairs (DOC-AC-2017-2-16-EN + 2 annexes)

The AC members took note of the state of affairs of the CPVO-EUIPO cooperation.

17. Appointment of a new member for the R&D Advisory Board by the AC

The Chairperson of the AC invited the Member States wishing to propose a candidate for the post of AC representative in the R&D Advisory Board to contact the CPVO by the end of October.



18. Compulsory license request (DOC-AC-2017-2-18-EN)

The Chairperson of the AC asked for volunteers from member States to be members of the AC assessment team of the first compulsory licence request. The Netherlands, Germany, Sweden, Czech Republic and Denmark volunteered. The material would be uploaded in the AC restricted area and confidentiality shall be respected. In March 2018, the team would present the outcome of its work followed by a vote.

19. Adoption of CPVO Strategic Plan 2017-2021 (DOC-AC-2017-1-19-EN + annex)

The AC members adopted at unanimity the strategic plan 2017-2021.

20. Adoption of Single Programming Document (DOC-AC-2017-1-13-EN + 19 annexes)

The AC members adopted at unanimity the Single Programming Document.

21. Decision on CPVO international strategy (DOC-AC-2017-2-21-EN + 3 annexes)

The AC members adopted at unanimity the CPVO International Strategy.

22. Decision on seconded national experts (DOC-AC-2017-2-22-EN + annex)

The adoption of the decision was postponed in order for the Commission to propose a draft amending text to Article 17 as regards the need to request pay slips prior but also during the secondment. The decision will be adopted afterwards by written procedure.

23. Adoption of Internal Control Standards (DOC-AC-2017-2-23-EN + annex)

The AC members adopted at unanimity the Internal Control Standards pending an update in terminology.

24. Adoption of amendments to the Policy on prevention and management of conflict of interest (DOC-AC-2017-2-24-EN + annex)

Item postponed.

25. Adoption of new and revised CPVO-TPs (DOC-AC-2017-2-24-EN + 5 annexes)

The AC members unanimously adopted the 5 technical protocols presented for (New protocols): Abelia R.Br (CPVO-TP/Abelia), Aglaonema Schott (CPVO-TP/Aglaonema), Cordyline Comm. Ex R. Br. (CPVO-TP/317), Salvia L. (CPVO-TP/316 including the change presented for page 7, and (Revised protocol): Freesia L. (CPVO-TP/27/2).

26. Satisfaction survey AC meeting March 2017

The AC members took note of the satisfaction survey regarding the March 2017 meeting and its follow-up proposed among which encouraging better interaction, propose a draft agenda for the following meeting for possible inclusion of items of interest, stick to one meeting per year in Brussels (or else with similar access facilities) and the other one in Angers to enable connections with CPVO staff. The video-conferencing tool may also be envisaged.

27. Report on the work of IMODDUS and the R&D sector (DOC-AC-2017-2-27-EN)

The AC members took note of the report and would appreciate an update at next meeting.

28. 2016 Internal Audit Report (DOC-AC-2017-2-27-EN + 2 annexes)

The AC members took note of the 2016 Internal Audit Report and that the Commission, which expressed concerns about some of the weaknesses, would send written comments and expects follow-up from the AC.



29. The Commission/CPVO project on a single EU IT System on plant varieties (DOC-AC-2017-2-29-EN + annex)

The AC members took note of the state of affairs of the ad-hoc working group commonly organized with the EU Commission and composed of EOs, breeders' organisations, Member States representatives, Copa-Cogeca, IFOAM and ECO-PB to explore possibilities to develop a unique IT based contribution system to a database for plant varieties in the EU. The AC members acknowledged the importance of that project for the Members States and were looking for the next steps.

30. Resolution adopted by the ACP-EU Joint Parliamentary Assembly on 21/12/2016 (DOC-AC-2017-2-30-EN+ annex)

The AC members took note of the information provided. The CPVO and UPOV will join forces to show commitment to the UPOV 91 convention and how it could be implemented in various countries.

31. Revision of Variety denominations Guidelines and Explanatory Note (DOC-AC-2017-2-31-EN)

The AC members took note of the information and wait for the conclusions in March 2018.

32. Draft agenda of next AC meeting in Angers, 21-22 March 2018 (DOC-AC-2017-2-32-EN)

The Chairperson of the AC invited the AC members and observers to send their proposals in writing to the CPVO for items to be included on agenda of the March 2018 meeting.

