



TC-EDC/Jan14/8
 ORIGINAL: English
 DATE: December 6, 2013

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
 Geneva

ENLARGED EDITORIAL COMMITTEE

Geneva, January 8 and 9, 2014

REVISION OF DOCUMENT TGP/7: PRESENCE OF THE LEADING EXPERT AT TECHNICAL WORKING PARTY SESSIONS

Document prepared by the Office of the Union

Disclaimer: this document does not represent UPOV policies or guidance

1. The purpose of this document is to propose guidance to be included in a future revision of document TGP/7, Section 2.2.5.3 "Requirements for Draft Test Guidelines to be considered by the Technical Working Parties" regarding the presence of the Leading Expert at Technical Working Party sessions.

2. The following abbreviations are used in this document:

TC:	Technical Committee
TC-EDC:	Enlarged Editorial Committee
TWA:	Technical Working Party for Agricultural Crops
TWC:	Technical Working Party on Automation and Computer Programs
TWF:	Technical Working Party for Fruit Crops
TWO:	Technical Working Party for Ornamental Plants and Forest Trees
TWPs:	Technical Working Parties
TWV:	Technical Working Party for Vegetables

3. The structure of this document is as follows:

BACKGROUND.....	1
DRAFT GUIDANCE ON PRESENCE OF THE LEADING EXPERT AT TECHNICAL WORKING PARTY SESSIONS CONSIDERED BY THE TWPS IN 2013.....	2
COMMENTS BY THE TECHNICAL PARTIES IN 2013.....	2
TECHNICAL WORKING PARTY FOR ORNAMENTAL PLANTS AND FOREST TREES.....	2
TECHNICAL WORKING PARTY ON FRUIT CROPS.....	2
TECHNICAL WORKING PARTY FOR VEGETABLES.....	3
TECHNICAL WORKING PARTY ON AUTOMATION AND COMPUTER PROGRAMS.....	3
TECHNICAL WORKING PARTY FOR AGRICULTURAL CROPS.....	3
PROPOSAL.....	3

BACKGROUND

4. At their sessions in 2012, the TWA, TWV and TWO noted that, if a Leading Expert of draft Test Guidelines could not attend a TWP session, the Test Guidelines could be withdrawn from the agenda of the concerned TWP session. If the Leading Expert and the interested experts wished, an informal subgroup discussion using electronic communications (e.g. WebEx) could be organized after the TWP, with the support of the Office of the Union (see document TWA/41/34 "Report", paragraph 81, document TWV/46/41 "Report", paragraph 88, and document TWO/45/37 "Report", paragraph 88).

5. The TC, at its forty-ninth session held in Geneva from March 18 to 20, 2013, agreed that, in general, Test Guidelines should be withdrawn from discussion in the TWPs if the Leading Expert was not present at the session, unless a suitable alternative expert could be arranged to act as the Leading Expert sufficiently in advance of the session, or unless the Leading Expert was able to attend by electronic means. The TC agreed that guidance in that regard should be included in a future revision of document TGP/7, Section 2.2.5.3 "Requirements for Draft Test Guidelines to be considered by the Technical Working Parties" (see document TC/49/41 "Report on the Conclusions", paragraph 11).

DRAFT GUIDANCE ON PRESENCE OF THE LEADING EXPERT AT TECHNICAL WORKING PARTY SESSIONS CONSIDERED BY THE TWPS IN 2013

6. The TWPs, at their sessions in 2013, considered the following draft guidance to amend document GP/7, Section 2.2.5.3, on the presence of the Leading Expert at Technical Working Party sessions (added wording in highlighting and underlined):

"2.2.5.3 Requirements for draft Test Guidelines to be considered by the Technical Working Parties

"Unless otherwise agreed at the TWP session, or thereafter by the TWP Chairperson, the timetable for the consideration of draft Test Guidelines by the Technical Working Parties is as follows:

