

**UNITED NATIONS OFFICE FOR PROJECT SERVICES**

**Headquarters, Copenhagen**

**O.D. No. 1**

**23 September 2004**

**First Revision: 29 January 2009**

**ORGANIZATIONAL DIRECTIVE No. 1 (revision 1)**

**UNOPS Legislative Framework**

(formerly called “Organizational Directives, Administrative Instructions  
and Operational Circulars”)

**1. Introduction**

- 1.1. This Organizational Directive (OD) supersedes and replaces OD/04/0001 issued on 23 September 2004.

**2. Definitions**

- 2.1. For the purposes of this OD:
- 2.1.1 “**Practice Leads<sup>1</sup>**” means the practice leads of the major management practices (i.e. project management, procurement, human resources and finance) and such other practices<sup>2</sup> as the Executive Director may designate in writing from time to time.
- 2.1.2 “**UNOPS personnel**” means staff members under 100/200/300 series of the United Nations Staff Rules and individual contractors.

**3. Scope and purpose**

- 3.1. The purpose of this OD is to:
- 3.1.1 establish the hierarchy of external United Nations legislation applicable to UNOPS and internal UNOPS legislation; and
- 3.1.2 instruct UNOPS personnel on procedures for the issuance and management of UNOPS legislation.

**4. External legislation**

- 4.1. All UNOPS legislation is subordinate to, and at all times shall seek to be consistent with the legislative requirements of UNOPS’s governing bodies.

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<sup>1</sup> The Practice Leads, in some cases, are the Heads of Corporate Services.

<sup>2</sup> Including, but not limited to, legal, administration, communication, audit, information and communication technology (ICT) and physical infrastructure.

- 4.2. External legislation which are applicable United Nations-wide include *inter alia* (listed below in the order of precedence):
- 4.2.1 United Nations Charter;
  - 4.2.2 Resolutions and decisions of the United Nations General Assembly, Economic and Social Council and Security Council (if applicable);
  - 4.2.3 United Nations Staff Regulations and Rules
    - (a) Pursuant to the Secretary-General's bulletin of 16 January 2009<sup>3</sup>, the Secretary-General has delegated to the Executive Director formal authority in matters relating to human resources management of UNOPS; and
  - 4.2.4 Secretary-General's Bulletins and United Nations Administrative Instructions (if and when stated therein to "be applicable to separately administered organs and programmes of the United Nations<sup>4</sup>").
- 4.3. External legislation which are UNOPS specific:
- 4.3.1 Decisions concerning UNOPS of the Executive Board of the United Nations Development Programme and of the United Nations Population Fund (Executive Board), the governing body of UNOPS.

#### Financial Regulations and Rules

- (a) Financial Regulations are approved by the Executive Board to govern the financial management of UNOPS.
- (b) Financial Rules are established by the Executive Director from time to time to implement the Financial Regulations approved by the Executive Board.
- (c) All UNOPS legislation must be consistent with the Financial Regulations and Rules.

## 5. UNOPS legislation

- 5.1. UNOPS internal legislation shall be promulgated in the following form (listed below in order of precedence):
- 5.1.1 Organizational Directive (OD); and
  - 5.1.2 Administrative Instruction (AI).
- 5.2. Policies, instructions, procedures or business process maps intended to be mandatory and for general application must only be established by duly promulgated ODs or AIs.

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<sup>3</sup> As per the Secretary-General's bulletin "Authority of the United Nations Office for Project Services in matters relating to human resources management" (reference number ST/SGB/2009/1).

<sup>4</sup> As per the Secretary-General's bulletin "Procedures for the Promulgation of Administrative Issuances" (reference number ST/SGB/1997/1).

## **6. Entry into force and effect of UNOPS legislation; and archive**

- 6.1. ODs and AIs come into effect on promulgation by General Counsel or at such date as stated in the instrument itself. ODs and AIs shall remain in effect until superseded or amended by another legislation of the same or higher level and promulgated in accordance with the provisions of the present OD.
- 6.2. The original signed ODs and AIs and other relevant records shall be maintained by General Counsel, in liaison with the designated policy coordinator (Policy Coordinator). ODs and AIs shall be published and filed in a manner that ensures availability.
- 6.3. UNOPS personnel at all levels shall be responsible for observing the provisions of ODs and AIs promulgated in accordance with the present OD.

## **7. Organizational Directive (OD)**

- 7.1. ODs are organization-wide policies that govern actions within UNOPS and/or external relations. They contain information with institutional consequences that arise from strategic, governance and/or oversight matters, such as external communication, control and oversight, and client relations.
  - 7.1.1 The following matters shall require the issuance of an OD:
    - (a) Publication of the consolidated texts of the Financial Regulations and Rules applicable to UNOPS;
    - (b) Promulgation of policies (as required) for the implementation of decisions adopted by the Executive Board;
    - (c) Organization of UNOPS;
    - (d) Establishment of UNOPS-wide committees; and
    - (e) Other important decisions of policy, as decided by the Executive Director.
- 7.2. ODs shall require the approval and signature of the Executive Director, or the acting Executive Director.
- 7.3. ODs shall be prepared in a consistent manner, stating the purpose and scope (i.e. the policy statement) in the first section, providing reference(s) to previous and/or related instruments, if any, in the second section and detailing policy provisions in subsequent sections.
- 7.4. Procedure to establish OD:
  - 7.4.1 Any UNOPS personnel may propose to the relevant Practice Lead, according to the practice area, the establishment or revision of an OD that he/she considers necessary. The relevant Practice Lead shall appoint a focal point from the respective practice to liaise with the Policy Coordinator, and draft such OD.

