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UPOV

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## INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

## ADMINISTRATIVE AND LEGAL COMMITTEE

## Thirty-second Session

Geneva, April 21 and 22, 1993

## MODEL LAW ON PLANT VARIETY PROTECTION

Document prepared by the Office of the Union

1. It has become necessary to draft a new model law on plant variety protection, reflecting the evolution of the last decade (the current model law dates back to 1980) and, in particular, the 1991 Act of the Convention. In view of the magnitude of the task and the potential impact of the model law on national laws, the Office of the Union deems it desirable that the Consultative Committee decide, upon the advice of the Administrative and Legal Committee, on the procedure to be followed.

2. It may be taken for granted that the new model law would be drawn up, like the current one (see paragraph 12 of document CAJ/V/7), under the responsibility of the Office of the Union. Contributions from member States--and perhaps also from non-member States--will be useful and necessary; they could be sought in two different ways:

(i) The draft model law could be submitted to the Administrative and Legal Committee to give its members (the representatives of member States and observer States and Organisations) an opportunity to express their views;

(ii) A small group of experts could be set up.

3. The first solution was adopted by UPOV in 1979-80 (UPOV then had a dozen member States), whereas the second had been retained by WIPO for its own model laws.

4. The Committee is invited to give an advice, for submission to the Consultative Committee, on the procedure to be followed for the drafting of a new model law on plant variety protection.

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