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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COUNCIL

Second Extraordinary Session

Geneva, March 11, 1976

REPORT

adopted by the Council

1. The Council of UPOV met on March 11, 1976, on the invitation of its President and without prior notice, in accordance with Article IV of the Rules of Procedure of the Council and the decision taken by the Council during its October 1975 session. The list of participants is attached to this report. The agenda contained the following items:

I. Examination of modifications

- (a) to Article 6 of the Rules of Procedure for Technical and Administrative Cooperation between the Union for the Protection of New Varieties of Plants (UPOV) and the World Intellectual Property Organization (WIPO);
- (b) to Article 3 of the Administrative Regulations of UPOV.

II. Examination of the administrative position of the Vice Secretary-General.

2. Having discussed these matters, the Council took the following decisions on Item I:

(a) in Article 6 of the Rules of Procedure for Technical and Administrative Cooperation, the words "a salary" are replaced by "an indemnity";

(b) Article 3 of the Administrative Regulations headed "Salary of the Secretary-General" is amended as follows:

"Article 3"Indemnity of the Secretary-General

"1. The Secretary-General shall receive an indemnity corresponding to fifteen per cent of the salary, including post adjustment, which he receives in his capacity of Director General of WIPO, in accordance with Articles 3.1 and 3.5 of the Regulations.

"2. When the total of contribution units of the member States attains at least 30, the indemnity shall be set at twenty per cent of the salary defined above."

3. The decisions were taken unanimously by the member States. The decision concerning Article 3 of the Administrative Regulations takes effect from January 1, 1976, subject to the approval of the Government of the Swiss Confederation. Furthermore, the Council decided that its President should enter into contact with WIPO and the Federal Council of the Swiss Confederation in order to ensure that Article 6 of the Rules of Procedure for Technical and Administrative Cooperation between UPOV and WIPO would be amended in conformity with the decision mentioned in paragraph 2(a) above.
4. The Council put great emphasis on the fact that the above decision had been taken in recognition of the work accomplished by the Secretary-General presently in function and mentioned notably in paragraphs 12 and 13 of the report on the Council session held from October 7 to 10, 1975 (document C/IX/12).
5. The members of the Council also stressed the necessity for not increasing the amount of the contributions in the coming years. They ensured that, for 1976, the amounts necessary for the increase in the remuneration of the Secretary-General (and for the promotion in grade of the Vice Secretary-General) appeared in the budget. They ascertained that the very probable accession of at least one State in 1976 would provide supplementary income for the 1977 budget.
6. Finally, they emphasized that, in future, the UPOV budget should be increased only as far as was allowed by resources obtained from the accession of new member States.
7. As to item II, the President announced that the Secretary-General had proposed the confirmation of the Vice Secretary-General in his functions at the end of his probationary period. The Council gave its approval to the latter proposal.
8. At the request of the member States, the President further proposed, in agreement with the Secretary-General, that the Vice Secretary-General be promoted to grade D.2 with effect from January 1, 1976. The Council gave its unanimous approval to that proposal.
9. This report was unanimously adopted by the Council in its meeting held on March 11, 1976.

[Annex follows]

LIST OF PARTICIPANTS/LISTE DES PARTICIPANTS/TEILNEHMERLISTE

I. MEMBER STATES/ETATS MEMBRES/VERBANDSSTAATEN

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III. OFFICE OF UPOV/BUREAU DE L'UPOV/BÜRO DER UPOV

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Dr. H. MAST, Vice Secretary-General

Dr. M.-H. THIELE-WITTIG, Administrative and Technical Officer

Mr. A. HEITZ, Administrative and Technical Officer

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