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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

ADMINISTRATIVE AND LEGAL COMMITTEE

Twenty-eighth Session

Geneva, October 12 to 16, 1990

PROVISIONAL RULES OF PROCEDURE OF THE 1991 DIPLOMATIC CONFERENCE
FOR THE REVISION OF THE UPOV CONVENTIONDocument prepared by the Office of the Union

1. The Annex to this document contains a first draft of the Rules of Procedure for the 1991 Diplomatic Conference for the Revision of the UPOV Convention.
2. The first draft is based on the Rules of Procedure of the 1978 Diplomatic Conference and on the draft Rules of Procedure of a Diplomatic Conference to be held shortly under the auspices of WIPO. The main differences in relation to the Rules of Procedure of the 1978 Diplomatic Conference are listed and explained below.
3. List of non-member States and organizations invited (Rule 2).— As for the 1978 Diplomatic Conference, it is proposed that the Council lay down the list of States and organizations invited to take part in the 1991 Diplomatic Conference as observers. The preparation of the Council's decision will be done by the Consultative Committee.
4. Type of participation of delegations of non-member States.— The main objective of the 1978 Diplomatic Conference was to facilitate the accession of new States to the Union; some of them had expressly stated their desire to become members as soon as possible on the basis of the 1978 Act. It had therefore been provided that non-member States could take an active part in the work of the Diplomatic Conference, sign the 1978 Act and also contribute to its entry into force. The circumstances of the current revision suggest that the more traditional procedure should be adopted, whereby non-member States may take part in the Diplomatic Conference only in an observer capacity. Consequently, membership of a body of the 1991 Diplomatic Conference (Rules 12 and 13), entitlement to submit amendment proposals (Rule 29(2)) and the right

to sign the new Act of the Convention (Article 30 of the new Act as proposed in document IOM/5/3) will be reserved for the delegations of member States; by the same token, observers will not have access to any working groups that may be set up to consider specific substantive matters (Rule 46).

5. Number of members of the Drafting Committee (Rule 12(2)).- It is proposed, in view of the number of drafting amendments expected, that the number of members of the Drafting Committee be increased from eight (the number used for the 1978 Conference) to ten.

6. Election of the officers of working groups (Rule 15(2)).- In line with the Rules of Procedure adopted or proposed within the framework of WIPO, it is proposed that the officers of whatever working groups are set up to consider specific substantive matters be elected by the Conference, that is, by all the delegations of member States. In 1978 the election was entrusted to the working groups themselves.

7. Order of precedence among Vice-Presidents and Vice-Chairmen (Rule 15(3)).- It is proposed that the order of precedence among Vice-Presidents and Vice-Chairmen continue to be determined by their relative positions in the list of Member Delegations drawn up in the alphabetical order of the French names of the States, but that this principle be adapted by the drawing of lots to decide which State should be first on the list, thereby ensuring strict equality among the States concerned.

8. Participation of Presiding Officers in voting (Rule 18).- It is proposed that the Presiding Officer of a meeting be allowed to vote, albeit after all the other delegations, if he is the only member of his delegation present. That right to vote was not provided in 1978.

9. Quorum (Rule 19).- It is proposed that there be a quorum for the meetings of subsidiary bodies of the Conference, and that it be one-half of the membership of those bodies. No quorum was required in 1978.

10. General powers of the Presiding Officer (Rule 20(2)).- It is proposed that it be merely provided that proposals by the Presiding Officer regarding the conduct of debates should be considered adopted if they are not immediately rejected. The Rules of Procedure of the 1978 Diplomatic Conference qualified this with: "by the majority of the Member Delegations present and voting," which might be an inducement to excessive use of the voting procedure.