Action	Latest date before the TWP session
Circulation of Subgroup draft by Leading Expert:	14 weeks
Comments to be received from Subgroup:	10 weeks
Sending of draft to the Office by the Leading Expert:	6 weeks
Posting of draft on the website by the Office:	4 weeks

"In cases where *either* of the deadlines for circulation of the Subgroup draft or for the sending of the draft to the Office by the Leading Expert is not met, the Test Guidelines would be withdrawn from the TWP agenda and the Office would inform the TWP accordingly at the earliest opportunity (i.e. not later than 4 weeks before the TWP session). In those cases where draft Test Guidelines are withdrawn from the TWP agenda because of failure by the Leading Expert to meet the relevant dates, it would be possible for specific matters concerning those Test Guidelines to be discussed at the TWP session. However, to consider specific matters it would be necessary for a document to be provided to the Office at least 6 weeks before the TWP session."

"In order to be considered by a Technical Working Party, the Leading Expert of the draft Test Guidelines should be present at the session, unless a suitable alternative expert can be arranged to act as the Leading Expert sufficiently in advance of the session, or unless the Leading Expert is able to participate by electronic means."

COMMENTS BY THE TECHNICAL PARTIES IN 2013

Technical Working Party for Ornamental Plants and Forest Trees

7. The TWO considered document TWO/46/13 and agreed with the proposed guidance on the presence of the Leading Experts at Technical Working Party sessions, for inclusion in a future revision of document TGP/7, section 2.2.5.3, as set out in paragraph 6 of this document (see document TWO/46/29 "Report", paragraph 29):

Technical Working Party on Fruit Crops

8. The TWF considered document TWF/44/13 and agreed with the proposed guidance on the presence of a Leading Expert at a Technical Working Party session, for inclusion in a future revision of document TGP/7, section 2.2.5.3, as set out in paragraph 6 of this document, subject to the following amendment (see document TWF/44/31 "Report", paragraph 32):

"In order to be considered by a Technical Working Party, the Leading Expert of the draft Test Guidelines should be present at the session, unless a suitable alternative expert can be arranged to act as the Leading Expert sufficiently in advance of the session, or unless the Leading Expert is able to participate in an effective way by electronic means."

Technical Working Party for Vegetables

9. The TWV considered document TWV/47/13 and agreed with the proposed guidance, as amended by the TWF at its forty-fourth session, as set out in paragraph 8 of this document (see document TWV/47/34 "Report", paragraph 32).

Technical Working Party on Automation and Computer Programs

10. The TWC considered document TWC/31/13 and agreed with the proposed guidance on the presence of the leading experts at Technical Working Party sessions, for inclusion in a future revision of document TGP/7, section 2.2.5.3, as set out in paragraph 6 of this document (see document TWC/31/32 "Report", paragraph 29):

Technical Working Party for Agricultural Crops

11. The TWA considered document TWA/42/13 and agreed with the proposed guidance as set out in paragraph 6 of this document, subject to the following amendment (see document TWA/42/31 "Report", paragraph 31):

"In order to be considered by a Technical Working Party, the Leading Expert of the draft Test Guidelines should be present at the session, unless a suitable alternative expert can be arranged to act as the Leading Expert sufficiently in advance of the session, or unless the Leading Expert is able to participate effectively by electronic means."

PROPOSAL

12. On the basis of the comments made by the TWPs at their sessions in 2013, it is proposed that document TGP/7, section 2.2.5.3, be amended to include the following draft guidance on presence of a Leading Expert at a Technical Working Party session:

"In order to be considered by a Technical Working Party, the Leading Expert of the draft Test Guidelines should be present at the session, unless a suitable alternative expert can be arranged to act as the Leading Expert sufficiently in advance of the session, or unless the Leading Expert is able to participate effectively by electronic means."

13. The TC-EDC is invited to note the information in this document to be presented to the TC and propose any improvements to the document in that regard.

[End of document]