



C(Extr.)/26/4

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COUNCIL

Twenty-Sixth Extraordinary Session

Geneva, April 3, 2009

REPORT

adopted by the Council

Opening of the session

- *1. The Council of the International Union for the Protection of New Varieties of Plants (UPOV) held its twenty-sixth extraordinary session in Geneva on April 3, 2009, chaired by Mr. Doug Waterhouse (Australia), President of the Council.
- *2. The list of participants is reproduced in the Annex to this document.
- *3. The session was opened by the President who welcomed the participants.
4. The President informed the Council that Georgia had become the sixty-sixth member of the Union on November 29, 2008 and Costa Rica had become the sixty-seventh member of the Union on January 12, 2009.

* An asterisk next to the paragraph number indicates that the text has been taken from the Report on the Decisions (document C(Extr.)/26/3).

Adoption of the agenda

*5. The Council adopted the agenda as proposed in document C(Extr.)/26/1, after the inclusion of document C(Extr.)/26/2 under agenda item 3.

Examination of the conformity of the legislation or proposed legislation of any State or organization having submitted a request under Article 34(3) of the 1991 Act of the UPOV Convention

Peru

*6. The Council decided to:

(a) take note of the analysis in document C(Extr.)/26/2;

(b) take a positive decision on the conformity of the legislation of Peru (Decision 345 on Common Provisions for the Protection of the Rights of Breeders of Plant Varieties and the Draft Supreme Decree establishing the Regulations for the Protection of Rights of Breeders of Plant Varieties) with the provisions of the 1991 Act of the International Convention for the Protection of New Varieties of Plants; which allows that, once the Regulations of the Draft Supreme Decree are adopted, with no changes, and in force, Peru may deposit its instrument of accession to the 1991 Act; and

(c) authorize the Secretary-General to inform the Government of Peru of that decision.

7. The Delegation of Peru thanked the Council for the positive decision on the conformity of the legislation of Peru with the provisions of the 1991 Act of the UPOV Convention. It expressed its appreciation to the members of UPOV and the Office of the Union for their support and assistance. The Delegation informed the Council that the Draft Supreme Decree would be adopted in the near future and the Government of Peru looked forward to the deposit of its instrument of accession.

Report by the President on the work of the seventy-seventh session of the Consultative Committee; adoption of recommendations, if any, prepared by that Committee

8. The Council noted the oral report by the President on the seventy-seventh session of the Consultative Committee, held on the morning of April 3, 2009, in particular, that the Consultative Committee:

(a) decided to establish an *Ad hoc* Working Group on the Financial Regulations and Rules of UPOV (“FRR Working Group”) to assist the Office of the Union in its preparation of proposals, for consideration by the Consultative Committee, concerning the Financial Regulations and Rules of UPOV and external audit committee and internal audit provisions for UPOV;

(b) endorsed the structure of the Draft Program and Budget of the Union for the 2010-2011 Biennium and the medium-term work program of the Office of the Union for the period 2012-2015;

(c) approved the procedure and timetable for the appointment of the new Vice Secretary-General in 2010 and decided to establish an *Ad hoc* Sub-Committee, charged with interviewing the selected candidates for the post of Vice Secretary-General;

(d) noted the developments concerning the “Assistance” webpage on the UPOV website to provide information on relevant forms of assistance in the development of plant variety protection according to the UPOV Convention and an approach to seek to enhance extra-budgetary sources of funding for assistance; and

(e) noted the developments concerning the Second World Seed Conference “Responding to the challenges of a changing world: the role of new plant varieties and high quality seed in agriculture”, to be held from September 8 to 10, 2009, at the Food and Agriculture Organization of the United Nations (FAO) headquarters, Rome.

*9. Following the recommendation of the Consultative Committee at its seventy-seventh session on April 3, 2009, the Council noted the following tentative calendar in relation to October sessions of the UPOV bodies:

Monday, October 19, 2009

Tuesday, October 20, 2009 (morning)

Sixtieth session of the Administrative and Legal Committee

Tuesday, October 20, 2009 (afternoon)

If appropriate, meeting of the *Ad hoc* Sub-Committee, charged with interviewing the selected candidates for the post of Vice Secretary-General

Wednesday, October 21, 2009

Seventy-eighth session of the Consultative Committee

Thursday, October 22, 2009 (morning)

Forty-third ordinary session of the Council

Thursday, October 22, 2009 (afternoon)

Meeting of the *Ad hoc* Working Group on the Financial Regulations and Rules of UPOV (“FRR Working Group”)

Friday, October 23, 2009

Fourth session of the Administrative and Legal Committee Advisory Group.

Retirement

10. The President noted that Mr. Carl Johan Lidén (Sweden) and Mr. Chris van Winden (Netherlands) would retire before the forty-third ordinary session of the Council, and expressed to them both his best wishes on behalf of the Council for a long and happy retirement.

11. The present report has been adopted by correspondence.

[Annex follows]

ANNEXE / ANNEX / ANLAGE / ANEXO

LISTE DES PARTICIPANTS / LIST OF PARTICIPANTS /
TEILNEHMERLISTE / LISTA DE PARTICIPANTES

(dans l'ordre alphabétique des noms français des membres/
in the alphabetical order of the names in French of the members/
in alphabetischer Reihenfolge der französischen Namen der Mitglieder/
por orden alfabético de los nombres en francés de los miembros)

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