Call for expression of interest: Chairperson of the Board of Appeal of the CPVO

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The Community Plant Variety Office is looking for the Chairperson of the Board of Appeal of the Office.

The Community Plant Variety Office (hereinafter referred to as 'the CPVO' or 'the Office') is an independent EU Agency, established by Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights, which also provides for the establishment of one or more Boards of Appeal within the Office.

A Board of Appeal is established by the Commission Regulation (EC) No 874/2009 and is responsible for deciding on appeals against decisions of the Office, concerning, inter alia, the grant or refusal of Community plant variety rights, objections to the grant of rights, the nullity or the cancellation of Community plant variety rights or the grant or refusal of compulsory licences.

The Board of Appeal consist of a Chairperson, two other members, and their respective alternates. Where the Board of Appeal considers that the nature of the appeal so requires, it may call up to two further members.

More information on the Board of Appeal can be found on the website of the CPVO: Chairperson of the Board of Appeal shall be independent. In making his/her decision, he/she shall not be bound by any instructions. In absence of the Chairperson, the Alternate Chairperson shall perform the tasks of the Chairperson.

The candidate must also have:

The above requirements need to be fulfilled by the deadline for applications.

The current term of office of the Chairperson of the Board of Appeal

runs until 18 February 2023. Under the terms of Regulation (EC) No 2100/94, the Council of the European Union decides on the appointment of the Chairperson on the basis of a list of candidates, which shall be proposed by the European Commission after obtaining the opinion of the Administrative Council of the Community Plant Variety Office.

The purpose of this call for expression of interest is to allow the European Commission to draw up a shortlist of candidates for the function of Chairperson of the Board of Appeal, which it will submit to the Council. Candidates should note that inclusion on the list does not guarantee appointment.

The European Commission will set up a selection panel which will invite applicants with the best profile for the specific requirements of the post to an interview, selected on the basis of their merits and the criteria set out above. Following these interviews, the European Commission will adopt a list of candidates, which will be submitted to the Administrative Council of the Office for opinion, before being communicated to the Council. Candidates may be called for an interview with the relevant Commissioner.

The term of office shall be five years. It shall be renewable in accordance with Regulation (EC) No 2100/94.

The European Commission and CPVO apply a policy of equal opportunities and non-discrimination. CPVO is an equal opportunities employer and accepts applications without distinction on the grounds of sex, racial or ethnic origin, religion or belief, age or sexual orientation, marital status or family situation. All applicants to selection procedures will be given an equal opportunity to demonstrate their abilities. Recruitments are made on the broadest possible geographical basis from among nationals of all Member States of the European Union.

The Chairperson is not required to suspend his/her current professional activities, but any such activities must be compatible with the requirements that members of the Boards of Appeal be independent. The Staff Regulations of Officials and Conditions of Employment of other servants of the European Union (the ‘Staff Regulations’) do not apply to the Chairperson, Alternate Chairperson and members of the Board of Appeal (Articles 31 and 47 of Regulation (EC) No 2100/94) who are not already employed as

servants of the European Union.

The Chairperson will be expected to be available for these duties at least 10 days/calendar year.

By decision of the Administrative Council of the CPVO of 19 September 2019:

A) The remuneration of the Chairperson the Board of Appeal who is an EU servant is as follows:

1. EU servants in active service within an EU Institution, Agency, Body, Authority who are appointed to act on the CPVO Board of Appeal, are not allowed to be in receipt of remuneration from other EU Institutions, but only reimbursement of mission costs, as per the Staff Regulations. To this end, it is appropriate that the assignment to serve on the CPVO Board of Appeal as Chairperson is agreed with their EU Institution or Agency.

2. The CPVO may enter into a service level agreement (SLA) or Memorandum of Understanding (MoU) with an EU Institution or an EU Agency to regulate the conditions on costs (including mission costs) for its staff to serve on the CPVO Board of Appeal.

B) The remuneration of the Chairperson the Board of Appeal who is not an EU servant is as follows:

1. Remuneration per actual day of work (1 day/8 hours): 500 (in EUR).

2. Maximum remuneration per one appeal: 7 500 (in EUR).

3. In addition to the said remuneration, the Chairperson of the Board of Appeal may be in receipt of:

a) Travel and living expenses in accordance with the latest Rules regarding the reimbursement of experts coming to CPVO meetings or travelling on behalf of the CPVO to meetings.

b) One additional day of work for travelling time to and from Angers, provided the oral hearing actually takes place and travelling time spent takes more than an hour. In case of several cases examined by the Board of Appeal over one or several consecutive days, only one additional day for travelling time shall be given.

Point 3 would not apply in cases where the hearing is held virtually.

Hearings of the Board of Appeal are held at the seat of the CPVO in Angers, France, or virtually.

The post is available from 19 February 2023.

Before taking up his/her duties, the Chairperson of the Board of Appeal will be required to make a declaration of commitment to act independently in the public interest and to declare any interests, which might be considered prejudicial to his/her independence (5).

Before submitting your application, you should carefully check whether you meet all requirements, particularly concerning the types of diploma, professional experience as well as linguistic capacity required. Failure to meet any of the requirements means an automatic exclusion from the selection procedure.

If you want to apply, you must register via the Internet on the website of the European Commission and follow the instructions concerning the various stages of the procedure: must have a valid email address. This will be used to confirm your registration as well as to remain in contact with you during the different stages of the procedure. Therefore, please keep the European Commission informed about any change in your email address.

To complete your application, you need to upload a CV in PDF format, preferably using the Europass CV format, and to fill out, online, a letter of motivation (maximum 8 000 characters). Your CV and your letter of motivation may be submitted in any of the official languages of the European Union.

Once you have finished your online registration, you will receive an electronic mail confirming that your application has been registered. If you do not receive a confirmation mail, your application has not been registered!

Please note that it is not possible to monitor the progress of your application on-line. You will be contacted directly by the European Commission regarding the status of your application.

If you require more information and/or encounter technical problems, please send an email to: HR-MANAGEMENT-ONLINE [at] ec [dot]

europa [dot] eu

The closing date for registration is 29 September 2022, 12.00 noon Brussels time, following which registration is no longer possible.

It is your responsibility to complete your online registration in time. We strongly advise you not to wait until the last few days before applying, since heavy internet traffic or a fault with your internet connection could lead to the online registration being terminated before you complete it, thereby obliging you to repeat the whole process. Once the deadline for the submission of registrations has passed, you will no longer be able to introduce any data. Late registrations are not accepted.

Candidates are reminded that the work of the different selection panels is confidential. It is forbidden for candidates to make direct or indirect contact with their individual members or for anybody to do so on their behalf. All queries must be addressed to the secretariat of the relevant panel.

The Commission will ensure that candidates' personal data are processed as required by Regulation (EU) 2018/1725 of the European Parliament and of the Council (7). This applies in particular to the confidentiality and security of such data.

More information on the Board of Appeal can be found on the website of the CPVO: full vacancy notice was published in the Official Journal of the European Union [Call for expression of interest for the function of Chairperson of the Board of Appeal of the Community Plant Variety Office – COM/2022/20088, OJ C 325A , 29.8.2022] and can be consulted in all official EU languages on the website of the Official Journal of the EU.

The full vacancy notice can be downloaded in English below.

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