11. Basic proposal and amendment proposals (Rule 29(1)).- It is proposed that it be stated, if necessary (which is why the sentence concerned in Rule 29(1) is in square brackets), that the basic proposal consists of the text drawn up by the Administrative and Legal Committee, in the form of Alternative A where there are alternatives and without the words in square brackets where there are such words; the basic proposal would of course consist of the text approved by the majority of the delegations in the preparatory phase of the Diplomatic Conference. The provision in question will be deleted if the Administrative and Legal Committee produces a text without alternatives and without words in square brackets.

12. Languages of oral interventions (Rule 41).- It is proposed that the Conference, meeting in Plenary, be empowered to decide that simultaneous interpretation will not be provided, or will not be provided fully, for a particular working group meeting, the reasons for such a decision being practical (for instance where a meeting room is insufficiently equipped or where working groups meet at the same time, making it impossible to provide all with interpretation facilities).

13. It is moreover proposed that the provision be omitted which expressly allowed a delegation to make oral interventions in a language other than the languages of the Conference if those interventions were simultaneously interpreted by the delegation's own interpreter. The omission does not prevent a delegation, should it see fit, from doing what is described in the preceding sentence.

14. The Administrative and Legal Committee is invited to approve the submission of the first draft of the Provisional Rules of Procedure of the Diplomatic Conference to the twenty-fourth ordinary session of the Council for adoption.

[Annex follows]

ANNEX

[D R A F T]

PROVISIONAL RULES OF PROCEDURE*

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CHAPTER I: OBJECTIVE; COMPETENCE; COMPOSITION; SECRETARIAT

Rule 1: Objective and Competence

(1) The objective of the Diplomatic Conference for the Revision of the International Convention for the Protection of New Varieties of Plants (hereinafter referred to as "the Conference") is to negotiate and adopt, on the basis of the proposal contained in document DC/91/3 and in accordance with Article 27 of the International Convention for the Protection of New Varieties of Plants of December 2, 1961, as revised at Geneva on November 10, 1972, and on October 23, 1978 (hereinafter referred to as "the Convention"), a revised text of the Convention.

(2) The Conference, meeting in Plenary, shall be competent to:

(i) adopt and amend these Rules of Procedure (hereinafter referred to as "these Rules");

(ii) adopt the agenda of the Conference;

(iii) decide on credentials, full powers, letters or other documents presented in accordance with Rules 6, 7 and 8 of these Rules;

(iv) adopt a revised text (hereinafter referred to as "the new Act") of the Convention;

(v) adopt any recommendation or resolution whose subject matter is germane to the new Act;

(vi) adopt any common statement to be included in the Records of the Conference;

(vii) adopt any final act of the Conference;

(viii) deal with all other matters either referred to it by these Rules or appearing on its agenda.

Rule 2: Composition

(1) The Conference shall consist of:

(i) delegations of the member States of the International Union for the Protection of New Varieties of Plants (hereinafter referred to as "the Union" or "UPOV");

(ii) delegations of States other than those referred to in (i) above, a list of which was drawn up by the Council of UPOV at its twenty-fourth ordinary session (see Annex I*);

(iii) representatives of intergovernmental and international non-governmental organizations, a list of which was drawn up by the Council of UPOV at its twenty-fourth ordinary session (see Annex II*).

* These Annexes will be drawn up on the basis of the discussions of the Consultative Committee.

(2) Hereinafter, the delegations referred to in paragraph (1)(i) are called "Member Delegations," the delegations referred to in paragraph (1)(ii) are called "Observer Delegations" and the representatives referred to in paragraph (1)(iii) are called "representatives of Observer Organizations." The term "Delegations" as used hereinafter includes, unless expressly indicated otherwise, both Member Delegations and Observer Delegations; it does not include the representatives of Observer Organizations.

(3) The Conference may invite to one or more of its meetings any person whose technical advice it may consider useful for its work.

Rule 3: Secretariat

(1) The Conference shall have a Secretariat provided by the Office of UPOV.

