



OPCW

Conference of the States Parties

Twenty-Second Session
27 November – 1 December 2017

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30 November 2017
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DECISION

AMENDMENTS TO THE OPCW FINANCIAL REGULATIONS AND RULES

The Conference of the States Parties,

Recalling that, at its Nineteenth Session, the Conference of the States Parties (hereinafter “the Conference”) authorised the Technical Secretariat to implement a new enterprise resource planning (ERP) system;

Recalling also that, at its Thirty-Sixth Session, the Advisory Body on Administrative and Financial Matters (ABAF) expressed support for the implementation of a fully integrated ERP system and stressed the importance of streamlining current business processes ahead of planned implementation in order to minimise customisation requirements;

Recalling further that the ABAF at its Thirty-Seventh Session noted that, in the process of changing business workflows, some amendments to the Financial Regulations and Rules might be necessary;

Recalling further that, at its Forty-Third Session, the ABAF recommended the acceptance of the proposed amendments to the Financial Regulations and Rules necessary for the implementation of the ERP system; and

Noting the decision of the Executive Council at its Eighty-Sixth Session (EC-86/DEC.7, dated 11 October 2017) recommending to the Conference that it adopt the amendments to the Financial Regulations and Rules annexed thereto, which are also annexed to the present document;

Hereby:

Adopts the amendments to the OPCW Financial Regulations and Rules annexed hereto.

Annex: Amendments to the OPCW Financial Regulations and Rules Necessary for the Implementation of the Enterprise Resource Planning System, Including Editorial Amendments and Amendments Arising from Internal Administrative Review



Annex

AMENDMENTS TO THE OPCW FINANCIAL REGULATIONS AND RULES NECESSARY FOR THE IMPLEMENTATION OF THE ENTERPRISE RESOURCE PLANNING SYSTEM, INCLUDING EDITORIAL AMENDMENTS AND AMENDMENTS ARISING FROM INTERNAL ADMINISTRATIVE REVIEW

Current Text	New Text
<p>Rule 1.1.02 Authority of the Principal Financial Officer</p> <p>The Director-General shall designate a staff member as the Principal Financial Officer of the OPCW. In accordance with Financial Regulation 14.2, the Director-General may delegate to the Principal Financial Officer such authority as he considers necessary for the efficient and effective implementation of the Financial Regulations, Rules and Directives. The Director-General shall duly notify the Executive Council of the designated Principal Financial Officer.</p>	<p>Rule 1.1.02 Authority of the Principal Financial Officer</p> <p>The Director-General shall designate a staff member as the Principal Financial Officer of the OPCW. In accordance with Financial Regulation 14.2, the Director-General may delegate to the Principal Financial Officer such authority as he or she considers necessary for the efficient and effective implementation of the Financial Regulations, Rules and administrative directives. The Director-General shall duly notify the Executive Council of the designated Principal Financial Officer.</p>
<p>Article 2 DEFINITIONS Regulation 2.2</p>	<p>Article 2 DEFINITIONS Regulation 2.2</p>
	<p>Accrual basis shall mean the basis of accounting under which transactions and other events are recognised when they occur (and not only when cash or its equivalent is received or paid). Therefore, the transactions and events are recorded in the accounting records and recognised in the financial statements of the periods to which they relate. The elements recognised under accrual accounting are assets, liabilities, net assets/equity, revenue and expenses.</p> <p>Approving Officer shall mean a staff member of the budget and finance function (but not the Principal Financial Officer or the Treasury Officer) designated by the Director-General as being responsible for ensuring that required documents passed by Certifying</p>

Current Text	New Text
<p>Budgetary Accounting shall mean the recording and reporting of financial information on a modified cash basis, the same basis as that followed for appropriations for the regular budget or for other funds governed by other agreements, in a manner that is consistent with the Financial Regulations and Rules, with Financial Directives, and with any other instructions as may be issued by or on behalf of the Director-General for their administration.</p>	<p>Officers for payment are properly supported by evidence that goods or services have been received in accordance with the contractual agreement establishing the obligation; that payment has not previously been made; and that the supporting documents do not have irregularities that might indicate that the payment is not properly due. The Approving Officer can never be a Certifying Officer.</p> <p>Budgetary Accounting shall mean the recording and reporting of financial information on a modified cash basis, the same basis as that followed for appropriations for the regular budget or for other funds governed by other agreements, in a manner that is consistent with the Financial Regulations and Rules, with administrative directives, and with any other instructions as may be issued by or on behalf of the Director-General for their administration.</p> <p>Cash Deficit shall mean the excess of cash disbursements over cash receipts for a given financial period.</p> <p>Certifying Officer shall mean a staff member designated by the Director-General in accordance with Financial Regulation 14.2 as being responsible for the delivery of one or more specific programme or subprogramme activities as are required under the Convention, and as set out in the approved programme and budget. The Certifying Officer shall be responsible for examining all obligations proposed by requestors to ensure that appropriate funds are available and have been allotted, and that the proposed expenditure is consistent with the purpose for which the relevant appropriation was intended.</p> <p>Commitment shall mean entering into a contractual agreement involving a liability against resources, for which expenditure authority</p>

Current Text	New Text
<p>expenditure authority has not yet been given by the Conference of the States Parties.</p>	<p>has been given by the Conference of the States Parties.</p> <p>Imprest Fund shall mean a fund or account established in a fixed amount and maintained at the level by periodic replenishments (normally monthly) of the sums disbursed (i.e. petty cash).</p> <p>Officials shall mean the Director-General and all members of the staff of the Technical Secretariat of the OPCW.</p> <p>Principal Financial Officer shall mean a staff member designated by the Director-General as being responsible for the oversight of the OPCW's financial resources, including the implementation of the OPCW's Financial Regulations and Rules and administrative directives, and the promulgation of such additional guidance as may be necessary on financial management matters. This staff member shall perform functions in accordance with the Financial Rules, in particular Rules 1.1.02 and 11.1.01.</p> <p>Segregation of Duties shall mean the principle of internal control according to which no personnel should be given responsibility for more than one related function, unless adequate compensating controls have been approved by the Principal Financial Officer.</p> <p>Treasury Officer shall mean a staff member of the budget and finance function designated by the Principal Financial Officer as being responsible for the proper management and custody of the OPCW's cash assets, including investments. The Treasury Officer can never be the Principal Financial Officer.</p>

Current Text	New Text
<p style="text-align: center;">Rule 2.2.01 Interpretations of the Financial Rules</p> <p>In case of a doubt as to the interpretation of any of the Financial Rules, the Director-General shall provisionally rule thereon and shall notify the Executive Council of the interpretation applied. The Executive Council may amend the Financial Rule in doubt in order to clarify or revise the Director-General's interpretation.</p>	<p style="text-align: center;">DELETED</p>
<p style="text-align: center;">Rule 2.2.02 Glossary of definitions</p> <p>Additional definitions relevant to the understanding of these Financial Rules are set out below.</p> <p>Approving Officer shall mean a staff member of the budget and finance function (but not the Principal Financial Officer or the Treasury Officer) designated by the Director-General as being responsible for examining proposed obligations before these are established in the accounting records to ensure the following: that obligations have been authorised by the appropriate Certifying Officer; that vouchers and other documents passed by Certifying Officers for payment are properly supported by evidence that goods or services have been received in accordance with the contractual agreement establishing the obligation; that the documents comprise duly certified original vouchers; that payment has not previously been made, and that the supporting documents do not have irregularities which might indicate that the payment is not properly due. The Approving Officer can never be a Certifying Officer.</p> <p>Certifying Officer shall mean a staff member designated by the Director-General in accordance with Financial Regulation 14.2 as being responsible for the delivery of one or more specific programme or subprogramme activities as are required under the Convention, and as set out in the approved programme and budget. The Certifying Officer</p>	<p style="text-align: center;">DELETED</p>

Current Text	New Text
<p>shall be responsible for examining all obligations proposed by requestors to ensure that appropriate funds are available and have been allotted, and that the proposed expenditure is consistent with the purpose for which the relevant appropriation was intended.[3]</p> <p>Principal Financial Officer shall mean a staff member designated by the Director-General as being responsible for the oversight of the OPCW's financial resources, including the implementation of the OPCW's Financial Regulations and Rules and Directives and the promulgation of such additional guidance as may be necessary on financial management matters. This staff member shall perform functions in accordance with the Financial Rules and in particular Rules 1.1.02 and 11.1.01.</p> <p>Treasury Officer shall mean a staff member of the budget and finance function designated by the Principal Financial Officer as being responsible for the proper management and custody of the OPCW's cash assets, including investments. The Treasury Officer can never be the Principal Financial Officer.</p> <p>Imprest Fund shall mean a fund or account established in a fixed amount and maintained at the level by periodic replenishments (normally monthly) of the sums disbursed.</p> <p>Officials shall mean the Director-General and all members of the staff of the Technical Secretariat of the OPCW.</p>	
<p>Rule 3.2.01 Preparation of the draft budget</p> <p>The draft budget, both for expenditures and income, shall be prepared on a gross basis.</p>	<p>Rule 3.2.01 Preparation of the draft budget</p> <p>The draft budget, both for expenditures and income, shall be prepared through a consultative process with States Parties, as set out in the relevant administrative directive.</p>

