

BASIC DOCUMENTS

of the

Pan American Health Organization

Fifteenth Edition



PAN AMERICAN HEALTH ORGANIZATION
Pan American Sanitary Bureau, Regional Office of the
WORLD HEALTH ORGANIZATION

1991

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Pan American Sanitary Bureau, Regional Office of the
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1. PAN AMERICAN SANITARY CODE¹

CHAPTER I

Objects of the Code and Definitions of Terms Used Therein

Art. 1. The objects of this Code are:

(a) The prevention of the international spread of communicable infections of human beings.

(b) The promotion of cooperative measures for the prevention of the introduction and spread of disease into and from the territories of the Signatory Governments.

(c) The standardization of the collection of morbidity and mortality statistics by the Signatory Governments.

(d) The stimulation of the mutual interchange of information which may be of value in improving the public health and combating the diseases of man.

(e) The standardization of the measures employed at places of entry for the prevention of the introduction and spread of the communicable diseases of man, so that greater protection against them shall be achieved and unnecessary hindrance to international commerce and communication eliminated.

CHAPTER II

SECTION 1. NOTIFICATION AND SUBSEQUENT COMMUNICATIONS TO OTHER COUNTRIES

Art. 3. Each of the Signatory Governments agrees to transmit to each of the other Signatory Governments and to the Pan American Sanitary Bureau, at intervals of not more than two weeks, a statement containing information as to the state of its public health, particularly that of its ports.

The following diseases are obligatorily reportable:

Plague, cholera, yellow fever, smallpox, typhus, epidemic cerebrospinal meningitis, acute epidemic poliomyelitis, epidemic lethargic encephalitis, influenza or epidemic la grippe, typhoid and paratyphoid fevers, and such other diseases as the Pan American Sanitary Bureau may by resolution add to the above list.

¹Signed at Havana, Cuba, on 14 November 1924, at the VII Pan American Sanitary Conference and ratified by the Governments of the twenty-one American republics.

Only Article 1 of Chapter I, Articles 3, 4, 5, 6, 7, 8, 12, 13, 14, 15 of Chapter II, and Chapters IX, XII, and XIII are reproduced herein. For complete text refer to Publication 193 of the Pan American Sanitary Bureau (March 1943).

Art. 4. Each Signatory Government agrees to notify² adjacent countries and the Pan American Sanitary Bureau immediately, by the most rapid available means of communication, of the appearance in its territory of an authentic or officially suspected case or cases of plague, cholera, yellow fever, smallpox, typhus, or any other dangerous contagion liable to be spread through the intermediary agency of international commerce.³

Art. 5. This notification is to be accompanied or very promptly followed by the following additional information:

1. The area where the disease has appeared.
2. The date of its appearance, its origin, and its form.
3. The probable source or country from which introduced and manner of introduction.
4. The number of confirmed cases and number of deaths.
5. The number of suspected cases and deaths.
6. In addition, for plague, the existence among rodents of plague or of an unusual mortality among rodents; for yellow fever, the *Aedes aegypti* index of the locality.
7. The measures which have been applied for the prevention of the spread of the disease and its eradication.

Art. 6. The notification and information prescribed in Articles 4 and 5 are to be addressed to diplomatic or consular representatives in the capital of the infected country, and to the Pan American Sanitary Bureau at Washington, which shall immediately transmit the information to all countries concerned.

Art. 7. The notification and the information prescribed in Articles 3, 4, 5, and 6 are to be followed by further communications, in order to keep other Governments informed as to the progress of the disease or diseases. These communications will be made at least once weekly and will be as complete as possible, indicating in detail the measures employed to prevent the extension of the disease. The telegraph, the cable, and the radio will be employed for this purpose, except in those instances in which the data may be transmitted rapidly by mail. Reports by telegraph, cable, or radio will be

²The notification of cases of the diseases referred to in Article 4 of the Pan American Sanitary Code should be considered as an obligation applying only to the first case or cases appearing in a country which previously has been regarded as free from these diseases. (Interpretation, VIII Pan American Sanitary Conference.)

