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

GENEVA

COUNCIL

**Fifteenth Ordinary Session  
Geneva, November 10 to 12, 1981****REPORT  
ON THE DECISIONS OF THE COUNCIL**adopted by the CouncilOpening of the Session

1. The Council of the International Union for the Protection of New Varieties of Plants (UPOV) held its fifteenth ordinary session in Geneva from November 10 to 12, 1981.
2. The session was presided over by the President of the Council, Dr. W. Gfeller (Switzerland).
3. The list of participants is attached as Annex to this document.
4. A more detailed report will be prepared shortly after the session and will be adopted by correspondence.

Adoption of the Agenda

5. The Council adopted the agenda as appearing in document C/XV/1.

Lectures and Discussions on "Plant Breeding Activities of Government Institutes, International Centers and the Private Sector"

6. The Council devoted its meeting of November 10 to lectures and discussions on "Plant Breeding Activities of Government Institutes, International Centers and the Private Sector." The proceedings of the symposium will form the subject of a special publication and will also be published in the UPOV Newsletter.

Present Situation, Problems Arising and Progress Achieved in the Legislative, Administrative and Technical Fields

7. The Council noted the declarations made under this agenda item.
8. The Council also noted the contents of documents C/XV/5, 6 and 7. With regard to document C/XV/5, it was informed that:
  - (i) the Netherlands does not offer cooperation in respect of Narcissus L. (entry No. 1 on page 15);
  - (ii) in the entry "Zea mays L." (No. 8 of page 22), the indication "(GB)" appearing in column 3 was to be put on the same line as "BE."

With regard to document C/XV/6,

(i) the Delegation of France proposed that the Office of the Union examine the possibility of replacing the sign denoting that a taxon was protected in a State by the total number of varieties that were enjoying protection in that State;

(ii) the Council invited the member States to inform the Office of the Union of any amendments to the entries concerning them by the end of the year and recommended that the contents of the document be published as a special document to be annexed to the UPOV Newsletter.

Report by the President on the Work of the Twenty-Third and Twenty-Fourth Sessions of the Consultative Committee

9. The Council noted the report on the work of the twenty-third session of the Consultative Committee as appearing in paragraph 2 of document C/XV/2 Add., and also the oral report by the President on the work of the twenty-fourth session. It agreed to the recommendation of the Consultative Committee that the Symposium to be held in 1982 in connection with the sixteenth ordinary session of the Council be devoted to "the technical and legal aspects of genetic engineering and of cell, meristem and tissue cultures" and that the Office of the Union make the necessary arrangements regarding possible speakers. It further noted the decision of the Consultative Committee that UPOV should not participate in the International Horticultural Exhibition to be held in Munich (Federal Republic of Germany) in 1983, and that it would discuss at its next session the principles that would govern UPOV's participation in exhibitions.

Admission of Observers to Ordinary Sessions of the Council and to Certain Other Meetings of UPOV

10. Following the recommendations of the Consultative Committee, the Council decided that:

(i) no change should be made for the time being in the lists of States and organizations regularly invited to ordinary sessions of the Council and to annual symposia (notwithstanding the authority entrusted to the Office of the Union to invite organizations to symposia where the subject may be of special interest to them);

(ii) no change should be made for the time being in the list of States invited to sessions of the Administrative and Legal Committee;

(iii) the Office of the Union should enquire with a number of inter-governmental organizations whether they would be interested in receiving an invitation to participate in sessions of the Administrative and Legal Committee;

(iv) the Administrative and Legal Committee should decide, on a case by case basis, whether international non-governmental organizations whose field of competence was related to UPOV should be invited to participate in its sessions or meetings;

(v) no change should be made for the time being in the policy followed in relation to the Technical Committee and the Technical Working Parties;

(vi) an informal meeting with representatives of international non-governmental organizations whose field of competence was related to UPOV should be organized in the Autumn of 1982 to discuss matters raised by those organizations;

(vii) the Consultative Committee should examine at its next session the possibility of holding another informal meeting with representatives of interested international non-governmental organizations to discuss the major topic referred to in paragraph 11 of document C/XV/9.

Report by the Secretary-General on the Activities of the Union in 1980 and in the First Ten Months of 1981

11. The Council unanimously approved the report by the Secretary-General as contained in document C/XV/2 and in its supplement (document C/XV/2 Add.).

Report by the Secretary-General on His Management and the Financial Situation of the Union in 1980

12. The Council unanimously approved the report by the Secretary-General contained in document C/XV/3 and congratulated him on his cost-effective management and execution of the program that had been adopted by the Council.

Presentation of the Report Concerning the Auditing of the Accounts for 1980

13. The Council noted the report contained in document C/XV/3, Annex B, and approved the accounts of the Union for the year 1980.

Activities Resulting from the Entry into Force of the Revised Act of 1978 of the Convention

14. Discussions were based on document C/XV/11.

15. Concerning the relationships between the various groups of member States, the Council noted the following:

(i) One member State (France) had already made the declaration referred to in Article 34(2) of the 1978 Revised Act of the Convention and others intended to do the same in the near future;

(ii) In practice, nationals and residents from States having become a member of the Union on the basis of the 1978 Revised Act had de facto access to protection in most--if not all--member States not yet bound by that Act, on the basis of their laws in force, and vice versa.

16. Concerning administrative questions, the Council approved the proposals made in document C/XV/11 and noted that the Consultative Committee would consider at its next session the drafts for the instruments referred to in paragraphs 7 to 9 of that document.

