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UPOV

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INTERNATIONALER VERBAND
ZUM SCHUTZ VON
PFLANZENZÜCHTUNGEN

UNION INTERNATIONALE
POUR LA PROTECTION
DES OBTENTIONS VÉGÉTALES

INTERNATIONAL UNION
FOR THE PROTECTION OF
NEW PLANT VARIETIES

COUNCIL

Fourth Session
Geneva, October 28 and 29, 1970

RULES OF PROCEDURE OF THE COUNCIL

Report by the Secretary General

1. It is recalled that the Council, at its first meeting held in Paris on November 26 and 27, 1968, in accordance with Article 20, paragraph (1) of the Convention, adopted the Draft Rules of Procedure contained in document PC 7 as Rules of Procedure of the Council with a provisional addition entrusting the Chairman of the Council with the tasks of the Secretary General until the Secretary General had been nominated - see paragraph (2) of the minutes of the second day's meeting (CPU Min. 1).
2. It is further recalled that during the debate referred to in the above-mentioned paragraph of the minutes the Council decided to establish, outside the Rules of Procedure, on a temporary basis, a Working Committee whose tasks were to be determined by the Council.
3. Reference is made to point 3, paragraph (d) of the minutes of the second meeting of the Council which reproduces the wording of the decision mentioned in paragraph (2) above. The wording is as follows:

"By a decision of 27th November, 1968, the Council appoints on a temporary basis a consultative Working Committee consisting of the President and the Vice-President and the delegates from the remaining Member States of the Union. Meetings of the Working Committee shall be convened by the President."

4. In order to establish the relevant texts in the files of the Secretariat the Rules of Procedure have been reproduced on the basis of the original French text with slight amendments in the English and German texts which do not affect the substance of the Rules. The provisional addition referred to in paragraph (1) above, which is no longer of any importance, has been omitted.

5. In the same paper the decision concerning the creation of a Working Committee has been reproduced.

6. The paper is annexed to the present document.

7. Members are invited
to take note of the above.

/End of document UPOV/C/IV/10
Annex follows/

INTERNATIONAL UNION FOR THE PROTECTION
OF
NEW VARIETIES OF PLANTS

Rules of Procedure of the Council

1 - When the International Union for the Protection of New Varieties of Plants is instituted, each member State shall inform the Secretary General of the name of its representative. It shall also inform him of the name of an alternate who shall attend the meetings of the Council and have the right to speak and vote in the absence of the regular representative. They shall retain their powers until the State they represent replaces them.

The States which have signed the Paris Convention of December 2, 1961, but have not yet ratified it, shall, in accordance with Article 17 of the said Convention, inform the Secretary General of their representatives in the same manner.

II - During meetings voting shall be by show of hands, unless a member should request that votes be taken by roll-call.

An abstention shall not be considered a vote.

III - The Council shall be convened at least two months in advance. The notice of a meeting shall include the agenda.

Each member State has the right to add items to the agenda provided that its notification reaches the Secretary General at least one month before the date of the meeting.

The Council may decide to discuss items which are not included on the agenda, by a simple majority vote of the members present. Decisions made under these conditions shall not be finally accepted until a further meeting of the Council has re-examined them, unless these decisions are taken unanimously by the member States of the Union.

IV - In the event of urgency, the Council may be convened by its President without prior notice. Decisions taken shall not be formally accepted until they have been re-examined at a further meeting convened under the conditions laid down on the preceding paragraph, unless these decisions are taken unanimously by the member States of the Union.

V - The Council may set up temporary or permanent committees to examine technical or legal questions or any other question concerning the Union. These committees shall consist either of delegates or of experts appointed by the Council or by the various member States.

These committees shall be convened by the Secretary General of the Union who shall participate in their activities, arrange for a Secretariat and draw up a report of their activities.

VI - Committees set up in this manner shall have no powers to bind the Union. They may appoint a rapporteur who shall draw up a report for the Council whenever this is considered necessary and at least once a year.

Note: By a decision of November 27, 1968, the Council appointed on a temporary basis a consultative Working Committee consisting of the President and the Vice President and the delegates from the remaining member States of the Union. Meetings of the Working Committee shall be convened by the President.

/End of Annex to UPOV/C/IV/10/