

in the absence of the specimen(s) from which it was figured on which the validating description was based, is the illustration referred to associated with that description i.e. “*Clypeariae rubrae*” Rumphius, *Herbarium Amboinense* 3: 177, t. 112 (1743). It is not the specimen, at Kew, collected by Moon and labelled

“*Adenanthera bicolor*”, since Moon did not definitely designate the latter as the type.”

It would appear that the first effective designation of this lectotype was in Art. 32 Ex. 3 of the *Sydney Code* (i.e., by Voss & al. in *Regnum Veg.* 111: 32. 1983).

(215–222) Proposals on original material

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(215) Amend Art. 9 Note 2 as follows:

In clause (a), replace “(both unpublished and published either prior to or together with the protologue)” with “(both unpublished and published prior to publication of the protologue)”.

After clause (a), insert a new clause to read: “(*a bis*) those illustrations published as part of the protologue even if not used by the author of the validating description or diagnosis;”.

Although it is generally assumed that an illustration published as part of the protologue, is original material, a strict interpretation of the present definition of original material would, as pointed out by Ross (in Taxon 51: 523–524. 2002), suggest that such an illustration is original material only if it can be shown that the author used the illustration itself and not just the specimen or specimens portrayed.

At the Tokyo Congress Silva (in Taxon 42: 167–168. 1993) presented two proposals, one that would exclude illustrations published in the protologue as original material, the other specifically stated that such illustrations were original material, and it was the latter that was accepted. Presumably the Editorial Committee considered that as the author would almost certainly have seen an accompanying illustration, if only in proof, it could be assumed that the illustration was used and that the matter was covered by “(both unpublished and published either prior to or together with the protologue)”. The proposal above would make it explicit that an illustration, published in the protologue, is original material even if it cannot be shown to have been used by the author of the validating description or diagnosis.

(216) Add a footnote to Art. 8.1 to read as follows:

“Here and elsewhere in the *Code* an illustration is a work of art or a photograph depicting a feature or features of the new taxon described, e.g. that of a herbarium specimen or a scanning electron micrograph.”

Historically an illustration was a work of art, e.g., a painting, drawing or woodcut, however, with changes in technology, a protologue may now also include photographs of specimens, habitat photographs and scanning electron micrographs. It has been suggested that only illustrations showing features of the taxon described should be considered original material and the proposed footnote attempts to achieve this.

(217) Amend Art. 9 Note 2 as follows:

In the first line, after “For the purposes of this *Code*,” add “except for the situations covered by Art. 7.7 & 7.8,” and in the last line delete “(but see also Art. 7.7, second sentence, and 7.8)”.

The present Note does not adequately address the question of what is original material for names published under the provisions of Arts. 7.7 and 7.8. Proposal 217 above, if accepted, would restrict the present Note to the more normal situation. Proposals 218–220 below cover the situation for names published under the provisions of Arts. 7.7 and 7.8.

(218) Add a new Note after Note 2 to read as follows:

“*Note 2bis.* For names falling under Art. 7.7 first sentence, the original material comprises (a) those specimens and illustrations (both published and unpublished) upon which it can be shown that the description or diagnosis validating the name was based; (b) those illustrations published with the validating description or diagnosis even if not used by the author of the validating description or diagnosis; (c) those specimens which even if not seen by the author of the description or diagnosis were cited with the validating description or diagnosis; (d) the holotype and the duplicates of the holotype (isotypes).”

(219) Add a further new Note after Note 2bis to read as follows:

“*Note 2ter.* For names falling under Art. 7.7 second sentence, the original material comprises only those specimens and illustrations available to or indicated by the validating author.”

(220) Add a further new Note after Note 2ter to read as follows:

“*Note 2 quarter.* For names falling under Art. 7.8, the original material comprises only those specimens and illustrations associated with the name in the sanctioning work and can be an element not associated with the protologue.”

The apparent intent of Art. 7.8, when it entered the *Code* in Sydney, was to regard the treatment for a particular name by the sanctioning author as if it were the protologue, for the purpose of type designation, thus ensuring minimal nomenclatural changes when the sanctioning works ceased to be starting date works. Authors, however, have been reluctant to lectotypify a name on an element not associated with the protologue because of the belief that original material can only be material associated with the protologue and so Art. 7.8 conflicts with both Art. 9.2 and Art. 10.2. That this is not the case was made clear by the editorial addition of “(but see also ... and 7.8)” to Art. 9 Note 2 to the *Vienna Code*. The acceptance of Proposal 220 would make it quite evident that original material of a name published under the provisions of Art. 7.8 can, and often will, include material not associated with the protologue.

(221) Add a new Note after Art. 7.8 to read as follows:

Note 1. For sanctioned names all references to ‘protologue’ (cf. Art. 9.4, 9.5, 9.17, 10.2, 10.5, 10.4, 59.2, 59.3 & 59.7 and Rec. 9A.2, 9A.3, 9A.4, 9B.1) are taken as referring to everything associated with the name in the sanctioning work.”