(2) The Secretary-General and the Vice Secretary-General of UPOV, and any other official of the UPOV Office designated by the Secretary-General of UPOV, may participate in the discussions of the Conference, meeting in Plenary, as well as in any committee or working group thereof and may, at any time, make oral or written statements, observations or suggestions to the Conference, meeting in Plenary, and to any committee or working group thereof concerning any question under consideration.

(3) The Secretary-General of UPOV shall designate the Secretary of the Conference from among the staff of UPOV, and the Secretaries of the Credentials Committee and the Drafting Committee, and a Secretary for each working group, from among the staff of either UPOV or the International Bureau of the World Intellectual Property Organization (WIPO).

(4) The Secretary of the Conference shall direct the staff required by the Conference.

(5) The Secretariat shall provide for the receiving, translation, reproduction and distribution of the required documents, the interpretation of oral interventions and the performance of all other secretarial work required for the Conference.

(6) The Secretary-General of UPOV shall be responsible for the custody and preservation in the archives of UPOV of all documents of the Conference, the publication after the Conference of the summary minutes thereof and the distribution after the Conference of the final documents thereof.

CHAPTER II: REPRESENTATION

Rule 4: Representation of Governments

(1) Each Delegation shall consist of one or more delegates and may include alternate delegates and advisors. Each Delegation shall be led by a Head of Delegation and may have an Alternate or Deputy Head of Delegation.

(2) An alternate delegate or an advisor may act as a delegate on designation by the Head of his Delegation.

Rule 5: Representation of Observer Organizations

An Observer Organization may be represented by one or more representatives.

Rule 6: Credentials and Full Powers

- (1) Every Delegation shall present credentials.
- (2) Full powers shall be required for signing the new Act. Such powers may be included in the credentials.

Rule 7: Letters of Appointment

The representatives of Observer Organizations shall present a letter or other document appointing them.

Rule 8: Presentation of Credentials, etc.

The credentials and full powers referred to in Rule 6 and the letters or other documents referred to in Rule 7 shall be presented to the Secretary of the Conference, if possible within twenty-four hours after the opening of the Conference.

Rule 9: Examination of Credentials, etc.

- (1) The Credentials Committee referred to in Rule 11 shall examine the credentials, full powers, letters or other documents referred to in Rules 6 and 7 and shall report to the Conference, meeting in Plenary.
- (2) The final decision on the said credentials, full powers, letters or other documents shall be within the competence of the Conference, meeting in Plenary. Such decision shall be made as soon as possible and in any case before the adoption of the new Act.

Rule 10: Provisional Participation

Pending a decision on their credentials, letters or other documents of appointment, Delegations and representatives of Observer Organizations shall be entitled to participate provisionally in the deliberations of the Conference as provided in these Rules.

**CHAPTER III: CREDENTIALS COMMITTEE, DRAFTING COMMITTEE
AND WORKING GROUPS**

Rule 11: Credentials Committee

- (1) The Conference shall have a Credentials Committee.
- (2) The Credentials Committee shall consist of five members elected by the Conference, meeting in Plenary, from among the Member Delegations.

Rule 12: Drafting Committee

- (1) The Conference shall have a Drafting Committee.
- (2) The Drafting Committee shall consist of ten members elected by the Conference, meeting in Plenary, from among the Member Delegations.
- (3) The Drafting Committee shall prepare drafts and give advice on drafting as requested by the Conference, meeting in Plenary. The Drafting Committee shall not alter the substance of texts submitted to it, but shall coordinate and review the drafting of all texts provisionally adopted by the Conference, meeting in Plenary, and shall submit the text so reviewed for final adoption by the Conference, meeting in Plenary.

Rule 13: Working Groups

- (1) The Conference, meeting in Plenary, may create working groups. On creating them, it shall specify their tasks.
- (2) The Conference, meeting in Plenary, shall decide on the number of members of any working group, and shall elect them from among its own members.