Current Text	New Text
<p>Regulation 3.3</p> <p>Pursuant to paragraph 7 of Article VIII (A) of the Convention the budget shall comprise two separate chapters, one relating to administrative and other costs, and one relating to verification costs. Each chapter shall be divided into programmes, and, as appropriate, each programme shall be divided into subprogrammes. The budget shall include any information annexes and explanatory statements requested by, or on behalf of, the Conference of the States Parties or the Executive Council. It shall also include such further information as the Director-General may deem necessary and useful. As a minimum, the budget shall contain:</p> <p>(a) an overview and introduction, describing:</p> <ul style="list-style-type: none"> - the objectives identified for the work to be financed by the budget; - the basic assumptions having budgetary implications; - the detailed assumptions having budgetary implications; and - overall budgetary growth proposed (real and nominal) together with a brief explanatory statement; <p>(b) a breakdown of each budget chapter by programme, providing for each programme:</p> <ul style="list-style-type: none"> - an overview statement; - a statement of responsibilities; - a statement of objectives; - the proposed activities to be performed, listed in order of priority and divided by subprogramme, where appropriate, with a brief description; - the appropriations required, by subprogramme and by main object of expenditure; and - comparison between the budgets of the current and previous financial periods; 	<p>Regulation 3.3</p> <p>Pursuant to paragraph 7 of Article VIII (A) of the Convention the budget shall comprise two separate budget chapters, one relating to administrative and other costs, and one relating to verification costs. Each chapter shall be divided into programmes, and, as appropriate, each programme shall be divided into subprogrammes. The budget shall include any information annexes and explanatory statements requested by, or on behalf of, the Conference of the States Parties or the Executive Council. It shall also include such further information as the Director-General may deem necessary and useful, as set out in the relevant administrative directive.</p>

Current Text	New Text
<p>(c) supporting tables, as appropriate, for the budget as a whole and for each chapter, programme and subprogramme, showing:</p> <ul style="list-style-type: none"> - organisation charts; - post requirements; - resource requirements; - resource requirements by main object of expenditure; and - budgetary growth proposed (real and nominal); and <p>(d) as separately identified and suitably detailed items, programme and budget proposals for verification in accordance with the following provisions of the Annex on Implementation and Verification to the Convention:</p> <ul style="list-style-type: none"> - paragraph 13 of Part VII; - paragraph 13 of Part VIII; and - paragraph 10 of Part IX. 	
<p style="text-align: center;">Rule 3.3.01</p> <p style="text-align: center;">Tasks of the Certifying Officer</p> <p>(a) Certifying Officers shall prepare the respective draft budget proposals, that is, the programme content and resource allocation, for the following financial period at such times and in such detail as the Director-General may prescribe in a Financial Directive and in accordance with the Financial Regulations and Rules. The budget proposals shall be detailed by chapter, programme and subprogramme, and by object of expenditure within each programme and subprogramme.</p> <p>(b) Detailed guidelines for preparing budget estimates shall be issued to the Division Directors by the Director of the Administration Division, in consultation with the Director-General. The proposals of the Division Directors shall be submitted simultaneously to the Director of the</p>	<p style="text-align: center;">Rule 3.3.01</p> <p style="text-align: center;">Tasks of the Certifying Officer</p> <p>(a) Certifying Officers shall prepare the respective draft budget proposals, that is, the programme content and resource allocation, for the following financial period at such times and in such detail as the Director-General may prescribe in an administrative directive and in accordance with the Financial Regulations and Rules.</p>

Current Text	New Text
Administration Division and to the Head of the Budget, Planning and Control Branch for consolidation.	
<p>Rule 4.1.02 Basis of obligations</p> <p>(a) Obligations for goods and services shall be based on a contractual agreement entered into under the responsibility of the Director-General on behalf of the OPCW. All such obligations shall be supported by appropriate obligating documents. The obligation shall be carried as an unliquidated obligation during the period set forth in Regulation 4.3, unless liquidated prior thereto.</p> <p>(b) All commitments, obligations and expenditures require at least two authorising signatures, in either conventional or electronic form. All commitments, obligations and expenditures must first be signed (certified) by a duly designated Certifying Officer. Following certification, duly designated Approving Officers (Financial Rule 10.1.04) must then sign to approve the establishment of obligations, the recording of expenditures in the accounts, and the processing of payments. Expenditures recorded against an established, certified obligation do not require additional certification, provided that they do not exceed the amount obligated by more than EUR 2,500. The aggregate amount exceeded on a pre-encumbrance and obligation may not be more than EUR 2,500.</p>	<p>Rule 4.1.02 Basis of obligations</p> <p>(a) Obligations for goods and services shall be based on a contractual agreement entered into under the responsibility of the Director-General on behalf of the OPCW or his or her designated delegated authority. All such obligations shall be supported by appropriate obligating documents and, if applicable, a copy or proof of delegation of authority. The obligation shall be carried as an unliquidated obligation during the period set forth in Regulation 4.3, unless liquidated prior thereto.</p> <p>(b) All commitments, obligations and expenditures require at least two authorising signatures, in either conventional or electronic form. All commitments, obligations and expenditures must first be certified by a duly designated Certifying Officer. Expenditures recorded against an established, certified obligation do not require additional certification, provided that they do not exceed the amount obligated as set out in the relevant administrative directive.</p>
<p>Rule 4.4.01 Obligations which cannot be liquidated</p> <p>In those cases where the obligation cannot be liquidated within the time period set forth in Financial Regulation 4.3, the procedure under Financial Regulation 4.4 shall be followed. This procedure requires the examination of each such obligation in accordance with Financial</p>	<p>Rule 4.4.01 Obligations which cannot be liquidated</p> <p>In those cases where the obligation cannot be liquidated within the time period set forth in Financial Regulation 4.3, the procedure under Financial Regulation 4.4 shall be followed. This procedure requires the examination of each such obligation in accordance with Financial</p>

Current Text	New Text
<p>Rule 10.3.06 before it is cancelled or reobligated against appropriations of the current financial period.</p> <p>Rule 4.5.01 Transfers of funds</p> <p>(b) Requests for transfers of appropriated funds between approved budget programmes and/or between budget subprogrammes in accordance with Financial Regulations 4.5 and 4.6, but within the scope of objectives approved for the year in the annual programme and budget, shall be submitted by the designated Certifying Officer, through the Principal Financial Officer, to the Director-General for decision. These requests shall contain a description of the activity giving rise to the funding-transfer requirement, a justification for its urgency and estimated cost, and alternative sources of funding.</p>	<p>Rule 10.3.06 before it is cancelled or re-obligated against appropriations of the current financial period.</p> <p>Rule 4.5.01 Transfers of funds</p> <p>(b) Requests for transfers of appropriated funds between approved budget programmes and/or between budget subprogrammes in accordance with Financial Regulations 4.5 and 4.6, but within the scope of objectives approved for the year in the annual programme and budget, shall be submitted by the designated Certifying Officer, through the Principal Financial Officer, to the Director-General for decision.</p>
<p>Rule 5.4.01 Contributions under Articles IV and V of the Convention</p> <p>(b)(v) In the exceptional circumstance that no agreement is reached during the 90-day period following receipt of the invoice, the Director-General shall, in his monthly report to the Executive Council on OPCW income and expenditures, include a report on unresolved differences concerning Article IV and V invoices, listing the amounts involved and explaining the nature and duration of the dispute.</p> <p>Regulation 6.2</p> <p>At the end of each financial period the provisional cash balance for the financial period shall be determined by establishing the balance between the following credits and charges to the Regular Budget Fund:</p> <p>(a) credits: - contributions actually received for the financial period from States Parties; and</p>	<p>Rule 5.4.01 Contributions under Articles IV and V of the Convention</p> <p>(b)(v) In the exceptional circumstance that no agreement is reached during the 90-day period following receipt of the invoice, the Director-General shall, in his or her monthly report to the Executive Council on OPCW income and expenditures, include a report on unresolved differences concerning Article IV and V invoices, listing the amounts involved and explaining the nature and duration of the dispute.</p> <p>Regulation 6.2</p> <p>At the end of each financial period the provisional cash surplus or deficit for the financial period shall be determined by establishing the balance between the following credits and charges to the Regular Budget Fund:</p> <p>(a) credits: - contributions actually received for the financial period from States Parties; and</p>

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<p>- miscellaneous income received for the financial period;</p> <p>The provisional cash balance shall be retained in the Regular Budget Fund for the next twelve months.</p>	<p>- miscellaneous income received for the financial period;</p> <p>The provisional cash surplus or deficit shall be retained in the Regular Budget Fund for the next twelve months.</p>
<p>Regulation 6.3</p> <p>Cash surplus:</p> <p>(a) at the end of the twelve-month period referred to in Regulation 6.2 the cash surplus for the financial period shall be determined by crediting to the provisional cash balance:</p> <ul style="list-style-type: none"> - any arrears of prior years' contributions received during that period; - any savings from the provisions made for unliquidated obligations pursuant to Regulation 6.2(b); and - any receipts of miscellaneous income relating to prior years. <p>(b) after the final audit by the External Auditor of the accounts for the twelve-month period referred to in Regulation 6.2 has been completed, the cash surplus shall be allocated among States Parties in accordance with the scale of assessments for the financial period to which the surplus relates; and</p> <p>(c) the individual allocations to those States Parties which have paid their assessed contributions in full for the financial period to which the surplus relates shall be applied to liquidate, in the following manner:</p> <ul style="list-style-type: none"> - any outstanding advances to the Working Capital Fund; - any arrears of assessed contributions; - any arrears of contributions subject to the provisions of Articles IV and V of the Convention, provided the amounts concerned are not contested; and - assessed contributions for the current and following financial period. 	<p>Regulation 6.3</p> <p>Final cash surplus or deficit:</p> <p>(a) at the end of the twelve-month period referred to in Regulation 6.2 the final cash surplus or deficit for the financial period shall be determined by crediting to the provisional cash surplus or deficit:</p> <ul style="list-style-type: none"> - any arrears of prior years' contributions received during that period; - any savings from the provisions made for unliquidated obligations pursuant to Regulation 6.2(b); and - any receipts of miscellaneous income relating to prior years. <p>(b) Charging to the provisional surplus or deficit:</p> <ul style="list-style-type: none"> - The cash deficit, if any, of the financial year for which the cash surplus or deficit is determined. <p>(c) after the final audit by the External Auditor of the accounts for the twelve-month period referred to in Regulation 6.2 has been completed, the cash surplus shall be allocated among States Parties in accordance with the scale of assessments for the financial period to which the surplus relates. The allocation of a final cash deficit will be deferred until a final cash surplus is established in subsequent financial periods. The Conference of the States Parties may defer the allocation of the cash surplus if the surplus is required to finance a temporary cash shortage of the Regular Budget Fund; and</p>

