UNAMIR

PROPERTY SURVEY BOARD

31 MAY - 2 JUNE 1995

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UNITED NATIONS NATIONS UNIES

ASSISTANCE MISSION FOR RWANDA — MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

ADMINISTRATIVE INSTRUCTION 023/95

Date : June 2 1995

To : Distribution.

From : Chaim Ouziel
Chief Administrative Officer

Subject: Establishment of UNAMIR Local Property Survey Board (LPSB)

In accordance with the Delegation of Authority received from the Controller at UNHQS pursuant to Financial Rule 110.3 (a) and subject to the conditions of other applicable Financial rules, a UNAMIR Local Property Survey Board is established. The Chairman and members are as follows:-

1. Mr. Chaim Ouziel
   Chief Administrative Officer - Chairman

2. Mr. Paul McNeill
   Chief Finance Officer - Member

3. Mr. Mtshana M. Ncube
   Legal Officer -Member

4. Lt. Col Victor Awofisayo
   Chief Logistics Officer - Member

5. Mr. Abdoulaye Bah
   Chief, General Services - Member

6. Mr. Evon Parkes
   Property Survey Officer -Secretary

Alternates:

1. Mr. Kimso Nilsvang
   Chief Civilian Personnel Officer. - Chairman

2. Mr. Danilo Carlos
   Finance Officer - Member

3. Mr. Isaac Minta
   Legal Adviser - Member

4. Major Pankaj Arora
   SO Transport - Member

5. Mr. Minas Lessanu
   Chief Engineer - Member

Distribution:

Chairman, Members & Alternate Members of the Board.
Heads of Sections, Units, Components, Battalions.

Info: Controller, UNHQ.
Chairman/Secretary HPSB.

TO BE DISCUSSED AT PSB MEETING ON 14/6/95 BEFORE CIRCULATION AS AN INFORMATION CIRCULAR.

ISAAC

~~ADMINISTRATIVE INSTRUCTION NO:~~

In accordance with established proceedings and pursuant to Financial Rule 110.34 and staff rule 112.3, the following guidelines are established to assist in assessing costs when damage to, loss or destruction of United Nations owned property results through negligence or gross negligence on the part of members of the mission:-

(1) On duty military and Civilian Personnel in receipt of MSA.

Causing damage to, loss or destruction of United Nations owned property through "GROSS NEGLIGENCE". (Motor Vehicles only)
Assessment of up to 50% of cost/loss not exceeding US$2,250.00.

For negligence not amounting to gross, up to 25% of cost, not exceeding US$1,250.00.

At the outset, please be reminded that "Gross negligence" and "Ordinary Negligence" are defined as follows :

A. "Gross Negligence" is negligence of a very high degree involving willfulness or drunkenness and in consequence a manifest disregard of life and property. Therefore, a case of "Gross Negligence" would be one involving an element of recklessness such as driving a vehicle at an obviously excessive speed or while intoxicated and/or in obvious breach of the rules of the road. (The expression "In obvious breach of the rules of the road" shall be understood in the light of the examples given; "Recklessness" would encompass some but not all breaches of those rules.)

B. "Ordinary Negligence" involves violation of UN regulations, rule or Administrative Instruction including the unauthorised use of a United Nations Motor vehicle ~~when~~ the requirement for such authorisation is known. Driving a UN owned motor vehicle without having reasonable consideration for other users of the road, or altering the vehicle's course of travel without indicating in advance.

It is to be noted, that all the facts of a case, including all mitigating circumstances, will be taken into account;

Necessity may excuse conduct that might otherwise be regarded as "Gross Negligence";

"Gross Negligence" will not be inferred solely from:

- Failure to take a precautionary measure; or

- A violation of a rule of the road or traffic regulation or other directive;
although either of the above will be taken into account in reaching a determination.

(2) Off duty Military and Civilian Personnel in receipt of MSA.

Assessment of up to 100% of cost/loss to a maximum amount of US$5,000.00 for "Gross Negligence" and up to US$2,500.00 for ordinary negligence.

(3) Military Personnel not in receipt of MSA.

"On" or "Off" duty. Only Gross negligence will apply. Assessment of cost will be made against the Government of the Troop contributing country concerned. For "Off" duty personnel an assessment of 100% of cost/loss up to an amount not exceeding US$5,000.00. For "On" duty personnel an assessment of 50% of cost/loss up to an amount not exceeding US$2,500.00.

(4) Private/Individual/Civilian Contractors.(On/Off duty)

Assessment of 100% of the cost of loss or damage will apply in cases of "Gross Negligence". For "Ordinary Negligence", an assessment of 50% of cost will apply.

