

## (083–085) Proposals to Amend Article 29

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The following proposals are presented to provide clarification of what is meant by effective publication under the *ICBN*. Brief discussions of this matter have been presented by Weresub & McNeill (Taxon 29: 471–476, 1980), Nicolson (Taxon 29: 485–488, 1980), Brummitt (Taxon 29: 771784, 1980), Farjon (Taxon 47: 771–772, 1998), and Prado & Bicudo (Taxon 51: 525–527, 2002).

In particular, photocopying is by far the main process for duplicating information on paper since it occurs worldwide, is efficient, and of very little cost.

### **(083) Amend Article 29.1 to amplify the meaning of not effectively published by including the text indicated in italics below:**

“29.1. Publication is effected, under this Code, only by distribution of printed matter (through sale, exchange, or gift) to the general public or at least to botanical institutions with libraries accessible to botanists generally. It is not effected by communication of new names at a public meeting, by the placing of names in collections or gardens open to the public, by the issue of microfilm *or any kind of photocopy* made from manuscripts, typescripts or other unpublished material, by publication online, or by dissemination of distributable electronic media”.

To avoid future nomenclatural instability and further divergent interpretations, we suggest that any matter reproduced by photocopy is not effectively published. This provision is intended to cover those publications that are reproduced in restricted and uncertain number, sometimes called “grey literature” as discussed previously by Prado & Bicudo (l.c.). We suggest that the example below be included in the Code to clarify the amendment and we also propose a new Recommendation to facilitate application of this modification to the Article:

*Add the following example to the Article 29.1:*

Ex. 1. In Prado’s thesis “Revisão taxonômica de *Pteris* L. (Pteridaceae) no Brasil’ (Feb 1993) *Pteris denticulata* Sw. var. *tristicula* (Raddi) Prado, based on *Pteris tristicula* Raddi (Opusc. Sci. Bol. 3: 293. 1819), was pre-

sented with all the requirements for valid publication, except that the text of the thesis was reproduced by photocopy. The work was not, therefore, effectively published; this new combination was later validly published by Prado in Amer. Fern J. 83: 131, Dec 1993.

### **(084) Insert the following new Recommendation following Article 29:**

Recommendation 29A:

29A.1. Authors preparing theses (except for those which are part of a regular publications series) are encouraged to state what kind of reproduction mechanism was used.

Excluding photocopying as a process acceptable for effective publication requires that a definition of printed matter be added to the Code. It could be incorporated through a footnote<sup>1</sup>:

### **(085) Define printed matter by inserting the following footnote to Article 29.1:**

“Publication is effected, under this Code, only by distribution of printed matter<sup>1</sup> ....”

<sup>1</sup>Here and elsewhere in the Code, the expression printed matter means text reproduced by mechanical or graphic process (i.e., processes that require a matrix from which copies are made), excluding any kind of photocopy (i.e., instant copy made straight from the document).