Rule 14: Steering Committee

- (1) The Steering Committee of the Conference shall consist of the President and Vice-Presidents of the Conference, the Chairmen of the Credentials Committee and Drafting Committee and also the chairman of any working group from the time of its creation until the completion of its task. The meetings of the Steering Committee shall be presided over by the President of the Conference.
- (2) If the Chairman of the Credentials Committee, of the Drafting Committee or of a working group is absent during a meeting of the Steering Committee, one of the Vice-Chairmen of the Committee or working group concerned, in the order of precedence indicated in Rule 15(3), shall sit and vote in the Steering Committee.
- (3) The Steering Committee shall meet from time to time to review the progress of the Conference and to make decisions with a view to furthering that progress, including in particular decisions on the coordinating of the meetings of the Plenary, the Credentials Committee, the Drafting Committee and the working groups.
- (4) The Steering Committee shall propose the text of any final act of the Conference for adoption by the Conference, meeting in Plenary.

CHAPTER IV: OFFICERS

Rule 15: Officers

- (1) The Conference, meeting in Plenary and presided over by the Secretary-General of UPOV, shall elect its President and then, presided over by its President, shall elect two Vice-Presidents.

(2) The Credentials Committee and the Drafting Committee shall each elect a Chairman and two Vice-Chairmen from among the delegates of those States whose Delegations are members of it. The Conference, meeting in Plenary, shall elect the officers of any working group.

(3) Precedence among the Vice-Presidents and Vice-Chairmen of a given body shall depend on the place occupied by the name of the State of each of them in the list of Member Delegations drawn up in the alphabetical order of the French names of the States, starting with the name of the State that has been drawn by lot by the President of the Conference.

(4) All officers must be members of Member Delegations.

Rule 16: Acting President or Acting Chairman

(1) If the President of the Conference or any Chairman is absent from any meeting of the body to be chaired by him (the Conference, meeting in Plenary, the Credentials Committee, the Drafting Committee or the working group), the meeting concerned shall be presided over, as Acting President or Acting Chairman, by that Vice-President or Vice-Chairman of the body concerned who, among the Vice-Presidents or Vice-Chairmen present, has precedence over the other.

(2) If all the officers of a body (the Conference, meeting in Plenary, the Credentials Committee, the Drafting Committee or the working group) are absent from any meeting of the body concerned, that body shall elect an Acting President or Acting Chairman, as the case may be.

Rule 17: Replacement of President or Chairman

If the President or any Chairman is unable to perform his functions for the remainder of the duration of the Conference, a new President or Chairman shall be elected.

Rule 18: Participation of Presiding Officers in Voting

(1) No President or Chairman, whether elected as such or acting (hereinafter referred to as "the Presiding Officer"), shall take part in voting. Another member of his Delegation may vote in its name.

(2) Where the Presiding Officer is the only member of his Delegation, he may vote, but only after all the other Delegations have voted.

CHAPTER V: CONDUCT OF BUSINESS

Rule 19: Quorum

(1) A quorum shall be required in the Conference, meeting in Plenary. It shall be constituted by one-half of the member States of the Union represented at the Conference.

(2) A quorum shall be required for the meetings of the Credentials Committee, the Drafting Committee and the working groups; it shall be constituted by one-half of the members of that Committee or working group.

Rule 20: General Powers of the Presiding Officer

(1) In addition to exercising the powers conferred on him elsewhere by these Rules, the Presiding Officer shall declare the opening and closing of the meetings, direct the discussions, accord the right to speak, put questions to the vote and announce decisions. He shall rule on points of order and, subject to these Rules, shall have complete control over the proceedings at any meeting and over the maintenance of order thereat.

(2) The Presiding Officer may propose to the Plenary of the Conference or to the Committee or working group concerned the limitation of the time allowed to each speaker, the limitation of the number of times each Delegation may speak on any question, the closure of the list of speakers or the closure of the debate. He may also propose the suspension or the adjournment of the meeting, or the adjournment of the debate on the question under discussion. Such proposals of the Presiding Officer shall be considered adopted unless immediately rejected.