Current Text	New Text
	<p>(d) the individual allocations to those States Parties which have paid their assessed contributions in full for the financial period to which the surplus relates shall be applied to liquidate, in the following manner:</p> <ul style="list-style-type: none"> - any outstanding advances to the Working Capital Fund; - any arrears of assessed contributions; - any arrears of contributions subject to the provisions of Articles IV and V of the Convention, provided the amounts concerned are not contested; and - assessed contributions for the current and following financial period. <p>The allocations to the remaining Member States shall be so applied after their arrears of assessed contributions for the financial year to which the surplus relates have been liquidated in full.</p>
<p style="text-align: center;">Regulation 6.8</p> <p>To account for voluntary contributions, trust funds may be established by the Conference of the States Parties for clearly defined activities of the OPCW. Such funds may also be established by the Director-General, on which he shall report through the Executive Council to the Conference of the States Parties. Trust funds shall be administered in accordance with the applicable Financial Regulations, unless otherwise provided for by the Conference of the States Parties.</p>	<p style="text-align: center;">Regulation 6.8</p> <p>To account for voluntary contributions, trust funds may be established by the Conference of the States Parties for clearly defined activities of the OPCW. Such funds may also be established by the Director-General, on which he or she shall report through the Executive Council to the Conference of the States Parties. Trust funds shall be administered in accordance with the applicable Financial Regulations, unless otherwise provided for by the Conference of the States Parties.</p>
<p style="text-align: center;">Rule 7.1.04</p> <p>Adjustments to special funds and trust funds</p> <p>Adjustments which arise subsequent to the closing of special or trust funds shall be charged or credited to miscellaneous income of the appropriate account.</p>	<p style="text-align: center;">Rule 7.1.04</p> <p>Adjustments to special funds and trust funds</p> <p>Adjustments which arise subsequent to the closing of special or trust funds shall be charged or credited in accordance with the relevant administrative directive.</p>
<p style="text-align: center;">Rule 7.2.01</p> <p>Voluntary contributions involving financial liability</p> <p>Voluntary contributions which directly or indirectly involve a current or future financial liability for the OPCW shall be accepted by the</p>	<p style="text-align: center;">Rule 7.2.01</p> <p>Voluntary contributions involving financial liability</p> <p>Voluntary contributions which directly or indirectly involve a current or future financial liability for the OPCW in excess of the amount of</p>

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<p>Director-General only with the prior approval of the Conference of the States Parties on the basis of a recommendation from the Executive Council. In submitting such cases for the approval of the Conference of the States Parties, the financial liability shall be indicated separately and suitably detailed.</p>	<p>the voluntary contribution shall be accepted by the Director-General only with the prior approval of the Conference of the States Parties on the basis of a recommendation from the Executive Council. In submitting such cases for the approval of the Conference of the States Parties, the financial liability shall be indicated separately and suitably detailed. No financial commitment shall be entered into by the OPCW in relation to the activities funded by a voluntary contribution until a signed contribution agreement has been established with the donor, in accordance with the relevant administrative directive.</p>
<p>Rule 9.1.03 Investments ledger</p>	<p>Rule 9.1.03 Investments ledger</p>
<p>Investments shall be registered in an investments ledger which shall show relevant details for each investment, including the face value, cost, date and place of deposit, date of maturity, proceeds of sale and income earned.</p>	<p>Investments shall be recorded in an investments ledger which shall show relevant details for each investment, including the face value, cost, date and place of deposit, date of maturity, proceeds of sale and income earned.</p>
<p>Regulation 10.1</p>	<p>Regulation 10.1</p>
<p>The Director-General shall:</p> <p>(a) establish detailed financial rules and procedures to ensure: effective financial administration; the exercise of economy; the efficient use of resources; and the proper custody of the OPCW's physical assets;</p> <p>(e) cause all disbursements to be made on the basis of supporting vouchers and other documents that ensure that the services or goods have been received and that payment has not previously been made;</p>	<p>The Director-General shall:</p> <p>(a) establish detailed financial rules and procedures to ensure: effective financial administration; the exercise of economy; the efficient use of resources; segregation of duties; the system for delegation of authority; and the proper custody of the OPCW's physical assets;</p> <p>(e) cause all disbursements to be made on the basis of supporting documentation that ensure that the services or goods have been received and that payment has not previously been made;</p>
<p>Regulation 10.1.01</p>	<p>Regulation 10.1.01</p>
<p>The basis for payment of salaries and related entitlements to staff members shall be the letters of appointment and the salary scales and</p>	<p>The basis for payment of salaries and related entitlements to staff members shall be the letters of appointment and the salary scales and</p>

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<p>other entitlements as set out in the Staff Regulations, Rules and Directives. For payments to individuals other than staff members, such as consultants, lecturers at OPCW meetings, inspector trainees and holders of fellowships, the payment of entitlements shall be based on the terms of the contractual agreement or other equivalent document setting out the emoluments applicable.</p>	<p>other entitlements as set out in the Staff Regulations, Rules and administrative directives. For payments to individuals other than staff members, the payment of entitlements shall be based on the terms of the contractual agreement or other equivalent document setting out the emoluments applicable.</p>
<p>Rule 10.1.03 Basis for payment for goods and services Subject to the provisions of Financial Rules 10.1.09 and 10.1.11 on advance and progress payments, payment for goods and services shall be made in accordance with the terms of the relevant contractual agreement.</p>	<p>Rule 10.1.03 Basis for payment for goods and services Subject to the provisions of Financial Rules 10.1.08 and 10.1.10 on advance and progress payments, payment for goods and services shall be made in accordance with the terms of the relevant contractual agreement.</p>
<p>Rule 10.1.04 Approving Officer</p>	<p>Rule 10.1.04 Approving Officer</p>
<p>(a) The Director-General shall designate the Approving Officers and their alternates in a Financial Directive. To ensure segregation of duties, the Principal Financial Officer and the Treasury Officer shall not act as an Approving Officer.</p> <p>(c) Approving Officers must maintain detailed records of the obligations they approve, and must be prepared to submit any supporting documents, explanations and justifications that might be requested by the Director-General.</p>	<p>(a) The Director-General shall designate the Approving Officers and their alternates, ensuring segregation of duties in accordance with the relevant administrative directive.</p> <p>(c) Approving Officers must maintain detailed records of the transactions they approve, and must be prepared to submit any supporting documents, explanations and justifications that might be requested by the Director-General.</p>
<p>Rule 10.1.05 Approval of obligations</p>	<p>DELETED</p>
<p>An Approving Officer shall be responsible for examining proposed obligations to ensure that the appropriate Certifying Officer has authorised the obligation because, as a general principle, no obligation shall be established without prior certification by a Certifying Officer.</p>	

Current Text	New Text
<p>Rule 10.1.06 Approval of payments</p> <p>An Approving Officer shall be responsible for ensuring that vouchers and other documents passed by Certifying Officers for payment are properly supported by evidence that goods or services have been received in accordance with the contractual agreement establishing the obligation; that the documentation comprises duly certified original vouchers; that payment has not previously been made; and that the supporting documents do not have irregularities which might indicate that the payment is not properly due.</p>	<p>Rule 10.1.05 Approval of payments</p> <p>An Approving Officer shall be responsible for ensuring that all transactions passed by Certifying Officers for payment are properly supported by evidence that goods or services have been received in accordance with the contractual agreement establishing the obligation; that the documentation is duly certified; that payment has not previously been made; and that the supporting documents do not have irregularities which might indicate that the payment is not properly due.</p>
<p>Rule 10.1.07 Certification of supporting documents</p> <p>For payments which are directly related to, and not in excess of, a recorded obligation whose establishment has previously been certified by a Certifying Officer, certification of the invoice shall not be required. For payments of EUR 2,500 and below, where no funds were reserved in advance by the recording of an obligation under the authority of Rule 10.3.02, the supporting documentation indicating that a payment is due must be certified by a Certifying Officer before the payment may be approved.</p>	<p>Rule 10.1.06 Certification of supporting documents</p> <p>For payments which are directly related to, and not in excess of, a recorded obligation whose establishment has previously been certified by a Certifying Officer, certification of the invoice shall not be required. For payments of low value procurements as set out in the relevant administrative directive, where no funds were reserved in advance by the recording of an obligation under the authority of Rule 10.3.02, the supporting documentation indicating that a payment is due must be certified by a Certifying Officer before the payment may be approved. All future changes to this threshold are to be reported through ABAF and reflected in their session report.</p>
<p>Rule 10.1.08 Discounts</p>	<p>Rule 10.1.07 Discounts</p>
<p>Rule 10.1.09 Advance payments</p> <p>(a) When standard commercial practices or the interest of the OPCW so requires, contractual agreements may exceptionally be issued to provide for payment or deposits in advance of the receipt of goods or the performance of services or the submission of shipping documents.</p>	<p>Rule 10.1.08 Advance payments</p> <p>(a) When standard commercial practices or the interest of the OPCW so requires, contractual agreements may be issued to provide for payment or deposits in advance of the receipt of goods or the performance of services or the submission of shipping documents,</p>

