



Brussels, 9 February 2018
(OR. en)

5967/18

AGRILEG 24

'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)/Council
No. Cion doc.:	ST 15802/17 INIT
Subject:	Appointment by the Council of the Chairperson of the Board of Appeal of the Community Plant Variety Office

1. Article 47(1) of Council Regulation (EC) No 2100/94¹ provides that the Chairperson of the Board of Appeal of the Community Plant Variety Office (CPVO) is appointed by the Council from a list of candidates proposed by the Commission after obtaining the opinion of the Administrative Council of the CPVO. According to the same provision, the term of office must not exceed five years and is renewable.
2. The second term of office of the Chairperson of the Board of Appeal of the CPVO, Mr Paul VAN DER KOOIJ², expired on 18 December 2017.

¹ Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights (OJ L 227, 1.9.1994, p.1).

² See Council Decisions 2007/858/EC (OJ L 337, 17.12.2007, p.105) and 2012/C 378/03 (OJ C 378, 8.12.2012, p. 2).

3. By a letter addressed to the Secretary-General of the Council, the Commission informed the Council of its Decision of 5 December 2017 on the list of candidates proposed for the post of Chairperson of the Board of Appeal of the CPVO (doc. 15802/17). The proposed list of candidates has received a favourable opinion by the Administrative Council of the CPVO and it contains a single shortlisted candidate, Mr Paul VAN DER KOOIJ.
4. The Working Party on Agricultural Questions (Plant Breeder Rights) and the Working Party of Agricultural Counsellors/Attachés (Phytosanitary Matters) were consulted through an informal written procedure on the proposed candidate, and no objections were raised.
5. The Permanent Representatives Committee (Part 1) is therefore invited to:
 - confirm the agreement reached by the above-mentioned Working Parties;
 - recommend to the Council that it:
 - o adopt at one of its forthcoming sessions, under an 'A' agenda item, the Decision appointing Mr Paul VAN DER KOOIJ as Chairperson of the Board of Appeal of the CPVO, as set out in doc. 5514/18 (text finalised by the legal-linguistic experts);
 - o agree to publish that Decision in the Official Journal of the European Union.