The above is editorial and should have been added when sanctioning first entered the *Code* in Sydney. It makes it clear that for a

sanctioned name it is the treatment of the sanctioning author not the protologue that determines typification.

(222) Replace the entry for “original material” in the glossary with:

“**original material.** The specimens and illustrations from which a lectotype may be chosen (see [the appropriate Notes] for details).”

(223–232) Proposals to amend articles regulating the typification of names in sanctioning works

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Introduction.— What kind of nomenclatural type is the ‘type’ of a sanctioned name selected by invoking Art. 7.8, when original material that exists as documented by the earlier published protologue is not selected as ‘type’? Additionally, despite the existence of materials (including illustrations as allowed by Arts. 8.1, 9.2 and Note 2) documented in the protologue and/or sanctioning works, may a later author designate new materials as ‘type’ or ‘neotype’ as some have done when interpreting Art. 7.8? Articles 8 and 9 define the terms holotype, lectotype, neotype, syntype, paratype, isotype, isosyntype, and epitype, while Art. 14.9 deals with conserved types. Article 15.1 indicates that sanctioned names are to be treated as if conserved, but by default they do not have conserved types. As defined, none of these terms for types applies to a ‘type’ chosen as outlined in the first sentence here; parts of the *Code*, therefore, cannot be clearly interpreted.

Article 7.8 is ambiguous and open to differing interpretations because it may be thought to conflict with aspects of Arts. 9.1–9.12 and 10.1–10.5, which dictate what materials are available for typification at specific and infraspecific ranks and at the ranks of genus and generic subdivisions, respectively. Article 7.8 states, “Typification of names adopted in one of the [sanctioning] works [...] may be effected in the light of anything associated with the name in that work.” As first worded in the *St Louis Code* (Greuter & al. in *Regnum Veg.* 138. 2000), Art. 9.2 indicates that lectotypes may be chosen only from “original material.” Article 9, Note 2 (also added in that *Code*) defines “original material” as excluding materials examined after publication of the protologue, but it also ambiguously either (1) hints at possible deviation from this interpretation or (2) restricts it further via the phrase, “(but see also Art. [...] 7.8.)” Article 10.2 restricts lectotypification of generic names to the types of species names (if such exist) cited in the protologue. The phrase “in the light of” in Art. 7.8 literally means “with the knowledge” gleaned from the sanctioning work, although some mycologists have interpreted it differently. Hence, although typification may be guided by such knowledge, it is not necessarily restricted by it. Article 7.8 does not explicitly allow for lectotypification of materials not available when the protologue was published, and therefore Art. 7.8 does not explicitly override Arts. 9.2 and 10.2. As defined in the *Code*, the protologue continues

to reside in the publication where the name was validated, *not* where it was sanctioned. The basis of the continuing ambiguity is apparent in “Principle 4” published by Korf (in *Mycotaxon* 16: 350. 1983) where in the discussion on the typification of sanctioned names, the protologue is specifically treated as an independent entity from the treatment in the sanctioning work. Even Korf’s “Principle 4” does not explicitly state that types of sanctioned names may be elements not included in the protologue. We believe that this ambiguity has led to nomenclatural instability and should be removed from the *Code* either by eliminating Art. 7.8 or by revising Art. 7.8 together with other impacted articles as corollaries. Article 7.8 does not specifically designate the ‘type’ of a sanctioned name as lectotype, neotype, or conserved type and there is no equivalent alternative.

Background.— Fungi are the only organisms covered by the *Code* that not only have a starting point date and publication but also have sanctioning publications (Art. 13.1d) that once served as starting point publications in earlier versions of the *Code*. Demoulin & al. (in *Taxon* 30: 52–63. 1981) and Korf (l.c.) published detailed synopses of the complex starting point history. Donk (in *Taxon* 10: 67. 1961) first introduced the concept of a ‘sanctioned’ status with regard to names published by Fries (*Syst. Mycol.* 1. 1821) at the time when the *Systema Mycologicum* still served as a later starting point publication. The term ‘sanctioned’ was implied (although not mentioned per se) in proposal 32 (which sought to push back the starting date to 1753) in the IMC2 subcommittee report on starting point dates (Van Warmelo in *Taxon* 28: 429–430. 1979). Support for proposal 32, published by Demoulin & al. (l.c), refined the usage of the term ‘sanctioned’.

The concepts of sanctioning works and sanctioned names, approved in 1981, appeared in the *Sydney Code* (Voss & al. in *Regnum Veg.* 111. 1983). There the new Article 7.17, added to cover typification of sanctioned names, reads, “Typification of names adopted in one of the works specified in Art. 13.1(d), and thereby sanctioned, is based on everything associated with the name in that work.” That wording was deemed to be ambiguous as it could be interpreted two ways: either allowing for typification with materials cited in the sanctioning work that were not available when the protologue was published, or requiring all materials to be expressly cited in the original protologue as well