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<p>(c) All advance payments shall be authorised by the Principal Financial Officer or by other officials designated by the Principal Financial Officer and shall be accompanied by appropriate safeguards. In addition, the Principal Financial Officer may authorise such other advances as may be approved by the Director-General.</p>	<p>subject to the procedure as set out in the relevant administrative directive.</p> <p>(c) All advance payments shall be authorised by the designated officer in accordance with the relevant administrative directive and shall be accompanied by appropriate safeguards.</p>
<p>Rule 10.1.10 Imprest funds</p> <p>On behalf of the Director-General, the Principal Financial Officer may establish imprest funds when, in the opinion of the Principal Financial Officer, it would improve the efficiency of the OPCW's operations to do so, for example when the OPCW cannot make timely payment by following standard procedures. Such funds may be used only for the purposes specified, and payment made from them shall not exceed the limits authorised. The levels of the imprest funds should be established in line with operational requirements. The Principal Financial Officer shall establish procedures for the operation of imprest funds. The procedure shall be spelled out in a Financial Directive.</p>	<p>Rule 10.1.09 Imprest funds</p> <p>On behalf of the Director-General, the Principal Financial Officer may establish imprest funds when, in the opinion of the Principal Financial Officer, it would improve the efficiency of the OPCW's operations to do so, in accordance with the relevant administrative directive.</p>
<p>Rule 10.1.11 Receipt of income</p> <p>Only the Principal Financial Officer, the Treasury Officer, and other officials designated by the Director-General shall be authorised to receive monies and to issue official receipts on behalf of the OPCW if so required by a State Party, donor or other contributor. Each receipt of money shall be recorded in the OPCW's accounting records by means of a receipt voucher as of the day of receipt and not later than the next business day.</p>	<p>Rule 10.1.10 Receipt of income</p> <p>The Treasury Officer, and other officials designated by the Director-General, shall be authorised to receive monies and to issue official receipts on behalf of the OPCW if so required by a State Party, donor or other contributor. Each receipt of money shall be recorded in the OPCW's accounting records as of the day of receipt and not later than the next business day.</p>

Current Text	New Text
<p>Rule 10.1.12 Notification of income receipt</p>	<p>Rule 10.1.11 Notification of income receipt</p>
<p>Rule 10.1.13 Deposit of monies</p>	<p>Rule 10.1.12 Deposit of monies</p>
<p>Rule 10.1.14 Currency conversion</p>	<p>Rule 10.1.13 Currency conversion</p>
<p>Rule 10.1.15 Payments</p>	<p>Rule 10.1.14 Payments</p>
<p>The Principal Financial Officer, the Treasury Officer and other officials as designated by the Director-General are authorised to make payments which have been approved by an Approving Officer. Payments shall normally be made by written bank instruction, except for cash payments made from imprest funds. A payment shall be recorded on the accounts as of the date when the payment is processed. For the purpose of this Rule, written bank instructions shall include the following: cheques, transfer orders, letters of credit, payment orders, and cables and other electronically transmitted instructions that are duly authenticated with the pertinent confidential code and of which a hard copy is retained.</p>	<p>The Principal Financial Officer, the Treasury Officer and other officials as designated by the Director-General are authorised to make payments which have been approved by an Approving Officer. Payments shall normally be made by electronic funds transfer, except for cash payments made from imprest funds or other payments exceptionally authorised by the Principal Financial Officer. A payment shall be recorded on the accounts as of the date when the payment is processed.</p>
<p>Rule 10.1.16 Bank signatories</p> <p>Written bank instructions shall be signed by two staff members designated by the Director-General pursuant to Rule 10.1.15. When satisfied that adequate safeguards are provided, the Director-General may authorise the signature of cheques by one signatory only or may authorise the use of facsimile or stamp signatures. Cables and other electronically transmitted instructions may be despatched only by staff members authorised by the Principal Financial Officer. To provide adequate internal control, Approving Officers shall not be authorised to issue written bank instructions.</p>	<p>Rule 10.1.15 Bank signatories</p> <p>Bank signatory authority shall be assigned by the Director-General on a personal basis and cannot be delegated. Bank signatories cannot exercise the approving functions assigned in accordance with Rule 10.1.04. Two signatories are required to authorise any disbursement of funds.</p>

Current Text	New Text
<p>Rule 10.1.17 Accounting records</p> <p>Rule 10.2.01 Accounting for non-expendable property</p> <p>The Principal Financial Officer shall ensure that complete and accurate records are maintained for all OPCW non-expendable property with a purchase or acquisition value of EUR 1,000 or more per unit and with a serviceable life of more than one year. Subject to these conditions, non-expendable property includes inspection and laboratory equipment, information systems equipment, furniture, motor vehicles, and other tangible assets as may be purchased by the OPCW. The records shall document the value of equipment and other property purchased, and the projected serviceable life span of each asset. Attractive non-expendable items with a value below EUR 1,000 per unit shall also be subject to similar control. Financial accounting for non-expendable property will be in accordance with Financial Regulation 11.1 and Financial Rule 11.1.03.</p>	<p>Rule 10.1.16 Accounting records</p> <p>Rule 10.2.01 Accounting for non-expendable property</p> <p>The Principal Financial Officer shall ensure that complete and accurate records are maintained for all OPCW non-expendable property with a purchase or acquisition value set out in the relevant administrative directive and with a serviceable life of more than one year. Subject to these conditions, non-expendable property includes inspection and laboratory equipment, information systems equipment, furniture, motor vehicles, and other tangible assets as may be purchased by the OPCW. The records shall document the value of equipment and other property purchased, and the projected serviceable life span of each asset. Attractive non-expendable items shall also be subject to similar control, as set out in the relevant administrative directive. Financial accounting for non-expendable property will be in accordance with Financial Regulation 11.1 and Financial Rule 11.1.03.</p>
<p>Rule 10.2.02 Responsibility for the non-expendable-property records</p> <p>Responsibility for the non-expendable-property records shall rest with the Principal Financial Officer, who shall designate the staff member(s) responsible for maintaining the property records, the staff member(s) accountable for the property records, and the staff member(s) assigned to the receiving programme, and the Division Director concerned shall be responsible and accountable for the property. Where non-expendable property items are transferred from one programme to another programme, the property records shall be adjusted accordingly.</p>	<p>Rule 10.2.02 Responsibility for the non-expendable-property records</p> <p>Responsibility for the non-expendable property records shall rest with the Principal Financial Officer, who shall designate the staff member(s) responsible for maintaining the property records, the staff member(s) accountable for the property records, and the staff member(s) assigned to the receiving programme, and responsible and accountable custodians for the property. Where non-expendable property items are transferred from one programme to another programme, the property records shall be adjusted accordingly.</p>

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<p>Rule 10.2.05 Receipt of supplies and equipment</p> <p>All supplies, equipment or other property received by the OPCW shall be inspected to ensure that their condition is satisfactory and in accordance with the terms of the related contractual agreement. A receiving report shall be issued for all items received and shall be entered into the appropriate property records.</p>	<p>Rule 10.2.05 Receipt of supplies and equipment</p> <p>All supplies, equipment or other property received by the OPCW shall be inspected to ensure that their condition is in accordance with the terms of the related contractual agreement. An official receipt shall be registered for all items received and shall be entered into the appropriate property records.</p>
<p>Rule 10.2.06 Supporting documentation</p> <p>All transactions related to supplies, equipment or other property shall be recorded, and these records shall be supported by appropriate vouchers or evidence of receipt and issue, except for such items where the maintenance of detailed records is deemed by the Principal Financial Officer to be uneconomical or impractical.</p>	<p>Rule 10.2.06 Supporting documentation</p> <p>All transactions related to supplies, equipment or other property shall be recorded, and these records shall be supported by appropriate evidence of receipt and issue, except when it is defined to be uneconomical or impractical, in accordance with the relevant administrative directive.</p>
<p>Rule 10.2.07 Property Survey Board</p> <p>The Director-General may establish a Property Survey Board to provide advice on the management of the OPCW's non-expendable property. The composition of the Board and its terms of reference shall be determined by the Director-General and announced in a Financial Directive.</p>	<p>Rule 10.2.07 Property Survey Board</p> <p>The Director-General may establish a Property Survey Board to provide advice on the management of the OPCW's non-expendable property. The composition of the Board and its terms of reference shall be determined by the Director-General and announced in an administrative directive.</p>
<p>Rule 10.2.08 Sale or disposal of non-expendable property</p> <p>The Principal Financial Officer may arrange for the sale of non-expendable property declared surplus or unserviceable. Such sales shall normally be by competitive bidding. However, competitive bidding is not necessary when:</p> <p>(a) the estimated sales value is, in the opinion of the Principal Financial Officer, less than EUR 2,500;</p>	<p>Rule 10.2.08 Sale or disposal of non-expendable property</p> <p>The Principal Financial Officer may arrange for the sale of non-expendable property declared surplus or unserviceable. Such sales shall normally be by competitive bidding, unless otherwise determined in accordance with the relevant administrative directive.</p>