17. Following suggestions from the Delegation of the Netherlands, the Council unanimously decided to appoint Switzerland, pursuant to Article 25 of the 1978 Revised Act and with that State's agreement, as auditor of the accounts of the Union for a period of four years and, further, to postpone, pursuant to Article 27(2) of the 1961 Text of the Convention, the revision conference which without such decision was to be held according to that Article in 1983.

Progress of the Work of the Administrative and Legal Committee

18. The Council unanimously approved the report on the progress of the work of the Administrative and Legal Committee as contained in document C/XV/8 after having been informed that Denmark had for the time being still to reserve its position regarding the agreement that combinations of letters and figures should be allowed under certain conditions as variety denominations (paragraph 5(i) of that document). It further noted with approval the plans for the future work of that Committee as indicated in document C/XV/8.

Progress of the Work of the Technical Committee and of the Technical Working Parties

19. The Council unanimously approved the report on the progress of the work of the Technical Committee and of the Technical Working Parties. It further noted with approval the plans for the future work of those bodies as indicated in document C/XV/9.

Examination and Approval of the Program and Budget of the Union for 1982

20. The proposals contained in document C/XV/4, 4 Corr. and 4 Add. were, subject to the changes indicated herein below, and with one abstention, unanimously adopted by the Council:

- (a) the item "Salaries and Common Staff Costs": reduced from 838,000 to 807,000 Swiss francs;
- (b) the item "Travel on Official Business": reduced from 40,000 to 37,000 Swiss francs;
- (c) the item "Conferences": reduced from 51,000 to 43,000 Swiss francs;
- (d) the item "Printing": reduced from 94,000 to 74,000 Swiss francs;
- (e) the item "Other Expenses": increased from 11,000 to 26,000 Swiss francs.

21. Consequently, the total of the expenditure is reduced from 1,462,000 Swiss francs to 1,415,000 Swiss francs, and the total of the contributions is reduced from 1,437,000 Swiss francs to 1,390,000 Swiss francs. The value of the contribution unit is thus fixed at 39,155 Swiss francs. In comparison to 1981, the value of the contribution unit has thus been reduced by 9.2%.

22. The Council unanimously agreed with, one abstention, to reclassify the post of the Vice Secretary-General at the same level as the posts of the Deputy Directors General of WIPO, effective January 1, 1982. With regard to the question of the reclassification of the three "P" posts, the Office of the Union was asked to report to the next session of the Consultative Committee on the decisions of the Classification Committee. The power to decide on those upgradings was delegated to the Consultative Committee.

Calendar of Meetings in 1982

23. The Council fixed the calendar of meetings for 1982 as appearing in document C/XV/10 Rev. 2.

Election of a New Vice-President of the Council

24. The Council unanimously elected Mr. J. Rigot (Belgium) as Vice-President of the Council for a term of three years, expiring at the end of the eighteenth ordinary session of the Council, in 1984.

Election of the New Chairmen of the Technical Working Parties

25. The Council unanimously elected:

- (i) Dr. G. Fuchs (Federal Republic of Germany) as Chairman of the Technical Working Party for Agricultural Crops;
- (ii) Dr. G.S. Bredell (South Africa) as Chairman of the Technical Working Party for Fruit Crops;
- (iii) Mrs. U. Löscher (Federal Republic of Germany) as Chairman of the Technical Working Party for Ornamental Plants and Forest Trees;
- (iv) Mr. F. Schneider (Netherlands) as Chairman of the Technical Working Party for Vegetables.

26. This report was unanimously adopted by the Council at its meeting of November 12, 1981.

## ANNEX/ANNEXE/ANLAGE

LIST OF PARTICIPANTS/LIÈSTE DES PARTICIPANTS/TEILNEHMERLISTEI. MEMBER STATES/ETATS MEMBRES/VERBANDSSTAATENBELGIUM/BELGIQUE/BELGIEN

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0584

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0586

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VI. LECTURERS AT THE SYMPOSIUM ON NOVEMBER 10, 1981/PERSONNES AYANT FAIT DES EXPOSES AU SYMPOSIUM, LE 10 NOVEMBRE 1981/VORTRAGENDE IN DEM SYMPOSION VOM 10. NOVEMBER 1981

M. J. HUET, Chef du Département de génétique et d'amélioration des plantes de l'Institut national de la recherche agronomique (INRA), 11, rue Jean Nicot, Paris 75007, France \*

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Dr. G.S. KHUSH, Head, Plant Breeding Department, IRRI, P.O. Box 933, Manila, Philippines \*

VII. OFFICER/BUREAU/VORSITZ

Dr. W. GFELLER, President

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

Dr. A. BOGSCH, Secretary-General

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Mr. A. WHEELER, Legal Officer

Mr. A. HEITZ, Administrative and Technical Officer

IX. OFFICE OF WIPO/BUREAU DE L'OMPI/BÜRO DER WIPO

Dr. T.A.J. KEEFER, Acting Director, Administrative Division  
Mr. M. LAGESSE, Controller

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\* on November 10, 1981, only/  
le 10 novembre 1981 seulement/  
nur am 10. November 1981

\*\* on November 10, and morning of November 11, 1981, only/  
le 10 novembre, et la matinée du 11 novembre 1981 seulement/  
nur am 10. November und Vormittag des 11. November 1981

\*\*\* on November 11 and 12, 1981, only/  
les 11 et 12 novembre 1981 seulement/  
nur am 11. und 12. November 1981