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**INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS**  
GENEVA

**COUNCIL**

**Forty-Second Ordinary Session**  
**Geneva, October 30, 2008**

**MEASURES TO IMPROVE THE EFFICIENCY, EFFECTIVENESS  
AND TIME FLEXIBILITY OF THE UPOV SESSIONS**

*Document prepared by the Office of the Union*

1. The Consultative Committee, at its seventy-fifth session, held in Geneva on the afternoon of April 10, 2008, and on the morning of April 11, 2008, endorsed measures to improve the efficiency, effectiveness and time flexibility of the UPOV sessions and agreed that those new measures should be reported to the Council at its forty-second ordinary session (C(Extr.)25/10 "Report"). The new measures agreed by the Consultative Committee are as follows:

*Time flexibility prior to the approval of the calendar of meetings by the Council*

2. The agendas for the sessions of the Council, the Consultative Committee, the Administrative and Legal Committee (CAJ) and the Technical Committee (TC) are, in general, discussed by the relevant bodies at their preceding sessions and are approved by the Council at its ordinary sessions.

3. In order to improve the efficiency of the UPOV sessions, the relevant bodies are requested to estimate the time required for discussion of the items on their agendas. These time requirements will be reflected in the calendar of meetings approved by the Council.

*Time flexibility after the approval of the calendar of meetings by the Council*

4. In some cases, the agendas, or time required for discussion of the agenda items, may change after the approval of the calendar of meetings by the Council. In such cases, the

Office of the Union, in consultation with the President of the Council and the Chairpersons of the relevant bodies, is provided with a degree of flexibility to determine the duration of the individual UPOV sessions.

5. In general, such time flexibility will concern flexibility for the length of the individual sessions, based on the particular agendas for those sessions, within the scheduled meeting dates of the calendar approved by the Council and any changes to the timing of the sessions will be notified as soon as possible.

6. However, the Office of the Union, in consultation with the relevant President/Chairpersons, will have the possibility to cancel individual sessions where it becomes apparent that there are no matters to be discussed.

7. In the particular case of extraordinary sessions of the Council, the following procedure would apply:

Where an extraordinary session of the Council and the corresponding session of the Consultative Committee is only required to consider possible requests for examination of laws:

(a) if it becomes apparent that no requests for examination of laws are likely to be received, the Office of the Union will inform the President of the Council accordingly; and

(b) in consultation with the President of the Council, an electronic notification for the cancellation of the extraordinary session of the Council and corresponding session of the Consultative Committee will be sent to the recipients of invitations for such sessions.

#### *Preliminary Examination and Examination of Laws*

8. In recognition of the importance of receiving comments on laws, including those from observers, prior to the preliminary examination of those laws by the Consultative Committee, the following approach will be taken:

(a) the Council document containing the law and its analysis will be posted on the Council section of the UPOV website (unrestricted area) and its posting will be notified to members and observers to the Council, with an invitation for comments;

(b) the comments received will be posted on the Consultative Committee section of the UPOV website (second restricted area);

(c) at the Consultative Committee session, time will be provided for an overview of the document and the Consultative Committee will be invited to discuss those comments received in advance and those comments raised at the Consultative Committee session; and

(d) at the Council session, no overview of the document will be provided and only the recommendations of the Consultative Committee will be presented.

*Mailing concerning the UPOV sessions*

9. The time required for printing postal mailings of the invitations to the UPOV sessions, and the time which needs to be allowed for their receipt, reduces the flexibility for the Office of the Union to respond to developments. Therefore, the convocation of the UPOV sessions and the corresponding notification, referred to in Rule 4 of the Rules of Procedure of the Council of October 15, 1982 (document UPOV/INF/7), will be made by electronic means exclusively and no longer by postal mailing.

10. In relation to Rules 35(2) and 37(5) of the Rules of Procedure of the Council, if draft reports on the sessions of the relevant UPOV bodies are not available at the end of the sessions, they will be provided to each participant by electronic mail exclusively and will no longer be distributed by postal mailing.

11. The measures in paragraphs 9 and 10 will mean that the Office of the Union will no longer be required to distribute any communications concerning the UPOV sessions by postal mailing.

*12. The Council is invited to note the new measures agreed by the Consultative Committee to improve the efficiency, effectiveness and time flexibility of the UPOV sessions as presented in this document.*

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