Rule 21: Speeches

(1) No person may speak without having previously obtained the permission of the Presiding Officer. Subject to Rules 22 and 23, the Presiding Officer shall call upon speakers in the order in which they signify their desire to speak.

(2) The Presiding Officer may call a speaker to order if his remarks are not relevant to the subject under discussion.

Rule 22: Precedence

(1) Member Delegations asking for the floor are generally accorded precedence over Observer Delegations asking for the floor, and both categories of Delegation are generally given precedence over the representatives of Observer Organizations.

(2) The Chairman of the Credentials Committee, the Chairman of the Drafting Committee or the Chairman of a working group may be given precedence during discussions relating to the work of the Committee or working group concerned.

(3) The Secretary-General of UPOV or his representative may be given precedence for making statements, observations or suggestions.

Rule 23: Points of Order

(1) During the discussion of any matter, any Member Delegation may rise to a point of order, and the point of order shall be immediately decided by the Presiding Officer in accordance with these Rules. Any Delegation may appeal against the ruling of the Presiding Officer. The appeal shall be immediately put to the vote and, if it is not successful, the Presiding Officer's ruling shall stand.

(2) The Member Delegation that has risen to a point of order under paragraph (1) above may not speak on the substance of the matter under discussion.

Rule 24: Limit on Speeches

In any meeting, the decision may be taken to limit the time to be allowed each speaker and the number of times that each Delegation or each representative of an Observer Organization may speak on any question. When the debate is limited and a Delegation or representative of an Observer Organization has used up its allotted time, the Presiding Officer shall call it to order without delay.

Rule 25: Closing of List of Speakers

(1) During the discussion of any given question, the Presiding Officer may announce the list of participants who have signified their wish to speak and decide to close the list with respect to that question. The Presiding Officer may nevertheless give the right of reply to any speaker if a speech delivered after he has decided to close the list makes it desirable.

(2) Any decision made by the Presiding Officer under paragraph (1) may be the subject of an appeal under Rule 23.

Rule 26: Adjournment or Closure of Debate

Any Member Delegation may at any time move the adjournment or closure of the debate on the question under discussion, whether or not any other participant has signified his wish to speak. In addition to the proposer of the motion to adjourn or close the debate, permission to speak on that motion shall be given only to one Member Delegation seconding and two Member Delegations opposing it, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time allowed to speakers under this Rule.

Rule 27: Suspension or Adjournment of the Meeting

During the discussion of any matter, any Member Delegation may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but immediately put to the vote.

Rule 28: Order of Procedural Motions; Content of Interventions on Such Motions

(1) Subject to Rule 23, the following motions shall have precedence in the order given over all other pending proposals or motions:

- (i) to suspend the meeting;
- (ii) to adjourn the meeting;
- (iii) to adjourn the debate on the question under discussion;
- (iv) to close the debate on the question under discussion.

(2) Any Member Delegation that has been given the floor on a procedural motion may speak on that motion only, and may not speak on the substance of the matter under discussion.

Rule 29: Basic Proposal and Proposals for Amendments

(1) Document DC/91/3 shall constitute the basis for the discussions of the Conference, and the text of the draft new Act appearing in that document shall constitute the "basic proposal." [Where the basic proposal contains two or more alternatives or words in square brackets, only Alternative A and the text not between square brackets shall be regarded as forming part of the basic proposal, all the other alternatives and all the words in square brackets being regarded as proposals for amendments if they are submitted in accordance with paragraph (2) below.]

(2) Any Member Delegation may propose amendments to the basic proposal.

(3) Proposals for amendments shall, as a rule, be submitted in writing and handed to the Secretary of the competent body (the Conference, meeting in Plenary, the Credentials Committee, the Drafting Committee or the working group). The Secretariat shall distribute copies to the Delegations and representatives of Observer Organizations forming part of the body concerned. As a general rule, a proposal for amendment cannot be taken into consideration and discussed or put to the vote at a meeting unless copies of it have been distributed not later than three hours before it is taken into consideration. The Presiding Officer may, however, permit the taking into consideration and discussion of a proposal for amendment even though copies of it have not been distributed or have been distributed less than three hours before it is to be taken into consideration.