Current Text	New Text
<p>(b) the best interest of the OPCW will be served by sale at fixed unit prices recommended by the Principal Financial Officer and approved by the Director-General;</p> <p>(c) the exchange of property in partial or full payment for replacement equipment will, in the opinion of the Director-General, be in the interest of the OPCW; and</p> <p>(d) the destruction of the surplus or of unserviceable items will be more economical or is required by law or by the nature of the property.</p>	
<p>Rule 10.2.09 Removal of assets from the non-expendable property records Property which has been lost, sold or disposed of shall be removed from the records of non-expendable property. Removal of such items from the records shall require the prior authorisation of the Principal Financial Officer.</p>	<p>Rule 10.2.09 Differentiation of assets in the non-expendable property records Property which has been lost, sold or disposed of shall be differentiated from other property in records of non-expendable property, as set out in the relevant administrative directive.</p>
<p>Rule 10.2.10 Sales on a cash basis Sales of OPCW property shall be on a basis of cash payments on or before delivery, except as provided for in Rules 10.2.08(c) and 10.2.08(d).</p>	<p>Rule 10.2.10 Sales on a monetary basis Sales of OPCW property shall be on a basis of monetary payments on or before delivery, except where provided for in the relevant administrative directive.</p>
<p>Regulation 10.3 No obligations shall be incurred until allotments or other appropriate authorisations have been made in writing by the Director-General.</p>	<p>Regulation 10.3 No obligations shall be incurred until allotments or other appropriate authorisations have been made by the Director-General.</p>

Current Text	New Text
<p>Rule 10.3.02 Expenditure items requiring obligation documents</p> <p>Certifying Officers shall ensure that funds are reserved in the appropriate allotment account through the recording of an obligation before a commitment is entered into from any contract, agreement, or undertaking of any nature and which exceeds EUR 2,500. Obligations for salaries, common staff costs, temporary assistance, overtime, and travel shall require reservation of funds in the appropriate allotment accounts before a commitment is entered into, irrespective of the amount involved.</p>	<p>Rule 10.3.02 Expenditure items requiring obligation documents</p> <p>Certifying Officers shall ensure that funds are reserved in the appropriate allotment account through the recording of an obligation before a commitment is entered into from any contract, agreement, or undertaking of any nature and which exceeds the threshold set in the relevant administrative directive. Obligations for salaries, common staff costs, temporary assistance, overtime, and travel shall require reservation of funds in the appropriate allotment accounts before a commitment is entered into, irrespective of the amount involved. All future changes to this threshold are to be reported through ABAF and reflected in their session report.</p>
<p>Rule 10.3.03 Proposals to incur obligations</p> <p>(a) Certifying Officers shall ensure that proposals to incur obligations against allotments under their responsibility are fully documented. The proposals shall indicate the purpose of the proposed expenditure and the specific allotment to be charged.</p> <p>(b) Designated Certifying Officers are responsible for managing the utilisation of resources, including posts, in accordance with the purposes for which those resources were approved, the principles of efficiency and effectiveness, and the Financial Regulations and Rules of the OPCW. Certifying Officers must maintain detailed records of all obligations and expenditures against the funding objects for which they have been delegated responsibility. They must be prepared to submit any supporting documents, explanations, and justifications requested by the Director-General.</p>	<p>Rule 10.3.03 Proposals to incur obligations</p> <p>(a) Certifying Officers shall ensure that proposals to incur obligations against allotments under their responsibility are fully documented. The proposals shall indicate the purpose of the proposed expenditure and the specific allotment to be charged.</p>

Current Text	New Text
<p style="text-align: center;">Rule 10.3.04 Certifying Officers</p> <p>(a) The Director-General shall designate in a Financial Directive the individual Certifying Officers and their alternates, notwithstanding that the Principal Financial Officer shall have authority to act as Certifying Officer for obligations under all allotments. Certifying Officers shall be responsible for examining the proposed obligations to ensure that funds are available and have been allotted, and that the proposed expenditure is in accordance with the purpose for which the relevant appropriation was intended. The authority granted and responsibility assigned to Certifying Officers is a personal one and can be delegated only to the alternates as designated by the Director-General in the Financial Directive.</p> <p>(c) Certifying Officers are responsible for ensuring that the proposed utilisation of resources, including posts, is in accordance with the purposes for which those resources were approved and with the Financial Regulations and Rules of the OPCW. Certifying Officers must maintain detailed records of all obligations against the funding objects for which they have been delegated certifying responsibility. They must be prepared to submit any supporting documents, explanations and justifications requested by the Director-General.</p>	<p style="text-align: center;">Rule 10.3.04 Certifying Officers</p> <p>(a) The Director-General shall designate in an administrative directive the individual Certifying Officers and their alternates, notwithstanding that the Principal Financial Officer shall have authority to act as Certifying Officer for obligations under all allotments. Certifying Officers shall be responsible for examining the proposed obligations to ensure that funds are available and have been allotted, and that the proposed expenditure is in accordance with the purpose for which the relevant appropriation was intended. The authority granted and responsibility assigned to Certifying Officers is a personal one and can be delegated only to the alternates as designated by the Director-General in the administrative directive.</p> <p>(c) Certifying Officers are responsible for managing the utilisation of resources, including posts, is in accordance with the purposes for which those resources were approved and with the Financial Regulations and Rules of the OPCW. Certifying Officers must maintain detailed records of all obligations against the funding objects for which they have been delegated certifying responsibility. They must be prepared to submit any supporting documents, explanations and justifications requested by the Director-General.</p>
<p style="text-align: center;">Rule 10.3.05 Increase and decrease in obligations</p> <p>Increases in obligations incurred or proposed shall be subject to the same procedures that apply to the incurring of original obligations. Certifying Officers shall have the responsibility for notifying the Approving Officer when an obligation is increased, decreased (other than by payment) or cancelled, so that the accounting records may be adjusted accordingly.</p>	<p style="text-align: center;">Rule 10.3.05 Increase and decrease in obligations</p> <p>Increases in obligations incurred or proposed shall be subject to the same procedures that apply to the incurring of original obligations. Certifying Officers shall ensure that the financial records are adjusted accordingly.</p>

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<p>Rule 10.3.06 Review of outstanding obligations</p> <p>Certifying Officers shall be responsible for reviewing periodically the outstanding obligations retained against appropriations of the previous financial period in accordance with Regulation 4.3. Obligations reflected in the accounts which are no longer valid shall be cancelled from the accounts forthwith, and the resulting credit surrendered. If the obligation is determined to be valid, it shall be re-obligated against the appropriations of the current financial period.</p>	<p>Rule 10.3.06 Review of outstanding obligations</p> <p>Certifying Officers shall be responsible for reviewing periodically the outstanding obligations retained against appropriations of the previous financial period in accordance with Regulation 4.3. Obligations reflected in the accounts which are no longer valid shall be cancelled from the accounts forthwith, and the resulting credit surrendered. If the obligation is determined to be valid, it shall be re-obligated against the appropriations of the current financial period.</p>
<p>Regulation 10.4</p> <p>The Director-General may make such <i>ex gratia</i> payments as he deems to be necessary in the interest of the OPCW, up to such limits as may be determined by the Executive Council and as may be approved by the Conference of the States Parties. The Director-General shall, in the OPCW's audited financial statements, submit a statement of such payments to the Executive Council and the Conference of the States Parties.</p>	<p>Regulation 10.4</p> <p>The Director-General may make such <i>ex gratia</i> payments as he or she deems to be necessary in the interest of the OPCW, up to such limits as may be determined by the Executive Council and as may be approved by the Conference of the States Parties. The Director-General shall, in the OPCW's audited financial statements, submit a statement of such payments to the Executive Council and the Conference of the States Parties.</p>
<p>Regulation 10.5</p> <p>The Director-General shall, after full investigation, and subject to the recommendations of the Executive Council and approval of the Conference of the States Parties, write off losses of cash, stores, and other assets. Notwithstanding the above, the Director-General shall, after full investigation and acting on his own authority and without prior consideration by the Executive Council and the Conference of the States Parties, authorise the write-off of losses of funds, stores, equipment, and other assets (other than arrears of assessed contributions and the payment of verification costs under Articles IV and V of the Convention) to an amount not exceeding EUR 500 per item and not exceeding a total amount of EUR 10,000 in a given financial period.</p>	<p>Regulation 10.5</p> <p>The Director-General or other delegated authority in accordance with the relevant administrative directive shall, after full investigation, and subject to the recommendations of the Executive Council and approval of the Conference of the States Parties, write off losses of cash, stores, and other assets. Notwithstanding the above, the Director-General or other delegated authority in accordance with the relevant administrative directive shall, after full investigation and acting on his or her own authority and without prior consideration by the Executive Council and the Conference of the States Parties, authorise the write-off of losses of funds, stores, equipment, and other assets (other than arrears of assessed contributions and the payment of verification costs under Articles</p>

