



**C/30/11 Add. 2**

**ORIGINAL:** French

**DATE:** October 18, 1996

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

**COUNCIL**

**Thirtieth Ordinary Session**  
**Geneva, October 23, 1996**

SECOND ADDENDUM TO DOCUMENT C/30/11

(REPORTS BY REPRESENTATIVES OF STATES AND ORGANIZATIONS  
ON THE SITUATION IN THE LEGISLATIVE, ADMINISTRATIVE  
AND TECHNICAL FIELDS)

*Document prepared by the Office of the Union*

The annexes to this document contain the reports from Spain and Portugal.

[Two annexes follow]

ANNEX I

SPAIN

Situation in the Legislative Field

The preparatory work for the revision of the Plant Variety Protection Law has progressed during the past year. The first draft of a draft Bill to be submitted to the various interested circles for comments has been finalized recently. That document provides for a system that is in line with the 1991 Act of the Convention, with various aspects being treated as in Regulation No. 2100/94 of the European Union.

The fees were increased by 3.5% on January 1, 1995, through the Law on the National Budget. New regulations are being prepared to change the amount of the fees, essentially to cover the operating costs through the incoming fees.

Five orders of the Ministry for Agriculture, Fisheries and Food established the possibility of granting protection in Spain for varieties whose breeders or successors in title are natural or legal persons having their place of residence or registered office in Australia, Austria, New Zealand, Portugal or Uruguay.

Situation in the Administrative Field

Eighty-one applications were received and 244 titles of protection were issued, bringing the total of titles in force to 1,112.

The Spanish Office continued to work with the Community Plant Variety Office in the reception of applications for Community plant variety rights.

As a result of the reorganization of the Ministry for Agriculture, Fisheries and Food, the National Institute for Seeds and Nursery Plants became the General Subdirectorate for Seeds and Nursery Plants. There was no change in attributions, means or premises.

Activities for the Promotion of Plant Variety Protection

An intense activity was deployed at national level through seminars and technical meetings to provide information to all interested circles on the new system of Community Plant Variety Rights established by Regulation (EC) No. 2100/94.

Bilateral cooperation and cooperation involving the Office of the Union has been continued, assistance having been provided in particular in the Latin-American region (Cuba, Ecuador and Panama). The same applies for cooperation in the training of experts. Courses were organized for technical staff from Algeria, Brazil, Egypt and Panama on the legislative, procedural, organizational and technical aspects of protection and national listing.

Developments in Related Fields of Activities

The Spanish Register of Commercial Varieties concerns 92 agricultural and horticultural species. It was recently extended to 11 fruiting and rootstock species.

The first applications concerning varieties containing genetically modified organisms have been received and are under study from the point of view of both the provisions on the release of genetically modified organisms and the entry in the Register of Varieties.

[Annex II follows]

ANNEX II

PORTUGAL

Situation in the Legislative Field

Protection has been extended very recently to 45 further species, bringing the total to 88.

Work is still carried out on the adaptation of the law to the 1991 Act of the Convention, and efforts are made to issue the first draft before the end of the year.

Situation in the Administrative Field

Since the last ordinary session of the Council, ten applications were received, for Citrus, rose and vine. Tests were completed for 15 varieties, for which a decision can now be taken.

Activities for the Promotion of Plant Variety Protection

Communications have been presented at two seminars and a promotion leaflet has been issued.

[End of document]