Rule 30: Decisions on Competence

(1) If a Member Delegation moves that a duly seconded proposal should not be taken into consideration by the Conference because it is outside the latter's competence, that motion shall be decided upon by the Conference, meeting in Plenary, and shall be put to the vote before the proposal is called up for discussion.

(2) If the motion referred to in paragraph (1) above is proposed before a body other than the Conference, meeting in Plenary, it shall be referred to the Conference, meeting in Plenary, for a ruling.

Rule 31: Withdrawal of Procedural Motions and Proposals for Amendments

Any procedural motion and any proposal for amendment may be withdrawn by the Member Delegation that made it, at any time before voting on it has commenced, provided that no amendment to it has been proposed by another Member Delegation. Any motion or proposal thus withdrawn may be reintroduced by any other Member Delegation.

Rule 32: Reconsideration of Matters Decided

When any matter has been decided by a body (the Conference, meeting in Plenary, the Credentials Committee, the Drafting Committee or a working group), it may not be reconsidered by that body unless so decided by a two-thirds majority of the Member Delegations present and voting. In addition to the proposer of the motion to reconsider, permission to speak on that motion shall be given only to one Member Delegation seconding and two Member Delegations opposing it, after which the motion shall immediately be put to the vote.

CHAPTER VI: VOTING

Rule 33: Voting Rights

All Member Delegations shall have the right to vote. Each one of them shall have one vote, may represent itself only and may vote in its name only.

Rule 34: Required Majorities

(1) Adoption of the new Act shall, in accordance with the second sentence of Article 27(2) of the Convention, require a majority of five-sixths of the States of the Union represented at the Conference.

(2) Subject to Rules 32 and 47(2), any other decision of the Conference, meeting in Plenary, and any decision of the Credentials Committee, the Drafting Committee or any working group shall require a simple majority of the Member Delegations present and voting.

(3) For the purposes of these Rules, references to Member Delegations "present and voting" shall be construed as references to Member Delegations present and casting an affirmative or negative vote. Express abstention, non-voting or absence during a vote shall not be regarded as the casting of a vote.

Rule 35: Requirement of Seconding; Method of Voting

(1) Any proposal for amendment made by a Member Delegation shall be put to a vote only if seconded by at least one other Member Delegation.

(2) Voting on any question shall be by show of hands unless a Member Delegation, seconded by at least one other Member Delegation, requests a roll call, in which case it shall be by roll call. The roll shall be called in the alphabetical order of the French names of the States, beginning with the Member Delegation whose name shall have been drawn by lot by the Presiding Officer.

Rule 36: Conduct During Voting

(1) After the Presiding Officer has announced the beginning of voting, the voting shall not be interrupted except on a point of order concerning the actual conduct of the voting.

(2) The Presiding Officer may permit a Member Delegation to explain its vote or its abstention, either before or after the voting.

Rule 37: Division of Proposals

Any Delegation may move that parts of the basic proposal or of proposals for amendments be voted upon separately. If the request for division is objected to, the motion for division shall be put to a vote. In addition to the proposer of the motion for division, permission to speak on that motion shall be given only to one Member Delegation seconding and two Member Delegations opposing it. If the motion for division is carried, all parts of the basic proposal or of the proposal for amendment that have been separately

approved shall again be put to the vote, together, as a whole. If all operative parts of the basic proposal or of the proposal for amendment have been rejected, the basic proposal or the proposal for amendment shall be considered rejected as a whole.

Rule 38: Voting on Proposals for Amendments

(1) Any proposal for amendment shall be voted upon before the text to which it relates is voted upon.