³By dangerous contagion is understood all diseases of an epidemic character, and the obligation to notify "adjacent countries" means all of the American republics. (Interpretation, VIII Pan American Sanitary Conference.)

confirmed by letter. Neighboring countries will endeavor to make special arrangements for the solution of local problems that do not involve widespread international interest.

Art. 8. The Signatory Governments agree that in the event of the appearance of any of the following diseases, namely, cholera, yellow fever, plague, typhus fever, or other pestilential diseases in severe epidemic form in their territory, they will immediately put in force appropriate sanitary measures for the prevention of the international carriage of any of the said diseases therefrom by passengers, crew, cargo and vessels, and mosquitoes, rats, and vermin that may be carried thereon, and will promptly notify each of the other Signatory Governments and the Pan American Sanitary Bureau as to the nature and extent of the sanitary measures which they have applied for the accomplishment of the requirements of this article.

SECTION 3. MORBIDITY AND MORTALITY STATISTICS

Art. 12. The International Classification of the Causes of Death is adopted as the Pan American Classification of the Causes of Death, and shall be used by the signatory nations in the interchange of mortality and morbidity reports.

Art. 13. The Pan American Sanitary Bureau is hereby authorized and directed to republish from time to time the Pan American Classification of the Causes of Death.

Art. 14. Each of the Signatory Governments agrees to put in operation at the earliest practicable date a system for the collection and tabulation of vital statistics which shall include:

1. A central statistical office presided over by a competent official.
2. The establishment of regional statistical offices.
3. The enactment of laws, decrees, or regulations requiring the prompt reporting of births, deaths, and communicable diseases by health officers, physicians, midwives, and hospitals, and providing penalties for failure to make such reports.

Art. 15. The Pan American Sanitary Bureau shall prepare and publish standard forms for the reporting of deaths and cases of communicable diseases and all other vital statistics.

CHAPTER IX

The Pan American Sanitary Bureau: Functions and Duties

Art. 54. The organization, functions, and duties of the Pan American Sanitary Bureau shall include those heretofore determined for the International Sanitary Bureau by the various international sanitary and other conferences of American republics, and such additional administrative functions and duties as may be hereafter determined by Pan American Sanitary Conferences.

Art. 55. The Pan American Sanitary Bureau shall be the central coordinating sanitary agency of the various member republics of the Pan American Union and the general collection and distribution center of sanitary information to and from said republics. For this purpose it shall, from time to time, designate representatives to visit and confer with the sanitary authorities of the various Signatory Governments on public health matters, and such representatives shall be given all available sanitary information in the countries visited by them in the course of their official visits and conferences.

Art. 56. In addition, the Pan American Sanitary Bureau shall perform the following specific functions:

To supply to the sanitary authorities of the Signatory Governments through its publications, or in other appropriate manner, all available information relative to the actual status of the communicable diseases of man, new invasions of such diseases, the sanitary measures undertaken, and the progress effected in the control or eradication of such diseases; new methods for combating disease; morbidity and mortality statistics; public health organization and administration; progress in any of the branches of preventive medicine; and other pertinent information relative to sanitation and public health in any of its phases, including a bibliography of books and periodicals on public hygiene.

In order to more efficiently discharge its function it may undertake cooperative epidemiological and other studies; may employ at headquarters and elsewhere experts for this purpose; may stimulate and facilitate scientific research and the practical application of the results therefrom; and may accept gifts, benefactions, and bequests, which shall be accounted for in the manner now provided for the maintenance funds of the Bureau.

Art. 57. The Pan American Sanitary Bureau shall advise and consult with the sanitary authorities of the various Signatory Commissions relative to public health problems and the manner of interpreting and applying the provisions of this Code.

Art. 58. Officials of the national health services may be designated as representatives, *ex officio*, of the Pan American Sanitary Bureau, in addition to their regular duties, and when so designated they may be empowered to act as sanitary representatives of one or more of the Signatory Governments when properly designated and accredited so to serve.