- 7.4.2 The Practice Lead is strongly encouraged to involve the relevant Community of Practice (COP), the regional offices and operations centres in the process, and shall circulate draft ODs to all UNOPS personnel for comments.
- 7.4.3 All ODs must be reviewed and cleared by the Corporate Operations Group (COG) and General Counsel before they are sent to the Executive Director for approval and signature. However, the Executive Director may, at his/her discretion, waive the requirement for clearance by the COG.
- 7.5. OD shall bear the symbol: OD/ [Sequential Reference Number]

## **8. Administrative Instruction (AI)**

- 8.1. AIs issue instructions, procedures and business process maps for implementation of superior United Nations legislation applicable to UNOPS or ODs. AIs contain information with institutional consequences that arise from responsibilities assigned to the relevant practice.
- 8.2. AIs shall require the approval and signature of the relevant Practice Lead<sup>5</sup>.
- 8.3. AIs shall be prepared in a consistent manner including:
- 8.3.1 instructions;
  - 8.3.2 procedures; and
  - 8.3.3 business process maps.
- 8.4. With immediate effect, an AI shall not be issued unless it contains the relevant instructions, procedures and business process maps.
- 8.5. Procedure to establish AI:
- 8.5.1 Any UNOPS personnel may propose to the relevant Practice Lead, according to the practice area, the establishment or revision of an AI that he/she considers necessary. The relevant Practice Lead shall appoint a focal point from the practice to engage with the Policy Coordinator and the designated business process specialists to ensure:
    - (a) the adherence to standards, formats and legal contexts; and
    - (b) the technical basis for business processes and consistency between procedures and process maps.

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<sup>5</sup> The Practice Lead shall only issue AIs in the practice area of his/her responsibilities, e.g. the Practice Lead for finance on financial matters; Practice Lead on human resources on personnel matters etc.

8.5.2 The practice Lead is strongly encouraged to involve relevant COPs, the regional offices and operations centres in the process of developing the AI, and shall circulate draft AIs to all UNOPS personnel for comments.

8.5.3 AIs must be reviewed and cleared by the General Counsel before they are issued by the Practice Leads.

8.6. AIs shall bear the symbol: AI / [Issuing Unit] / [Year] / [Sequential Reference]

## **9. Inconsistency between legislation**

9.1. Although UNOPS legislation shall seek to be in accordance with superior legislation, UNOPS recognises that discrepancies may occasionally occur. In cases of a discrepancy between a UNOPS legislation and a superior United Nations legislation, precedence shall be given to the superior United Nations legislation and the matter should be brought to the attention of the Policy Coordinator.

9.2. Should an AI be inconsistent with an OD, precedence shall be given to the OD.

9.3. If an inconsistency exists between UNOPS legislation within the same level:

9.3.1 The matter should be referred to the Policy Coordinator and General Counsel.

9.3.2 General Counsel shall make a formal final ruling on the issue.

9.3.3 In exceptional situations, the Executive Director may direct that the policy be amended with retroactive effect.

## **10. Language and translation of UNOPS legislation**

10.1. ODs and AIs shall be promulgated in English, and translated to Spanish and French.

10.2. The Policy Coordinator is responsible for arranging the translation of ODs and AIs and obtaining the approval of the translation from the relevant Practice Lead.

10.3. Where there is an inconsistency between the English document and the translated document, the provisions of the English document shall prevail.

## **11. Amendments to AIs**

11.1. AIs can only be amended by the Practice Lead who issued the existing AIs, following the process described in this OD.

**12. Annual review of UNOPS legislation**

- 12.1. It is the responsibility of the Practice Leads to ensure that ODs and AIs in respect of their practice areas are reviewed annually and updated on the intranet, as necessary, to ensure these are kept current and relevant.

**13. Manuals and guidelines**

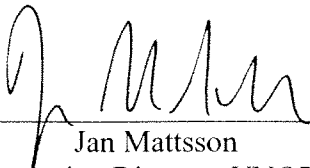
- 13.1. Manuals are corporate guidance documents (including best practices, tools, advice, examples etc.) to operationalize ODs and AIs.
- 13.2. Manuals must make reference to the applicable Financial Regulations and Rules, ODs or AIs in the text.
- 13.3. Format of all Manuals must be consistent.
- 13.4. The relevant Practice Lead shall ensure that Manuals in respect of his/her practice areas are maintained and kept updated on the intranet.

**14. Consequential changes**

- 14.1. Notwithstanding the aforesaid provisions, nothing in this OD shall prevent the issuance of Information Circulars to disseminate general information and isolated announcements of one-time or temporary interest with no mandatory effect.
- 14.2. All other UNOPS policies currently available on the intranet in the form other than ODs and AIs shall remain in effect until further notice.
- 14.3. From the effective date of this OD, the UNOPS Handbook shall have no mandatory effect.

**15. Final Provisions**

- 15.1. This revision of OD 1 is effective immediately.
- 15.2. General Counsel is hereby authorized to issue AIs and provide guidance and/or interpretation that may be necessary to effect the implementation of this OD.



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Jan Mattsson  
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