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<p>For arrears of assessed contributions and the payment of verification costs under Articles IV and V of the Convention, the Director-General shall, after a full investigation and for the purposes of IPSAS-compliant reporting, write down the amounts that are outstanding.</p> <p>This write-down in no way constitutes a legal discharge of the arrears to the OPCW. Only the Conference of the States Parties, on the recommendation of the Executive Council, will have the authority to legally discharge Member States from the arrears of assessed contributions and from verification costs that are outstanding.</p> <p>A statement of all write-offs and write-downs during each financial period shall be submitted to the External Auditor as part of the financial statements prepared under Regulation 11.1.</p> <p style="text-align: center;">Rule 10.5.01</p> <p>Writing-off of losses of cash, stores and assets</p> <p>Any loss of cash, stores and other assets must be reported by the Principal Financial Officer to the Director-General and, subsequently, to the External Auditor. No amount due to the OPCW may be waived without the prior written authorisation of the Director-General. The investigation referred to in Regulation 10.5 shall, in each case, fix the responsibility, if any, attaching to any staff member of the OPCW for the loss. Such staff member may be requested by the Director-General</p>	<p>IV and V of the Convention). The amount up to which the Director-General may authorise such write-offs shall be set out in the relevant administrative directive. .</p> <p>For arrears of assessed contributions and the payment of verification costs under Articles IV and V of the Convention, the Director-General or other delegated authority in accordance with the relevant administrative directive shall, after a full investigation and for the purposes of IPSAS-compliant reporting, write down the amounts that are outstanding.</p> <p>This write-down in no way constitutes a legal discharge of the arrears to the OPCW. Only the Conference of the States Parties, on the recommendation of the Executive Council, will have the authority to legally discharge Member States from the arrears of assessed contributions and from verification costs that are outstanding.</p> <p>A statement of all write-offs and write-downs during each financial period shall be submitted to the External Auditor as part of the financial statements prepared under Regulation 11.1.</p> <p style="text-align: center;">Rule 10.5.01</p> <p>Writing-off of losses of cash, stores and assets</p> <p>Any loss of cash, stores and other assets must be reported by the Principal Financial Officer to the Director-General and, subsequently, to the External Auditor. No amount due to the OPCW may be waived without the prior written authorisation of the Director-General or other delegated authority as set out in the relevant administrative directive. The investigation referred to in Regulation 10.5 shall, in each case, fix the responsibility, if any, attaching to any staff member of the OPCW</p>

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<p>to reimburse the loss, either partially or in full.</p>	<p>for the loss. Such staff member may be requested by the Director-General, or other delegated authority as set out in the relevant administrative directive, to reimburse the loss, either partially or in full.</p>
<p>Regulation 10.6</p> <p>General principles: Procurement functions include all actions necessary for the acquisition, by purchase, rental or lease, of property, including products and real property, and of services, including works. The following general principles shall be given due consideration when exercising the procurement functions of the OPCW:</p> <p>(a) best value for money;</p> <p>(b) fairness, integrity, and transparency;</p> <p>(c) effective international competition; and</p> <p>(d) the interests of the OPCW.</p>	<p>Regulation 10.6</p> <p>General principles: Procurement functions include all actions necessary for the acquisition, by purchase, rental or lease, of property, including products and real property, and of services, including works. The following general principles shall be given due consideration when exercising the procurement functions of the OPCW:</p> <p>(a) best value for money;</p> <p>(b) sustainability;</p> <p>(c) fairness, integrity, and transparency;</p> <p>(d) effective international competition; and</p> <p>(e) the interests of the OPCW.</p>
<p>Rule 10.6.01</p> <p>Contractual agreements, authorised officials, and directives</p> <p>(a) Contractual agreements for the purchase, rental, or sale of goods or services, including professional services in the form of consultancies, but excluding staff contracts, shall be entered into on behalf of the OPCW only by officials duly authorised by the Director-General, as laid down in a Financial Directive. Purchasing, renting, or selling activities shall include, in addition to entering into contractual agreements, the calling for tenders, quotations, or proposals and the negotiation with potential suppliers or purchasers on the basis of detailed specifications.</p>	<p>Rule 10.6.01</p> <p>Contractual agreements, authorised officials, and directives</p> <p>(a) Contractual agreements for the purchase, rental, or sale of goods or services, including professional services in the form of consultancies, but excluding staff contracts, shall be approved and entered into on behalf of the OPCW only by officials duly authorised by the Director-General, as laid down in an administrative directive. Purchasing, renting, or selling activities shall include, in addition to entering into contractual agreements, the calling for tenders, quotations, or proposals and the negotiation with potential suppliers or purchasers on the basis of detailed specifications.</p>

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<p>(b) The Director-General shall establish a Financial Directive outlining the internal procurement procedures to be followed to ensure adherence to these Financial Rules. The Financial Directive shall include procedures for the selection of professional services as described in this Rule.</p> <p>(c) The Director-General shall establish a Committee on Contracts to render written advice on procurement actions, leading to the award or amendment of procurement contracts, which for the purposes of these Regulations and Rules includes the agreements or other written instruments, such as purchase orders and contracts. The Director-General shall establish the composition and the terms of reference of such a committee, which shall include the types and monetary values of the proposed procurement actions which are subject to review.</p>	<p>(b) An administrative directive outlining the internal procurement procedures including for different threshold levels to be followed to ensure adherence to these Financial Rules. The administrative directive shall include procedures for the selection of professional services as described in this Rule.</p> <p>(c) The Director-General shall establish a Committee on Contracts to render recorded advice on procurement actions, leading to the award or amendment of procurement contracts, which for the purposes of these Regulations and Rules includes the agreements or other written instruments, such as purchase orders and contracts. The Director-General shall establish the composition and the terms of reference of such a committee, which shall include the types and monetary values of the proposed procurement actions which are subject to review.</p>
<p>Rule 10.6.02 Requests for procurement</p> <p>Requests for procurement shall be made in writing and shall include full particulars and detailed specifications relating to the request. Such requests shall be authorised by the Certifying Officer concerned or a duly authorised official and submitted to officials authorised pursuant to Rule 10.6.01 subject to availability of funds in accordance with Rule 10.3.04.</p>	<p>Rule 10.6.02 Purchase Requirement</p> <p>Purchase requisitions shall include full particulars and detailed specifications relating to the request. Such requisitions shall be authorised by the Certifying Officer concerned or a duly authorised delegated official and submitted to officials authorised pursuant to Rule 10.6.01 subject to availability of funds in accordance with Rule 10.3.04.</p>
<p>Rule 10.6.03 Calls for tenders, quotations, or proposals</p> <p>(a) Except as provided in Rule 10.6.04, contractual agreements for the purchase or rental of goods or services shall be let after calling for tenders, quotations, or proposals.</p>	<p>Rule 10.6.03 Calls for tenders, quotations, or proposals</p> <p>(a) Except as provided in Rule 10.6.04, contractual agreements for the purchase or rental of goods or services shall be let after calling for tenders, quotations, or proposals as set out in the relevant administrative directive. All future changes to this threshold are to be reported through ABAF and reflected in their session report.</p>

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<p>(b) Tenders shall be required for procurement requests of over EUR 35,000 and shall be invited by advertising through publication or distribution of formal invitations to tender on as wide an international basis as possible, taking into account the existence of possible sources of procurement.</p> <p>(c) All calls for tenders, quotations, and proposals issued for inspection equipment will carry the stipulation that procurement of items of equipment will be subject to the commercial availability of all such items to States Parties.</p> <p>(d) Invitations to tender shall provide all information necessary for a potential supplier to prepare a tender for the goods or services to be provided. Criteria that will be used to determine the award (such as cost, technical acceptability, and time for completion) and the relative importance of such criteria shall be specifically described in the invitation.</p> <p>(e) Where the nature of the work involved precludes invitations to tender and where proposals are called, a comparative analysis of such proposals shall be kept on record.</p> <p>(f) Quotations shall be required for procurement requests of EUR 2,500 to EUR 35,000 and shall be invited by the distribution of at least three requests to quote. Supporting documentation shall be kept on record.</p> <p>(g) A list of authorised suppliers may be kept in accordance with Financial Directives to be issued by the Director-General. Inclusion in this list shall not be construed as a prerequisite for submitting a valid</p>	<p>(b) All calls for tenders, quotations, and proposals issued for inspection equipment will carry the stipulation that procurement of items of equipment will be subject to the commercial availability of all such items to States Parties.</p> <p>(c) For more complex projects, including orders for custom-designed technology, pre-qualification criteria shall be established to ensure that only those suppliers assessed as capable of performing the work incur the cost of submitting a tender. Such pre-qualification criteria shall be made public well in advance of any project.</p> <p>(d) The Director-General shall, in accordance with the Financial Regulations and Rules, seek to provide a full and fair competitive opportunity to all potential suppliers, whilst also ensuring a transparent and competitive procurement procedure as set out in the relevant administrative directive.</p>

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<p>tender where no pre-qualification criteria have been established. Such a list shall periodically be made available to States Parties.</p> <p>(h) For more complex projects, including orders for custom-designed technology, pre-qualification criteria shall be established to ensure that only those suppliers assessed as capable of performing the work incur the cost of submitting a tender. Such pre-qualification criteria shall be made public well in advance of any project.</p> <p>(i) The Director-General shall, in accordance with the Financial Regulations and Rules, seek to provide a full and fair competitive opportunity to all potential suppliers, whilst also ensuring a transparent and competitive procurement procedure.</p>	
<p>Rule 10.6.04</p> <p>Exceptions to calling for tenders, quotations, or proposals</p> <p>Contractual agreements may be awarded without calling for tenders, quotations, or proposals, provided that such agreements are in compliance with Rule 10.6.03(c) and when:</p> <p>(a) the proposed contractual agreement involves commitments of under EUR 2,500;</p> <p>(b) the proposed contractual agreement involves a sole available supplier of a particular good or service;</p> <p>(c) the prices or rates are fixed pursuant to national legislation or by regulatory bodies;</p> <p>(d) the goods or services are available only from a particular supplier</p>	<p>Rule 10.6.04</p> <p>Exceptions to calling for tenders, quotations, or proposals</p> <p>Contractual agreements may be awarded without calling for tenders, quotations, or proposals, provided that such agreements are in compliance with Rule 10.6.03 (b) and when:</p> <p>(a) the proposed contractual agreement involves commitments of the low value procurement as set out in the relevant administrative directive;</p> <p>(b) the proposed contractual agreement involves a sole available supplier of a particular good or service;</p> <p>(c) the prices or rates are fixed pursuant to national legislation or by regulatory bodies;</p> <p>(d) the goods or services are available only from a particular supplier</p>

