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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

CONSULTATIVE COMMITTEE

Eighty-Eighth Session Geneva, October 15, 2014

SPECIAL PROJECT FUND

Document prepared by the Office of the Union

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1. This document presents possible projects to be funded by the amount of the reserve fund exceeding 15 percent of the total income for the 2012-2013 Biennium.

BACKGROUND

2. Regulation 4.6 of the "Financial Regulations and Rules of UPOV" (document UPOV/INF/4/3) states that:

"The use, other than for the covering of any deficits, of the reserve fund is a matter for the decision of the Council. If after the closure of the financial period, the amount of the reserve fund exceeds 15 percent of the total income for the financial period, the amount in excess shall be reimbursed to the members of UPOV, unless otherwise decided by the Council. Any member of UPOV may request that the reimbursement attributed to it be deposited in a special account or trust fund specified by it."

3. The Council, at its thirty-first extraordinary session, held in Geneva on April 11, 2014, decided to create a special UPOV account to finance extra-budgetary projects agreed by the Council (Project Account) and to transfer the amount of the reserve fund exceeding 15 percent of the total income for the 2012-2013 Biennium to that account (see document C(Extr.)/31/5 "Report on the Decisions", paragraph 16).

4. The relevant information concerning the reserve fund and income for the 2012-2013 Biennium is provided in document C/48/4 "Financial management report for the 2012-2013 biennium", Annex "Financial Statements", as follows:

- "Statement I, Statement of Financial Position as at December 31, 2013"; and
- "Analysis of Statement of Financial Performance", "Revenue"

5. The financial situation at the end of the Biennium was as follows:

	(Swiss francs)
Total income for the 2012-2013 Biennium (Program and Budget)	6,803,063
Reserve fund at December 31, 2013	1,204,283
15% of total income for the 2012-2013 Biennium	1,020,459
Amount of the reserve fund exceeding 15 percent of the total income for the 2012-2013 Biennium	183,824

6. In a situation where the amount of the reserve fund exceeds 15 percent of the total income for the 2012-2013 Biennium, the Consultative Committee, at its eighty-sixth session, held in Geneva on October 23 and 24, 2013, recommended the creation of a special UPOV account that would be used to finance extra-budgetary projects agreed by the Council. It was agreed that the account should be used for projects that would, in particular:

- (i) support members of the Union, and in particular new members of the Union, in the operation of their plant variety protection systems;
- (ii) extend over more than one biennium;
- (iii) provide long-term benefits to members of the Union; and
- (iv) be advanced more rapidly by extra-budgetary funds.

7. The Consultative Committee further agreed that projects to be considered under a special UPOV account would be presented for consideration by the Consultative Committee prior to submission to the Council for approval. In that regard, it was agreed that the Consultative Committee would have flexibility to recommend projects that took into account factors other than those identified in (i) to (iv) above (see documents CC/86/2 "Reserve Fund" and CC/86/14 "Report on the Conclusions", paragraphs 29 to 31).

8. The Consultative Committee, at its eighty-seventh session, held in Geneva on April 11, 2014, requested the Office of the Union to prepare a document for consideration at its eighty-eighth session, setting out possible projects to be funded by the amount of the reserve fund exceeding 15 percent of the total income for the 2012-2013 Biennium, and requested members of the Union to provide proposals to the Office of the Union (see document CC/87/10 "Report on the Conclusions", paragraph 46).

POSSIBLE PROJECTS

9. The following possible projects have been prepared for consideration on the basis of interventions at the eighty-seventh session of the Consultative Committee and suggestions by the Office of the Union.

Financing of long-term employee benefits

10. At the eighty-seventh session of the Consultative Committee, the Secretary-General recalled the discussion under item 10 "Financing of long-term employee benefits" and suggested that, at some stage in the future, once a review of what other organizations were doing on financing of long-term employee benefits had been completed, discussions concerning a possible connection with the special project account might be appropriate (see document CC/87/11 "Report", paragraph 61).

Training

11. At the eighty-seventh session of the Consultative Committee, the Delegation of Mexico suggested that due consideration be given to training activities and programs which contributed to the expansion of UPOV membership, and therefore, a possible increase in the number of members contributing to the UPOV budget. The Delegation of Argentina stated that it was in favor of the use of funds for training activities that would be beneficial for both new and other members of the Union (see document CC/87/11 "Report", paragraphs 61 and 64).

12. In the case of training projects, particular consideration would be given to the delivery of the projects within the existing staff resources of the Office of the Union. In addition, consideration would need to be given to the procedure and time required for approval of proposals.