Art. 59. Upon request of the sanitary authorities of any of the Signatory Governments, the Pan American Sanitary Bureau is authorized to take the necessary preparatory steps to bring about an exchange of professors, medical and health officers, experts or advisors in public health or any of the sanitary sciences, for the purpose of mutual aid and advancement in the protection of the public health of the Signatory Governments.

Art. 60. For the purpose of discharging the functions and duties imposed upon the Pan American Sanitary Bureau, a fund of not less than \$50,000 shall be collected by the Pan American Union, apportioned among the Signatory Governments on the same basis as are the expenses of the Pan American Union.

CHAPTER XII

Be it understood that this Code does not in any way abrogate or impair the validity or force of any existing treaty, convention, or agreement between any of the Signatory Governments and any other Government.

CHAPTER XIII

Transitory Disposition

Art. 63. The Governments which may not have signed by the present convention are to be admitted to adherence thereto upon demand, notice of this adherence to be given through diplomatic channels to the Government of the Republic of Cuba.

Made and signed in the city of Havana, on the 14th day of the month of November, 1924, in two copies, in English and Spanish, respectively, which shall be deposited with the Department of Foreign Relations of the Republic of Cuba, in order that certified copies thereof, in both English and Spanish, may be made for transmission through diplomatic channels to each of the Signatory Governments.

2. ADDITIONAL PROTOCOL TO THE PAN AMERICAN SANITARY CODE (1927)¹

The ratifications of the Pan American Sanitary Code shall be deposited in the office of the Secretary of State of the Republic of Cuba and the Cuban Government shall communicate these ratifications to the other Signatory States, which communication shall constitute exchange or ratifications. The convention shall become effective in each of the Signatory States on the date of ratification thereof by said State, and shall remain in force without limitation of time, each one of the Signatory or Adherent States reserving the right to withdraw from the convention by giving in due form a year's notice in advance to the Government of the Republic of Cuba.

¹Approved ad referendum by the VII Pan American Sanitary Conference, held at Lima, Peru, from 12 to 20 October 1927.

3. ADDITIONAL PROTOCOL TO THE PAN AMERICAN SANITARY CODE (1952)

The Representatives of the Governments Signatories to the Pan American Sanitary Code, being duly authorized by virtue of the full powers which have been accorded to them and which have been found to be in good and due form, sign the present Protocol, in the name of their respective Governments, in the English, Spanish, Portuguese, and French languages, on the date and at the place appearing below their signatures.

Article I

It is agreed to abrogate Articles 2, 9, 10, 11, 16 to 53 inclusive, 61, and 62 of the Pan American Sanitary Code, signed at Havana on 14 November 1924 at the VII Pan American Sanitary Conference, all of which relate to international traffic.

Article II

Henceforth, any periodic amendment that it should be appropriate to make in the titles, sections, or articles of the Pan American Sanitary Code shall be the responsibility of the Pan American Sanitary Conference; for any such amendment to be valid, the provisions of the Constitution of the Pan American Sanitary Organization¹ shall be carried out.

Article III

The original of the present Protocol shall be deposited with the Pan American Union, which shall transmit certified copies to the Governments for purposes of ratification.

Article IV

The present Protocol shall be ratified by the Signatory States in accordance with their respective constitutional procedures. The instruments of ratification shall be deposited with the Pan American Union, which shall notify the Signatory Governments of such deposit.

¹Renamed "Pan American Health Organization" by decision of the XV Pan American Sanitary Conference, September-October 1958.

Article V

This Protocol shall become effective on the first of October 1952 for those States which ratify this instrument before the said date. It shall become effective with respect to the remaining States on the date of ratification thereof.

Done at the city of Havana on the twenty-fourth day of September nineteen hundred and fifty-two.

4. CONSTITUTION OF THE PAN AMERICAN HEALTH ORGANIZATION¹

PREAMBLE

Progress in the sciences of public health and medicine together with new and wider concepts of the responsibilities of Governments in matters of health make it essential to broaden the scope of international health work in the Western Hemisphere and to develop and strengthen the Pan American Sanitary Bureau in order that it may be able to carry out fully the obligations imposed by this progress.