The determination in each case is reached by the fact-finder, which in the United Nations Administrative context is the Headquarters Property Survey Board (HPSB) or the Local Property Survey Board (LPSB).

UNITED NATIONS NATIONS UNIES

FIELD OPERATIONS DIVISION

FACSIMILE TRANSMISSION

Outgoing FaxNo.: MIR- 222	Date: 31 May 1995
To: MR. C. OUZIEL OIC UNAMIR	From: HOCINE MEDILI DIRECTOR FALD/DPKO
Fax: 3-3090	Fax: (212) 963-2116
Number of transmitted pages: two	Ref.:
Attn:	
Subject: DELEGATION OF AUTHORITY TO ESTABLISH A LOCAL PROPERTY SURVEY BOARD	

1. WE ARE PLEASED TO INFORM YOU THAT THE CONTROLLER AND THE ASG HAVE APPROVED THE DELEGATION OF AUTHORITY TO ESTABLISH A LOCAL PROPERTY SURVEY BOARD AT UNAMIR.

2. PLEASE FIND ATTACHED A SIGNED COPY FOR YOUR INFORMATION AND RECORDS.

3. BEST REGARDS.

UNAMIR - REGISTRY
Action to: 4A
1
2
3
4
01 JUN 1995
- Action completed
- Acknowledge
Initial

E/DRC CIS CFD 4A PCO
AO 01-2C

Drafted by: J. CAMPBELL	Authorized By: A. WALDRUM

DELEGATION OF AUTHORITY
TO THE
UNITED NATIONS ASSISTANCE MISSION IN RWANDA (UNAMIR)
FOR THE ESTABLISHMENT OF A LOCAL PROPERTY SURVEY BOARD

. Under the authority granted to us by the Under-Secretary-General for Administration and lanagement pursuant to financial rule 110.34 (a) and subject to the conditions of other applicable nancial rules, we hereby authorize the Chief Administrative Officer (CAO), UNAMIR to establish a Local roperty Survey Board (LPSB) at UNAMIR, which shall be comprised of the following members:

Member:	Finance Officer
Member:	Administrative Officer
Member:	Legal Advisor
Secretary:	Property Control Officer

. The Chairperson of this Board, members and alternate staff shall be appointed by the (CAO), NAMIR and their names shall be promptly communicated to UN, Headquarters.

. In general, the Board shall investigate and report on Category "A" and Category "SB" cases, esc ed below, on loss, shortage, damage, coverage, un-serviceability and other irregularity in quipment, supplies and property entrusted to the charge of the CAO, UNAMIR and to indicate the degree f responsibility, if any, attaching to any of UNAMIR's personnel in connection with such property iscrepancy.

. Category "A" cases shall include property with an individual inventory value of more than $1500 ut not exceeding the financial limit of $6,000. For such cases, the CAO, UNAMIR is authorized to act irectly and finally on the recommendations of the LPSB. Disposal of vehicles (other than by sale, onation, or transfer to other UN Agencies) shall be included in this category regardless of value but ubject to semi-annual summary reporting. Cases relating to loss of or damage to UN property involving ne financial assessment of UNAMIR personnel that are neither staff members nor military contingent nembers are also to be included in this category for the final decision of the CAO, UNAMIR based on the ecommendation of the LPSB.

. Category "SB" cases shall include property with an individual inventory value in excess of the nancial limit of $6,000 as well as instances of loss or damage that might result in the financial ssessment of United Nations staff members, regardless of amount, plus any case involving sale, gift, on on, transfer to other UN Organizations or Agencies at nominal price. Such cases, including possible laims against States providing contingent troops and against others, together with the LPSB's ecommendation, shall be forwarded through the Field Administration and Logistics Division (FALD), Department of Peace-keeping Operations to the Headquarters Property Survey Board (HPSB) for its review nd recommendations. The recommendations of the HPSB shall be transmitted to the Assistant Secretary-ieneral for Conference and Support Services and to the Controller for approval, on the basis of which the ubmitting office shall take appropriate action.

. A copy of approved minutes of meetings of the LPSB shall be transmitted through FALD to the ecretary of the HPSB on semi-annual basis.

. This Delegation of Authority shall remain in full force and effect, unless hereafter amended or vithdrawn.

Benon V. Sevan
Assistant Secretary-General
for Conference & Support Services

Dated: 29 May 95

Yukio Takasu
Controller
Office of Programme Planning
Budget & Accounts

Dated: 24 May 1995