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<p>for reasons of standardisation and because of the need for compatibility with existing goods or services; or</p> <p>(e) in extreme cases, the exigencies of the OPCW do not permit the delay attendant upon calling for tenders, quotations or proposals.</p> <p>(f) the goods or services are on the list of authorised suppliers or are standardised equipment for inspection that is subject to familiarisation by the States Parties.</p>	<p>for reasons of standardisation and because of the need for compatibility with existing goods or services; or</p> <p>(e) in extreme cases, the exigencies of the OPCW do not permit the delay attendant upon calling for tenders, quotations or proposals.</p> <p>(f) the goods or services are on the list of authorised suppliers or are standardised equipment for inspection that is subject to familiarisation by the States Parties;</p> <p>(g) a tender exercise was concluded for identical goods or services in the past twelve months, the results of which should not be used more than three times in this period;</p> <p>(h) the procurement can be realised in collaboration with another organisation in the United Nations system or its affiliated entities;</p> <p>(i) the Principal Financial Officer, in consultation with technical experts from within the Secretariat staff, determines that competitive bidding or calling for proposals will not allow for the establishment of objective criteria for technical evaluation, in which case appropriate reasons shall be recorded;</p> <p>(j) the purchase or lease of real property when market conditions or geographical conditions do not allow for effective competition;</p> <p>(k) the solicitation method has not produced sufficient market responses within a reasonable period</p>

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<p>Rule 10.6.05 Opening of tenders</p> <p>The Director-General in a Financial Directive shall establish a tender-opening procedure. The Directive shall also define the composition and terms of reference of the tender-opening panel.</p>	<p>Rule 10.6.05 Opening of tenders</p> <p>A tender-opening procedure shall be established by the Director-General in an administrative directive. The Directive shall also define the composition and terms of reference of the tender-opening panel.</p>
<p>Rule 10.6.06 Award of contractual agreements</p> <p>Following receipt and opening of tenders, quotations, or proposals, they shall be evaluated both technically and commercially. In the case of a pass-or-fail evaluation, the lowest technically acceptable tender, quotation, or proposal shall be considered for award. In the case of a qualifying evaluation, the tender, quotation, or proposal providing the best value for money shall be considered for award, taking into account other criteria, such as suppliers' financial soundness, and the capacity of the supplier to deliver the goods, perform the services within the time required, and provide the necessary maintenance. When the lowest technically acceptable tender, quotation, or proposal is not selected for award of contractual agreement, a written record giving reasons for this shall be prepared. A comparative analysis of the technical and commercial evaluation shall also be kept on record.</p> <p>(b) Suppliers shall not be permitted to alter their tenders or quotations after the deadline for receipt.</p> <p>(c) When tenders, quotations or proposals relate to a group of items, the contractual agreement may be awarded to the supplier who has submitted the lowest aggregate tender, quotation or proposal.</p> <p>(d) Contractual agreements shall be awarded to the supplier who has submitted the tender, quotation, or proposal providing the best value</p>	<p>DELETED</p>

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<p>for money, provided that the other necessary criteria are met. Where the interests of the OPCW so require, all offers may be rejected. In that event, the responsible official authorised under Rule 10.6.01 shall determine whether new competitive tenders, quotations, or proposals shall be invited. In the latter event, the reasons for this shall be recorded in writing and shall be available to interested States Parties upon request. Upon request, unsuccessful bidders/offers shall be provided with the reasons of rejection of their offer.</p> <p>(e) All contractual agreement awards shall be made available to States Parties on request.</p>	
<p style="text-align: center;">Rule 10.6.07</p> <p style="text-align: center;">Purchases to be made in writing</p> <p>(a) Contractual agreements for goods and services shall be established, as appropriate, for every purchase from a supplier in the aggregate amount of EUR 1,000 or more. Contractual agreements shall be in writing.</p> <p>(b) Contractual agreements shall specify:</p> <p>(i) in the case of supplies or equipment, the exact description of the goods, the quantity required, the price of each article, the conditions of delivery and the terms of payment;</p> <p>(ii) in the case of services, the nature of the services, the period covered, the conditions of fulfilment, the cost and the terms of payment.</p> <p>(c) The Director of Administration may waive the requirements of any part of this Financial Rule in certain cases, such as requests for partial deliveries of supplies for the maintenance of buildings, where one</p>	<p style="text-align: center;">Rule 10.6.06</p> <p style="text-align: center;">Purchases to be made in writing</p> <p>(a) Contractual agreements for goods and services shall be established, as appropriate, for every purchase from a supplier in the aggregate amount set in the relevant administrative directive. Contractual agreements shall be in writing.</p> <p>(b) The Director of Administration may waive the requirements of any part of this Financial Rule in certain cases, such as requests for partial deliveries of supplies for the maintenance of buildings, where one blanket purchase order might be issued covering a variety of items.</p>

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<p>blanket purchase order might be issued covering a variety of items. In the event of such a waiver, a written record shall be established to ensure that:</p> <p>(i) the supplier and purchaser are in agreement as to what is being purchased;</p> <p>(ii) an itemised record of sale and receipt is prepared at the time of delivery; and</p> <p>(iii) payment is based on the itemised record of sale and receipt referred to in (ii) above.</p>	
<p>Rule 10.6.08 Written findings</p> <p>Each determination or decision required of an authorised officer by the provisions of these Rules shall be supported by the written findings of such officer. These written findings shall be placed in the appropriate case file maintained by the responsible office, and shall accompany the related obligating documents submitted for approval and recording in the accounts. The information to be kept on record documenting each tender or proposal and its outcome shall be established in a Financial Directive.</p>	<p>Rule 10.6.07 Documented findings</p> <p>Each determination or decision required of an authorised officer by the provisions of these Rules shall be supported by the documented findings of such officer. These findings shall be placed in the appropriate case file maintained by the responsible office, and shall accompany the related obligating documents submitted for approval and recording in the accounts. The information to be kept on record documenting each tender or proposal and its outcome shall be established in an administrative directive.</p>
<p>Rule 10.6.09 Interested parties</p> <p>A Financial Directive shall include details on the information to be provided to interested parties upon request after the award of a contractual agreement.</p>	<p>Rule 10.6.08 Interested parties</p> <p>An administrative directive shall include details on the information to be provided to interested parties upon request after the award of a contractual agreement.</p>

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<p>Rule 11.1.03 Basis of Accounting</p> <p>The financial accounting records of the OPCW shall be maintained and financial statements prepared on an accrual basis, in accordance with the International Public Sector Accounting Standards. The basis of budgetary accounts shall be on a modified cash basis.</p>	<p>Rule 11.1.03 Basis of Accounting</p> <p>The financial accounting records of the OPCW shall be maintained and financial statements prepared on an accrual basis, in accordance with the International Public Sector Accounting Standards. The basis of budgetary accounting shall be on a modified cash basis.</p>
<p>Rule 11.1.05 Retention and destruction of records</p> <p>The Principal Financial Officer shall ensure that accounting and other financial and property records and all supporting documents are retained for five years or other period(s) as may be agreed with the External Auditor, after which, on the authority of the Director-General, such records and documents may be destroyed. The retention periods shall be spelled out in a Financial Directive.</p>	<p>Rule 11.1.05 Retention and destruction of records</p> <p>The Principal Financial Officer shall ensure that accounting and other financial and property records and all supporting documents are retained for a period of five years unless otherwise set out in the relevant administrative directive, after which, on the authority of the Director-General, such records and documents may be destroyed.</p>
<p>Rule 12.3.02 Protection of sources</p> <p>The Director-General shall issue a Financial Directive establishing procedures to protect the identity of, and to prevent reprisals against, any staff member making a complaint or disclosing information to, or cooperating in any audit, investigation or inspection by, the internal-oversight mechanism. The Financial Directive shall also provide for procedures to protect individual rights, the anonymity of staff members, due process for all parties concerned, and fairness during any investigations. It shall provide further that falsely accused staff members are fully cleared and that disciplinary or other proceedings are initiated without undue delay in cases where the Director-General considers it justified.</p>	<p>Rule 12.3.02 Protection of sources</p> <p>The Director-General shall issue an administrative directive establishing procedures to protect the identity of, and to prevent reprisals against, any staff member making a complaint or disclosing information to, or cooperating in any audit, investigation or inspection by, the internal-oversight mechanism. The administrative directive shall also provide for procedures to protect individual rights, the anonymity of staff members, due process for all parties concerned, and fairness during any investigations. It shall provide further that falsely accused staff members are fully cleared and that disciplinary or other proceedings are initiated without undue delay in cases where the Director-General considers it justified.</p>