Acting in accordance with the Final Act of the XII Pan American Sanitary Conference, the Directing Council hereby adopts the following Constitution for the Pan American Health Organization.

CHAPTER I

THE ORGANIZATION

Article 1. *Purposes:*

The fundamental purposes of the Pan American Health Organization (hereinafter called the Organization) shall be to promote and coordinate efforts of the countries of the Western Hemisphere to combat disease, lengthen life, and promote the physical and mental health of the people.

Article 2. *Membership:*

A. All American States are entitled to membership in the Organization. (American States which are Members of the Organization are hereinafter called Member Governments.)

B. Territories or groups of territories within the Western Hemisphere which are not responsible for the conduct of their international relations shall have the right to be represented and to participate in the Organization. The nature and extent of the rights and obligations of these territories or groups of territories in the Organization shall be determined in each case by

¹Revisions approved by the Directing Council at its XIII Meeting, Resolution XXXVII (1961), at its XVI Meeting, Resolution XXIV (1965), at its XVIII Meeting, Resolution II (1968), and at the XX Pan American Sanitary Conference, Resolution I (1978).

the Directing Council after consultation with the Government or other authorities having responsibility for their international relations (hereinafter called Participating Governments).

It is understood that Member Governments having under their jurisdiction subordinate territories and peoples within the Western Hemisphere will apply the provisions of the Pan American Sanitary Code and of this Constitution to such territories and peoples.

Article 3. *Organs:*

The Organization shall comprise:

1. The Pan American Sanitary Conference (hereinafter called the Conference);
2. The Directing Council (hereinafter called the Council);
3. The Executive Committee of the Directing Council (hereinafter called the Executive Committee); and
4. The Pan American Sanitary Bureau (hereinafter called the Bureau).

CHAPTER II

THE CONFERENCE

Article 4. *Functions:*

A. The Conference shall be the supreme governing authority of the Organization.

B. The Conference shall determine the general policies of the Organization, including financial policy, and, when it deems it necessary, shall instruct the Council, the Executive Committee, and the Director of the Bureau with respect to any matter within the scope of the Organization.

C. The Conference shall serve as a forum for the interchange of information and ideas relating to the prevention of disease, the preservation, promotion and restoration of mental and physical health, and the advancement of sociomedical measures and facilities for the prevention and treatment of physical and mental diseases in the Western Hemisphere.

D. The Conference shall elect the Member Governments to serve on the Executive Committee, in accordance with Article 15, paragraph A, of the Constitution.

E. The Conference shall elect the Director of the Bureau in accordance with Article 21, paragraph A, of the Constitution.

F. The Conference shall review the annual reports of the Chairman of the Executive Committee and of the Director of the Bureau for the immediately preceding year, as well as the quadrennial report of the Director of the Bureau.

G. The Conference shall review and approve the biennial program and budget of the Organization.

H. The Conference may delegate any of its functions to the Council, which shall execute them on behalf of the Conference during the interval between meetings of the Conference.

Article 5. *Composition:*

A. The Conference shall be composed of delegates of Member Governments of the Organization and the Participating Governments (hereinafter called "Governments" when both are referred to).

B. Each Government shall be represented by not more than three delegates, one of whom shall be designated by the respective Government as chief delegate. Delegates may be accompanied by one or more alternates and advisers. Delegates selected by the respective Governments should include specialists in public health, preferably officials of national public health services.

C. The Director of the Bureau shall participate ex officio without the right to vote.

Article 6. *Voting:*

A. Each Government officially represented at the Conference shall have the right to one vote. The Participating Governments shall exercise this right within the limitations established in accordance with Article 2, paragraph B.

