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UPOV

INTERNATIONALER VERBAND
ZUM SCHUTZ VON
PFLANZENZÜCHTUNGEN

UNION INTERNATIONALE
POUR LA PROTECTION
DES OBTENTIONS VÉGÉTALES

INTERNATIONAL UNION
FOR THE PROTECTION OF
NEW PLANT VARIETIES

COUNCIL

Fifth Meeting

Geneva, October 14 and 15, 1971

1970 ANNUAL REPORT

OF THE

SECRETARY GENERAL

TO THE COUNCIL

(Second Year)

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 - II. Constitutional Questions
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 - IV. Meetings
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I. State of the Union

1. At the end of 1970, the International Union for the Protection of New Plant Varieties (UPOV) consisted of the following four member States: Denmark, Germany (Federal Republic), the Netherlands and the United Kingdom.

2. No new ratifications or accessions have taken place in the course of the year.

II. Constitutional Questions

3. After the Rules of Procedure of the Council had been adopted by the Council at its first meeting (in Paris on November 26 and 27, 1968) and after the Swiss Government, by arrêté dated October 21, 1969, had established the rules of procedure for technical and administrative cooperation between UPOV and BIRPI under Article 25 of the Convention, the Administrative and Financial Regulations of the Union provided for in Article 20(2) of the Convention still had to be adopted. At its meeting in 1969, the Council had agreed on the drafts of the Administrative and Financial Regulations, and the Swiss Government having been consulted in accordance with the above Article approved both drafts on March 3, 1970. As far as the draft Financial Regulations are concerned, the Swiss Government proposed a slight amendment. Both Regulations, including the said amendment, were adopted by the Council at its fourth meeting on October 28 and 29, 1970.

4. The Administrative Regulations of UPOV provide that the Staff Regulations and Staff Rules of BIRPI shall apply mutatis mutandis and subject to certain special provisions to the staff of UPOV. They fix the salary of the Secretary General. The special provisions refer to the procedure to be followed in connection with appointment, promotion and dismissal of UPOV staff members.

5. The Financial Regulations of UPOV provide that the Financial Regulations of BIRPI and the Rules Implementing the Financial Regulations of BIRPI shall apply to UPOV, mutatis mutandis and subject to certain special provisions taking into account the particular organization of UPOV.

6. The Rules of Procedure of the Council were adopted at its first meeting (in Paris on November 26 and 27, 1968) and republished by UPOV in 1970 with some slight linguistic changes in the English and German translations of the original French text and with the addition of a note concerning the establishment of a Consultative Working Committee by decision of the Council at its second meeting (in Berne on February 11 and 12, 1969). At its fourth meeting (in Geneva on October 28 and 29, 1970), the Council took note of the above.

III. Staff Matters

7. At the meeting of the Working Committee, held in Geneva on March 3, 1970, it was decided to recommend to the Council that Mr. Halvor Skov, Copenhagen, should be offered the post of Vice Secretary General, and that the decision of the Council could be reached by correspondence after Mr. Skov had obtained the consent of his Government. The Council decided after correspondence, of which signatory States were also informed, to propose to the Swiss Government that it appoint Mr. Skov as Vice Secretary General. By Decree of the Swiss Federal Government of June 10, 1970, Mr. Skov was appointed Vice Secretary General as from August 1, 1970.

8. In order to recruit a secretary to the Vice Secretary General, which had already been envisaged in the budget for 1969 and provided for in the budget for 1970, advertisements were published in Swiss newspapers. In accordance with Article 5 of the Administrative Regulations, the Selection Committee (in French: Comité des nominations et des promotions), presided over by the Vice Secretary General, advised the Secretary General to appoint Miss Gertrud Fischer (German citizen) as secretary. On June 30, 1970, the Secretary General appointed Miss Gertrud Fischer as from August 3, 1970, and decided that her post should be classified in grade G.5.

IV. Meetings

9. In the course of 1970, the different bodies of UPOV met as follows:

10. The Council held its fourth meeting in Geneva on October 28 and 29. In addition to the items mentioned in paragraphs 3, 6, 12 and 17 of this report, the Council approved the accounts of 1969 and adopted the budget for 1971, including a reduction in the Working Capital Fund from 130,000 Swiss francs to 100,000 Swiss francs.

11. The Consultative Working Committee, consisting of the Chairman and Vice Chairman of the Council and the Delegates of the other member States, met in Geneva on March 3 and decided upon the proposal to the Swiss Government concerning the appointment of a Vice Secretary General (see paragraph 7 above).

12. The Working Group on Variety Denominations met in Bonn on February 24 and 27 and in Geneva on October 26 and 27 and prepared Draft Guidelines for Variety Denominations, which--after submission to the Council--were adopted as Provisional Guidelines for Variety Denominations. In addition, the Working Group studied the question of exchange of variety denominations and proposed to the Council that the implementation of the procedure for exchange through the Secretariat under Article 13(6) of the Convention be postponed and that direct exchange between the national authorities be studied. This proposal was accepted by the Council.

13. The Technical Working Parties met as follows:

- (i) Vegetables: January 14 and 15, in Cambridge (United Kingdom);
- (ii) Cross-fertilized Agricultural Crops: May 12 and 13, in Copenhagen (Denmark);
- (iii) Ornamental Plants: August 19-21, in Wageningen (Netherlands);
- (iv) Self-fertilized Agricultural Crops: no meetings, but progress was made by correspondence.

14. The Secretary General represented UPOV at a meeting of IAPIP in Madrid in October.

15. The Vice Secretary General (designate) attended the Annual Congress of ASSINSEL at Interlaken (Switzerland) on May 13 to 15 and represented UPOV at a display of plant breeding in London in July, arranged by the British Plant Variety Rights Office on the occasion of the fifth anniversary of its existence. The Vice Secretary General represented UPOV at the first series of WIPO meetings on September 21 to 29.

V. Activities in Progress

16. In the course of the year, much work was devoted to the preparation of draft guidelines for the examination of new plant varieties as to distinctness, uniformity and stability, with a view to presenting proposals to the Council at its 1971 meeting. These guidelines, when adopted, will provide for the necessary harmonization of the trials to be undertaken by the competent authorities of the member States and will serve as a basis for the special agreements which, under Article 30(2) of the Convention, may be concluded among member States with a view to the joint utilization of authorities entrusted with the examination. The following crops have been subject to special study: wheat, maize, peas and roses.

17. Already before the adoption of the guidelines mentioned in the preceding paragraph, the question of special agreements for the joint utilization of examining authorities had been dealt with. At its fourth meeting in October, the Council decided in principle on joint trial arrangements for roses, and the Secretariat, with the assistance of experts from the member States, studied questions relating to other crops.

18. The Secretariat studied the question of exchange of variety denominations mentioned in paragraph 12 above. As the list of classes for naming purposes contained in the Annex to the Provisional Guidelines for Variety Denominations was not quite satisfactory, the Secretariat undertook a study of the list.

VI. Conclusion

19. After less than two and a half years of existence UPOV has accomplished or is well on the way to accomplishing its most urgent tasks, such as internal organization, the setting up of guidelines for the denomination of varieties, rules for examination and joint trial arrangements. It is hoped that in the near future other States will join and cooperate with UPOV in order to take advantage of the common work which is being done for the benefit of their plant breeders and growers.

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