

UNITED NATIONS



NATIONS UNIES

## UNTAET

### United Nations Transitional Administration in East Timor

15 February 2001

#### NOTIFICATION

ON THE APPLICATION OF UNTAET REGULATION No. 2000/10 TO  
PROGRAMME AND PROJECT MANAGEMENT UNITS ESTABLISHED PURSUANT TO  
GRANTS UNDER THE TRUST FUND FOR EAST TIMOR

The Transitional Administrator,

Pursuant to the authority given to him under United Nations Security Council Resolution 1272 (1999) of 25 October 1999, as reaffirmed in United Nations Security Council resolution 1338 (2001) of 31 January 2001,

With the goal, consistent with United Nations Security Council resolution 1338 (2001), of enabling the effective exercise of the Transitional Administration's functions and assuring a gradual and smooth process towards self-governance through the delegation of certain of the Transitional Administrator's authorities,

Taking account certain grant agreements, as well as the expectation of future such agreements, between UNTAET and the International Development Association as trustee under the Trust Fund for East Timor ("Grant Agreement(s)"),

Recognizing the applicability of UNTAET Regulation No. 2000/10 of 6 March 2000 on Public Procurement for Civil Administration in East Timor and UNTAET Directive No. 2000/5 of 26 July 2000 on the Management of Donor Funding with respect to the Grant Agreements,

For the purpose of establishing Programme Management Units or, as the case may be, Project Management Units (each a PMU and, collectively, the PMUs) within the various departments of the East Timor Transitional Administration for the implementation of activities funded through, and in accordance with the terms of, the Grant Agreements,

For the further purpose of specifying the delegation of authority, consistent with UNTAET Regulation No. 2000/10 and UNTAET Directive No. 2000/5, in connection with procurement undertaken by PMUs, and

Hereby notifies the following:

The PMUs set forth in the attached schedule have been established, within the Departments and Agencies of the Transitional Administration indicated, for the purposes set forth in the referenced Grant Agreement, to exist until the earlier of completion of all obligations of UNTAET arising under the Grant Agreement relevant to the PMU or as otherwise provided in the Grant Agreement.

The persons indicated in the attached schedule have, in consultation with the Head of the Agency within which the PMU has been established, been appointed to head the PMU specified to serve for the purposes provided in the respective Grant Agreement, and to be accountable to the Head of the Agency in which the PMU has been established, during the period of duration of the PMU or until such time as that person may be unable to discharge his or her functions or may otherwise be replaced by me in consultation with the Head of the Agency within which the PMU has been established.

The Head of each Agency within which a PMU has been established has, in consultation with me, appointed the Financial Specialist and the Procurement Specialist for that PMU as set forth in the attached schedule to serve for the purposes provided in the respective Grant Agreement, and to be accountable to the Head of the PMU, during the period of duration of the PMU or until such time as that person may be unable to discharge his or her functions or may otherwise be replaced by the Head of the Agency within which the PMU has been established in consultation with me.

Consistent with Section 2.2 of UNTAET Regulation No. 2000/10 and Sections 3.3 and 3.4 of UNTAET Directive No. 2000/5, the procurement rules of a donor or funding agency may be applied with respect to procurement the funds for which have been provided by the donor or funding agency where those rules conflict<sup>1</sup> with the rules set out in UNTAET Regulation No. 2000/10 and the application of the donor's rules is required under the terms of the Grant Agreement; provided, however, such donor rules for procurement shall, to the extent not incompatible therewith, be applied within the procedural frameworks established in UNTAET Regulation No. 2000/10.

Notwithstanding the preceding paragraph, a PMU established with respect to a Grant Agreement may, in accordance with applicable procurement rules and noting in particular the applicability of Section 6 of UNTAET Regulation No. 2000/10, procure goods and services in the following amounts per contract:

For a PMU established in connection with a Grant of ≤ US\$5,000,000	≤ US\$ 50,000
For a PMU established in connection with a Grant of > US\$5,000,000	≤ US\$100,000

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<sup>1</sup> For purposes of determining whether UNTAET Regulation No. 2000/10 "conflicts with the procurement rules of a donor or funding agency with which UNTAET has agreed to comply" or, as provided in UNTAET Directive 2000/5, "the agreement with a donor specifies procedures that conflict with relevant UNTAET Regulations", only those rules or procedures of a donor or funding agency that expressly exclude the application of or are otherwise wholly irreconcilable with the application of UNTAET Regulation 2000/10 or other applicable UNTAET Regulations and Directives shall prevail, and no pre-emption of any such UNTAET Regulation and Directive shall be otherwise implied.

For the purpose of implementing, and in accordance with, the preceding paragraph of this Notification and UNTAET Regulation No. 2000/10, each contract for the procurement of goods and services effected by a PMU shall be effective only upon the certification of the availability and the commitment of funds by the Financial Specialist of the PMU for such procurement, the approval of the transaction, including the terms and conditions thereof, by the Head of the PMU, and the execution by the Procurement Specialist of the PMU on behalf of the Transitional Administration of such necessary and appropriate commitments legally binding thereupon to conclude the same.

The authority granted in the preceding paragraphs of this Notification is provided for the purpose of enabling the efficient implementation of the Grant Agreements and is in no way a derogation of the applicability of UNTAET Regulation No. 2000/10 with respect to the procurement of goods and services using funds from the Consolidated Fund for East Timor or other funds managed or administered by the Transitional Administration or any constituent department or agency thereof, including any PMU.

Additional PMUs may, by similar further notifications, be established within the appropriate Departments of the Transitional Administration pursuant to future Grant Agreements.

The present notification will be published in the Official Gazette of East Timor, pursuant to UNTAET Regulation No. 1999/4.

Sergio Vieira de Mello  
Transitional Administrator

Schedule of  
**Programme Management Units**

<b>Grant Agreement</b>	<b>Host Department/Agency</b>	<b>Director of PMU</b>	<b>Financial Specialist</b>	<b>Procurement Specialist</b>
Community Empowerment and Local Governance Project	Internal Administration/	Rosa Amaral Vong	Terry Jenkins	Ruben Carvalho
Small Enterprises Project	Economic Affairs/ Division of Commerce, Industry and Tourism	Shuja Shah	Roxana Ghiciu	Greg Shibko
Emergency Infrastructure Rehabilitation Project	Infrastructure/ Division of Transportation	Estaneslau da Silva	Depaak Kiorala	Richard Phelps
Health Sector Rehabilitation and Development Project	Social Affairs/ Department of Health	James Tulloch	Ian Maxwell	Sunethra Siriwardhena
Agriculture Rehabilitation Project	Economic Affairs/ Division of Agriculture	Serge Verniau	Yusupha Jobe	David Hill
Emergency School Readiness Project	Social Affairs/ Department of Education	Francisco Osler	Lesley Johnson	Thierry Le Brech
Water Supply and Sanitation Rehabilitation Project	Infrastructure/ Division of Energy, Water and Sanitation	TBA	Depaak Kiorala	Alan Smith
Micro-Finance Development Project	Economic Affairs/ Division of Commerce, Industry and Tourism	TBA	TBA	TBA