(2) Proposals for amendments relating to the same text shall be put to the vote in the order of their substantive remoteness from the said text, the most remote being put to the vote first and the least remote being put to the vote last. If, however, the adoption of any proposal for amendment necessarily implies the rejection of any other proposal for amendment or of the original text, such proposal or text shall not be put to the vote.

(3) If one or more proposals for amendment relating to the same text are adopted, the text as amended shall be put to the vote.

(4) Any proposal the purpose of which is to add to or delete from a text shall be considered a proposal for amendment.

Rule 39: Voting on Proposals on the Same Question

Subject to Rule 38, where two or more proposals relate to the same question, the body concerned (the Conference, meeting in Plenary, the Credentials Committee, the Drafting Committee or the working group) shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted.

Rule 40: Equally Divided Votes

(1) If a vote is equally divided on a matter--other than the election of officers--that calls for a simple majority, the proposal shall be considered rejected.

(2) If a vote is equally divided on a proposal for electing a given person as an officer, the vote shall be repeated, if the nomination is maintained, until either that nomination is adopted or rejected or another person is elected for the position in question.

CHAPTER VII: LANGUAGES AND MINUTES

Rule 41: Languages of Oral Interventions

(1) Subject to paragraph (2), oral interventions made at the meetings of any body (the Conference, meeting in Plenary, the Credentials Committee, the Drafting Committee or any working group) shall be in English, French or German, and interpretation shall be provided by the Secretariat in the other two languages, it being understood that the Conference, meeting in Plenary, may, for practical reasons, restrict the languages of interpretation or dispense with interpretation at any meeting of a working group.

(2) The Credentials Committee, the Drafting Committee or any working group may, if none of its members objects, decide to dispense with interpretation or to limit it to fewer languages than are referred to in paragraph (1).

Rule 42: Summary Minutes

(1) Provisional summary minutes of the Plenary meetings of the Conference shall be drawn up by the Office of UPOV and shall be made available as soon as possible after the closing of the Conference to all speakers, who shall, within two months after the minutes have been made available, inform the Office of UPOV of any suggestions for changes to the minutes of their own interventions.

(2) The final summary minutes shall be published in due course by the Office of UPOV.

Rule 43: Languages of Documents and Summary Minutes

(1) Any written proposal shall be presented to the Secretariat in English, French or German.

(2) Subject to paragraph (3), all documents distributed during or after the Conference shall be made available in English, French and German.

(3)(a) Provisional summary minutes shall be drawn up in the language used by the speaker.

(b) The final summary minutes shall be made available in English, French and German.

CHAPTER VIII: OPEN AND CLOSED MEETINGS

Rule 44: Meetings of the Conference

The Plenary meetings of the Conference shall be open to the public unless the Conference, meeting in Plenary, decides otherwise.

Rule 45: Meetings of the Credentials Committee, the Drafting Committee and working groups

The meetings of the Credentials Committee, the Drafting Committee and working groups shall be open to the members of the Committee or working group concerned and the Secretariat.

CHAPTER IX: OBSERVERS

Rule 46: Observers

(1) Observer Delegations may attend the Plenary meetings of the Conference and make oral statements at them.

(2) The representatives of Observer Organizations may attend the Plenary meetings of the Conference. On being invited to do so by the Presiding Officer, they may make oral statements at those meetings on questions within the scope of their activities.

(3) Written statements submitted by Observer Organizations on subjects for which they have a special competence and which are related to the work of the Conference shall be distributed to the participants by the Secretariat in the quantities and the languages in which the statements are made available.

CHAPTER X: AMENDMENTS TO THE RULES OF PROCEDURE

Rule 47: Amendments to the Rules of Procedure

(1) With the exception of Rule 34(1) and the present Rule, these Rules may be amended by the Conference, meeting in Plenary.

(2) The adoption of any amendment shall require a majority of three-fourths of the votes cast by the Member Delegations present and voting.

CHAPTER XI: FINAL ACT

Rule 48: Final Act

If a final act is adopted, it shall be open for signature by any Delegation.

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