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<p>Rule 12.3.03 Protection from disclosure to third parties</p> <p>The internal-oversight mechanism shall submit to the Director-General procedures which complement those prepared under Rule 12.3.02. The mechanism shall be responsible for safeguarding suggestions and reports it receives from unauthorised disclosure to third parties.</p> <p>It will also ensure that the identity of the staff members and others who have submitted reports to the mechanism is not disclosed, as provided for in the Financial Directive under Rule 12.3.02.</p> <p>Regulation 13.2</p> <p>If the External Auditor ceases to hold office as Auditor-General in his own country, his appointment as External Auditor of the OPCW shall terminate forthwith and he shall be succeeded as External Auditor by the person who succeeds him as Auditor-General in his home country. The External Auditor may not otherwise be removed during the tenure of his appointment, except by the Conference of the States Parties.</p> <p>Regulation 13.7</p> <p>The Director-General shall provide the External Auditor with the facilities he may require to perform audits.</p> <p>Regulation 13.9</p> <p>The External Auditor shall issue a report and opinion on his audits of the OPCW's financial statements, which shall include such information as he deems necessary in regard to matters referred to in Regulation 13.4 and in the additional terms of reference set forth in the Annex to these Regulations.</p>	<p>Rule 12.3.03 Protection from disclosure to third parties</p> <p>The internal-oversight mechanism shall submit to the Director-General procedures which complement those prepared under Rule 12.3.02. The mechanism shall be responsible for safeguarding suggestions and reports it receives from unauthorised disclosure to third parties.</p> <p>It will also ensure that the identity of the staff members and others who have submitted reports to the mechanism is not disclosed, as provided for in the administrative directive under Rule 12.3.02.</p> <p>Regulation 13.2</p> <p>If the External Auditor ceases to hold office as Auditor-General in his or her own country, his or her appointment as External Auditor of the OPCW shall terminate forthwith and he or she shall be succeeded as External Auditor by the person who succeeds him as Auditor-General in his or her home country. The External Auditor may not otherwise be removed during the tenure of his or her appointment, except by the Conference of the States Parties.</p> <p>Regulation 13.7</p> <p>The Director-General shall provide the External Auditor with the facilities he or she may require to perform audits.</p> <p>Regulation 13.9</p> <p>The External Auditor shall issue a report and opinion on his audits of the OPCW's financial statements, which shall include such information as he or she deems necessary in regard to matters referred to in Regulation 13.4 and in the additional terms of reference set forth in the Annex to these Regulations.</p>

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<p>Regulation 13.10</p> <p>The External Auditor shall transmit his report and opinion and the audited financial statements, in accordance with any directions given by the Conference of the States Parties, to the Executive Council. The Executive Council shall examine the statements and the External Auditor's report and opinion, and shall forward them to the Conference of the States Parties with such comments as it deems appropriate. The External Auditor's report and opinion and the audited financial statements shall be submitted to the Executive Council preferably not later than 31 May following the end of the financial period to which they relate.</p>	<p>Regulation 13.10</p> <p>The External Auditor shall transmit his or her report and opinion and the audited financial statements, in accordance with any directions given by the Conference of the States Parties, to the Executive Council. The Executive Council shall examine the audited financial statements and the External Auditor's report and opinion, and shall forward them to the Conference of the States Parties with such comments as it deems appropriate. The External Auditor's report and opinion and the audited financial statements shall be submitted to the Executive Council preferably not later than 31 May following the end of the financial period to which they relate.</p>
<p>Regulation 13.11</p> <p>The External Auditor or his representative shall be present when the External Auditor's report and opinion is first considered by the Executive Council. In addition, the External Auditor or his representative may present his report and opinion to the Conference of the States Parties if he considers this necessary, or may be present during subsequent consideration of the External Auditor's report and opinion by the Executive Council or the Conference of the States Parties, if so requested by the Council or by the Conference of the States Parties.</p>	<p>Regulation 13.11</p> <p>The External Auditor or his or her representative shall be present when the External Auditor's report and opinion is first considered by the Executive Council. In addition, the External Auditor or his or her representative may present his or her report and opinion to the Conference of the States Parties if he or she considers this necessary, or may be present during subsequent consideration of the External Auditor's report and opinion by the Executive Council or the Conference of the States Parties, if so requested by the Council or by the Conference of the States Parties.</p>
<p>Regulation 14.2</p> <p>The Director-General may delegate to other staff members of the OPCW such authority as he considers necessary for the efficient and effective implementation of these Regulations and any Rules and Directives issued hereunder. Such delegations shall be communicated and documented in Financial Directives issued under the Financial Rules.</p>	<p>Regulation 14.2</p> <p>The Director-General may delegate to other staff members of the OPCW such authority as he or she considers necessary for the efficient and effective implementation of these Regulations and any Rules and Directives issued hereunder. Such delegations shall be communicated and documented in the relevant administrative directives issued under the Financial Rules.</p>

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<p>Rule 14.2.01 Delegation of authority</p> <p>The Director-General may delegate his authority to implement the Financial Regulations, Rules and Directives, subject to any limitations set forth elsewhere in these Rules. Such delegations of authority shall be made in writing. Staff members to whom the Director-General has delegated authority for the implementation of the Financial Regulations, Rules and Directives are responsible for the correct and proper exercise of such authority. Any staff member who takes any action contrary to the Financial Regulations or Rules and Directives issued in connection therewith may be subject to disciplinary proceedings in accordance with the Staff Regulations and Rules. Delegations of authority to other staff members does not relieve the Director-General from his overall responsibility.</p> <p>Regulation 16.3</p> <p>The Director-General shall issue such Financial Directives as he considers necessary to assist in the interpretation and application of the Financial Regulations and Rules.</p> <p>ANNEX ADDITIONAL TERMS OF REFERENCE GOVERNING EXTERNAL AUDIT</p> <p>1. The External Auditor shall examine and check the OPCW's books of accounts and records, including the books and records of all trust and special funds, as he deems necessary to enable him to report whether:</p> <p>2. The External Auditor shall be the sole judge of whether to accept, in whole or in part, the Director-General's certifications and representations and may make such detailed examination and verification as he chooses of all financial records, including those</p>	<p>Rule 14.2.01 Delegation of authority</p> <p>The Director-General may delegate his or her authority to implement the Financial Regulations, Rules and Directives, subject to any limitations set forth elsewhere in these Rules. Such delegations of authority shall be formally documented. Staff members to whom the Director-General has delegated authority for the implementation of the Financial Regulations, Rules and Directives are responsible for the correct and proper exercise of such authority. Any staff member who takes any action contrary to the Financial Regulations or Rules and Directives issued in connection therewith may be subject to disciplinary proceedings in accordance with the Staff Regulations and Rules. Delegations of authority to other staff members do not relieve the Director-General from his or her overall responsibility.</p> <p>Regulation 16.3</p> <p>The Director-General shall issue such administrative directives as he or she considers necessary to assist in the interpretation and application of the Financial Regulations and Rules.</p> <p>ANNEX ADDITIONAL TERMS OF REFERENCE GOVERNING EXTERNAL AUDIT</p> <p>1. The External Auditor shall examine and check the OPCW's books of accounts and records, including the books and records of all trust and special funds, as he or she deems necessary to enable him or her to report whether:</p> <p>2. The External Auditor shall be the sole judge of whether to accept, in whole or in part, the Director-General's certifications and representations and may make such detailed examination and verification as he or she chooses of all financial records, including those</p>

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<p>relating to supplies and equipment.</p> <p>3. The External Auditor and his staff shall have free access at all convenient times to all books, records and other documentation which are necessary for the performance of an audit. The External Auditor and his staff shall respect the confidential nature of any classified information provided and shall not make use of it except in direct connection with the performance of audits. The External Auditor may draw to the attention of the Conference of the States Parties any denial of information classified as confidential which was required for an audit. Without prejudice to his duty to report to the Conference of the States Parties, the External Auditor and his staff shall comply with the OPCW Policy on Confidentiality.</p> <p>6. (a) a description of the nature and scope of his examination and any restrictions on it;</p> <p>7. The External Auditor may make such observations on the findings resulting from his audit and such comments on the Director-General's financial report as he deems appropriate to the Conference of the States Parties, its subsidiary organs or the Director-General.</p> <p>8. Whenever the scope of the External Auditor's audit is restricted or he is unable to obtain sufficient evidence, he shall note the matter in his opinion and report, making clear the reasons for his comments, and the effect of any restrictions or lack of evidence on the financial position and the financial transactions recorded.</p>	<p>relating to supplies and equipment.</p> <p>3. The External Auditor and his or her staff shall have free access at all convenient times to all books, records and other documentation which are necessary for the performance of an audit. The External Auditor and his or her staff shall respect the confidential nature of any classified information provided and shall not make use of it except in direct connection with the performance of audits. The External Auditor may draw to the attention of the Conference of the States Parties any denial of information classified as confidential which was required for an audit. Without prejudice to his or her duty to report to the Conference of the States Parties, the External Auditor and his or her staff shall comply with the OPCW Policy on Confidentiality.</p> <p>6. (a) a description of the nature and scope of his or her examination and any restrictions on it;</p> <p>7. The External Auditor may make such observations on the findings resulting from his or her audit and such comments on the Director-General's financial report as he or she deems appropriate to the Conference of the States Parties, its subsidiary organs or the Director-General.</p> <p>8. Whenever the scope of the External Auditor's audit is restricted or he or she is unable to obtain sufficient evidence, he or she shall note the matter in his or her opinion and report, making clear in the report the reasons for his or her comments, and the effect of any restrictions or lack of evidence on the financial position and the financial transactions recorded.</p>

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<p>9. The External Auditor shall not include any criticism in his opinion and report unless he has first afforded the Director-General adequate opportunity to explain the matter in question.</p> <p>10. The External Auditor is not required to mention any matter referred to in the foregoing provisions which, in his opinion, is neither material to the financial position presented by the annual financial statements nor significant to the financial affairs of the OPCW.</p>	<p>9. The External Auditor shall not include any criticism in his or her opinion and report unless he or she has first afforded the Director-General adequate opportunity to explain the matter in question.</p> <p>10. The External Auditor is not required to mention any matter referred to in the foregoing provisions which, in his or her opinion, is neither material to the financial position presented by the annual financial statements nor significant to the financial affairs of the OPCW.</p>

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