UPOV Electronic Application System Project (EAS Project)

13. The aim of the EAS Project is to develop a multilingual, electronic form/data interface containing questions relevant for plant breeders' rights (PBRs) applications of members of the Union. The system would provide an electronic form/data interface covering all relevant information required for a PBR application in the members of the Union concerned and with questions translated in the relevant languages for the members of the Union concerned. The system would enable applicants to complete an online form or

transfer data directly to a UPOV database. That data would then be transmitted to the members of the Union concerned in their preferred format (electronic or paper).

14. A “proof of concept” prototype is currently under development, with a view to presenting the prototype to the Administrative and Legal Committee (CAJ) and Council in October 2015. The following aspects would not be included in the prototype but would be included in the final version:

- Payment authorization
- Different languages
- Possibility for introducing or modifying questions in the form
- Technical aspects such as business support for applicants; routine maintenance provisions; compliance with Web Content Accessibility Guidelines (WCAG); legal aspect and disclaimer.

15. The work scheduled for the development of the “proof of concept” prototype is fully budgeted in the Program and Budget of the Union for the 2014-2015 Biennium under Section 2.2, Sub-program UV.2: Services to the Union for Enhancing the Effectiveness of the UPOV System (see document C/47/4 Rev. Annex, Section 2.2.3 (xii) “Development of an electronic application form”). However, the speed of delivery of the final system and the implementation by members of the Union could be assisted by the availability of additional funds in the 2016-2017 Biennium.

16. The Office of the Union and relevant WIPO colleagues would be ready to make a presentation on the EAS Project at the eighty-eighth session of the Consultative Committee.

Web-based Test Guidelines (TG) Template

17. Annually, approximately 60 draft Test Guidelines are prepared for discussion by the Technical Working Parties, 20 draft Test Guidelines prepared in English, French, German and Spanish for consideration by the Enlarged Editorial Committee (TC-EDC) and 20 Test Guidelines prepared in English, French, German and Spanish for adoption by the Technical Committee. Thus, around 220 documents need to be prepared each year. The aim of the web-based TG Template is to reduce the time spent by the Office of the Union in the preparation of Test Guidelines, to reduce the amount of translation work and to facilitate the preparation of draft Test Guidelines by the Leading Experts from the members of the Union. In addition, the web-based TG Template would offer a system for UPOV member authorities to develop their own Test Guidelines based on the UPOV Test Guidelines, or from scratch.

18. The web-based TG Template is being developed in two phases, or versions. Version 1, which will be completed in 2014, will be fully functional for the development of UPOV Test Guidelines by Leading Experts and will enable interested experts to provide comments.

19. In Version 2, the French, German and Spanish language versions of the Test Guidelines will be automatically developed concurrently with the English draft for the standard wording, Additional Standard Wording (ASW) and characteristics uploaded, unchanged, from the database comprising the collection of approved characteristics. Version 2 will enable members of the Union to use:

(a) adopted UPOV Test Guidelines as a basis for the development of individual authorities' test guidelines;

(b) the web-based TG Template and database of characteristics to develop individual authorities' test guidelines for which there are no UPOV Test Guidelines; and

(c) use individual authorities' test guidelines, developed using the web-based TG Template, as the basis for draft UPOV Test Guidelines.

20. Version 2 will have a feature for individual authorities to modify the template wording, within the same structure, to act as a template for their own test guidelines and a feature to allow individual authorities to convert UPOV Test Guidelines into individual authorities' test guidelines, with necessary modifications.

21. Subject to successful implementation of Version 1 of the web-based TG Template in 2014, the development of Version 2 is planned to be started in 2015.

22. The work scheduled for the development of the web-based TG Template Version 1 and part of Version 2 is budgeted in the Program and Budget of the Union for the 2014-2015 Biennium under 2.2 Sub-program UV.2: Services to the Union for Enhancing the Effectiveness of the UPOV System (see document C/47/4 Rev. Annex, Section 2.2.3 (xiii) "Further development of an electronic Test Guidelines template"). However, the speed of delivery of Version 2 could be assisted by the availability of additional funds in the 2016-2017 Biennium. Furthermore, additional funds could enable the development of the web-based TG Template to contain information in languages other than English, French, German and Spanish.

23. The Office of the Union and relevant WIPO colleagues would be ready to make a presentation on the web-based TG Template at the eighty-eighth session of the Consultative Committee.

24. The Consultative Committee is invited to consider the possible projects for funding by the amount of the reserve fund exceeding 15 percent of the total income for the 2012-2013 Biennium, as set out in paragraphs 9 to 23 of this document, in accordance with its recommendations concerning such projects, as set out in paragraphs 6 and 7 of this document.

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