

## PROPOSALS TO AMEND THE CODE

Edited by Nicholas J. Turland &amp; John H. Wiersema

**(093–094) Proposals to amend Article 53.6 and the Glossary****Irina V. Belyaeva, Rafaël Govaerts, Heather L. Lindon & Emma V. Williams***Royal Botanic Gardens, Kew, Richmond, Surrey TW9 3AE, U.K.*Author for correspondence: *Irina V. Belyaeva, i.belyaeva@kew.org*DOI <http://dx.doi.org/10.12705/645.32>

Whilst answering feedback for IPNI (International Plant Names Index; <http://www.ipni.org>) and WCSP (World Checklist of Selected Plant Families; <http://apps.kew.org/wcsp/>) the authors of the present proposal came across the case of two names, *Oxytropis popovii* Peschkova (in *Novosti Sist. Vyssh. Rast.* 6: 290. 1970) and *O. popovii* Vassilcz. (in *Novosti Sist. Vyssh. Rast.* 6: 152. 1970), which

were published simultaneously. Article 53.6 and Ex. 19 apply here because the replacement name *O. popoviana* Peschkova (*Stepnaya Fl. Baikal'skoj Sibiri*: 73. 1972) was published to replace *O. popovii* Peschkova.

From the feedback we received there seems to be confusion as to the status of homonyms that are published simultaneously (Art.

53.6 of the *Melbourne Code* – McNeill & al. in *Regnum Veg.* 154, 2012). This may be because the issue is not explicitly exemplified, nor is it cross-referenced in the Glossary. On page 156 only Art. 53.1 is mentioned, which does not include this equal priority for homonyms. To avoid any future ambiguity we propose changing some of the wording as follows.

**(093 Amend Art. 53.6 (new text in bold):**

**“53.6. A name that was a homonym when published is not illegitimate on account of its homonymy if it is spelled exactly like a name based on a different type that was simultaneously and validly published for a taxon of the same rank, unless an earlier homonym exists (see also Art. 11 Note 2).** When two or more homonyms have equal priority, the first of them that is adopted in an effectively published text (Art. 29–31) by an author who simultaneously rejects the other(s) is treated as having priority. Likewise, if an author in an effectively published text replaces with other names all but one of these homonyms, the homonym for the taxon that is not renamed is treated as having priority (see also Rec. 42A.2).”

Articles 52.3 and 53.6 are placed at the end of the corresponding Articles on page 115 under the heading “*Illegitimacy (Superfluity)*” and on page 119 under the heading “*Illegitimacy (Homonymy)*”, respectively. However, both Articles, 52.3 and 53.6, are about legitimate names, and a user of the *Code* might not guess to look for legitimate names under the heading “*Illegitimacy*”. The first place where a user would look for a definition of superfluity and homonymy is the Glossary. However, the definition of a superfluous name on page 161 in the

Glossary refers to Art. 52.1 and the definition of a homonym on page 156 refers to Art. 53.1, narrowing the use of superfluity and homonymy only to illegitimate names, which is misleading. We recommend amending the references in the Glossary to avoid the impression that all superfluous names and homonyms are illegitimate.

**(094) Amend the entries for “homonym” and “superfluous name” in the Glossary by adding “but see” references as follows (shown in bold):**

**“homonym.** A name spelled exactly like another name published for a taxon of the same rank based on a different type (Art. 53.1). Note: names of subdivisions of the same genus or of infraspecific taxa within the same species that are based on different types and have the same final epithet are homonyms even if they differ in rank, the rank-denoting term not being part of the name (Art. 53.4; **but see Art. 53.6.**)”

**“superfluous name.** A name that, when published, was applied to a taxon that, as circumscribed by its author, definitely included the type of a name that ought to have been adopted, or of which the epithet ought to have been adopted, under the rules (Art. 52.1; **but see Art. 52.3.**)”

**Acknowledgements**

The authors thank Nataliya Kovtonyuk (Central Siberian Botanical Garden of Russian Academy of Sciences, NSK) for sending an interesting and appropriate query and example and Nicholas Turland for valuable suggestions to this proposal.