

NOMENCLATURE COMMUNICATIONS

Taxon closed for proposals to amend the *Code* on 31 March 2023. Late submissions received until 30 June 2023 may be accepted at the editors' discretion if no reviewing or major editing is necessary. From 1 July 2023, no further submissions will be accepted.

(242–244) Proposals to clarify the use of the terms “name” and “designation” and add a definition of “potential name” (Articles 6.3, 12.1 and 38.4)

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Article 6.3 of the *Shenzhen Code* (Turland & al. in *Regnum Veg.* 159. 2018) states “In this *Code*, unless otherwise indicated, the word ‘name’ means a name that has been validly published, whether it is legitimate or illegitimate”. In many cases, “otherwise indicated” is implicit. We propose that Art. 6.3 state that the contrary usage may be implicit.

The *Shenzhen Code* sometimes uses the term “designation” to refer to a name that is not validly published. In the Glossary, the term “designation” appears as “*designation*. [Not defined] – the term used for what appears to be a name but that (1) has not been validly published and hence is not a name in the sense of the *Code* (Art. 6.3) or (2) is not to be regarded as a name (Art. 20.4 and 23.6) (see also *type designation*).” The term “designation” has two meanings in the *Shenzhen Code*: (1) a “name” that is actually not a name in the sense of the *Code* and (2) as defined in the Glossary under *type designation*, an explicit statement that establishes the type of a name. In at least one case, they are used in the same sentence. Article 40 Ex. 4 states: “‘*Baloghia pininsularis*’ was published by Guillaumin (in *Mém. Mus. Natl. Hist. Nat.*, B, Bot. 8: 260. 1962) with two cited gatherings: *Baumann 13813* and *Baumann 13823*. Because the author failed to designate one of them as the type, the designation was not validly published. [...]” Moreover, the two usages have different connotations: a *type designation* is generally an effective typification, whereas a *designation* in the other sense is not a validly published name.

The rules do not provide an appropriate term for a name/designation whose status has not yet been determined. For example, if an application is made to the General Committee to decide if a “descriptive statement” is a validating description or diagnosis (Art. 38.4), it is unknown if there is a name or a designation until the decision is made. While the rules already use phrases such as “intended name” or “intended new combination” (Art. 41 Ex. 25 and Art. 43 Ex. 1), those terms are always used for designations. We suggest the term “potential name” be used if the status has not been determined.

We offer the following proposals to introduce this new term and provide flexibility as to when it is used.

(242) Amend Art. 6.3 as follows, incorporating the definition of “designation” from the Glossary (new text in bold, deleted text in strikethrough):

“6.3. In this *Code*, unless ~~otherwise~~ **explicitly** indicated or **implicitly used otherwise**, the word “name” means a name that has been validly published, whether it is legitimate or illegitimate (see Art. 12; but see Art. 14.9 and 14.14). **The word “designation” is used for what appears to be a name but that (1) has not been validly published and hence is not a name in the sense of this Code or (2) is not to be regarded as a name (Art. 20.4 and 23.6). The term “potential name” may be used for what appears to be a name before its status as a name or designation has been determined.**”

In addition, we recommend that the Editorial Committee use “designation” as infrequently as possible when referring to a name that is not validly published, as opposed to a *type designation*. We prefer “name that has not been validly published” instead of “designation that has not been validly published.”

(243) Amend the second sentence of Art. 38.4 as follows (new text in bold):

“38.4. [...] A Committee recommendation as to whether or not the **potential** name concerned is validly published may then be put forward to an International Botanical Congress and, if ratified, will become a binding decision with retroactive effect. [...]”

A statement to the effect that a name is not validly published, while technically correct because Art. 6.3 allows a name to be used as such “if indicated otherwise”, is still somewhat contradictory. We prefer the following formulation.

(244) Amend Art. 12.1 as follows (new text in bold):

“12.1. **A potential** name of a taxon has no status under this *Code* unless it is validly published (see Art. 6.3; but see Art. 14.9 and 14.14).”

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