B. If a Government fails to meet its financial obligations to the Organization by the date of the opening of the Pan American Sanitary Conference or a meeting of the Directing Council, by being in arrears in an amount exceeding the sum of its annual payments of contributions for two full years, the voting privileges of that Government shall be suspended. Nevertheless, if the Conference or the Directing Council is satisfied that the failure of the Government to pay is due to conditions beyond its control, it may permit the Government to vote.

C. Motions shall be considered adopted when they have received the affirmative vote of a majority of the Governments present and voting, except where the Constitution or the Rules of Procedure otherwise provide.

Article 7. *Meetings:*

A. The Conference shall meet every four years at the Headquarters of the Organization on a date fixed by the Director of the Bureau in consultation with the Executive Committee.

B. Notwithstanding the provision of the immediately foregoing paragraph, the Conference may meet in any Member Country of the Organization provided that the Government concerned invites it, and the Conference itself or the Directing Council at its meeting held one year before that appointed for the Conference accepts the invitation.

C. Whenever the provisions of the immediately foregoing paragraph apply, the Government of the country in which the Conference is to be held shall appoint a Committee to cooperate with the Bureau in organizing the Conference.

D. At least three months prior to the beginning of the Conference, the Director of the Bureau shall submit to the Governments a comprehensive report on the progress of the Organization since the last meeting of the Conference.

E. Each Government shall pay the expenses of its delegation to the Conference and the Bureau shall pay the expenses of its personnel.

F. The provisional agenda of the Conference shall be prepared by the Director of the Bureau and submitted to the Executive Committee for approval. The Conference shall adopt its own agenda and, in so doing, may make such additions or modifications to the provisional agenda as it may wish, in accordance with its Rules of Procedure.

G. When the provisional agenda has been approved by the Executive Committee, a copy shall be sent to the Director-General of the World Health Organization.

H. The Director-General of the World Health Organization, or his representatives, shall have the right to participate, without vote, in the Conference.

Article 8. *Officers and Rules of Procedure:*

The Conference shall elect its own officers and shall adopt its own Rules of Procedure.

CHAPTER III

THE COUNCIL

Article 9. *Functions:*

A. The Council shall perform those functions delegated to it by the Conference, shall act on its behalf between meetings of the Conference, and shall carry out the decisions and policies of the Conference.

B. The Council shall elect the Member Governments to serve on the Executive Committee in accordance with Article 15, paragraph A, of the Constitution.

C. The Council shall review the annual reports of the Chairman of the Executive Committee and of the Director of the Bureau.

D. The Council shall review and approve the biennial program and budget of the Organization.

E. The Council shall elect an ad interim Director of the Bureau when necessary, in accordance with Article 21, paragraph A.

F. The Council shall approve the establishment of branch offices of the Organization.

Article 10. *Composition:*

A. The Council shall be composed of one representative from each Government. The representatives shall be designated from among specialists in public health, preferably officials of national public health services. Each representative may be accompanied by one or more alternates and advisers.

B. The Director of the Bureau shall participate ex officio without the right to vote.

Article 11. *Voting:*

A. Each Government officially represented on the Council shall have the right to one vote. The Participating Governments shall exercise this right within the limitations established in accordance with Article 2, paragraph B.

B. Motions shall be considered adopted when they have received the affirmative vote of a majority of the Governments present and voting, except where the Constitution or the Rules of Procedure otherwise provide.

Article 12. *Meetings:*

A. The Council shall normally meet once each year in those years in which the Conference does not meet.

B. Each Government shall pay the expenses of its representation, and the Bureau shall pay the expenses of its personnel.

C. The provisional agenda of the Council shall be prepared by the Director of the Bureau and submitted to the Executive Committee for approval. The Council shall adopt its own agenda and, in so doing, may make such additions or modifications to the provisional agenda as it may wish, in accordance with its Rules of Procedure.

D. When the provisional agenda has been approved by the Executive Committee, a copy shall be sent to the Director-General of the World Health Organization.

E. The Director-General of the World Health Organization, or his representatives, shall have the right to participate, without vote, in the Council.

Article 13. *Officers and Rules of Procedure:*

The Council shall elect its own officers and shall adopt its own Rules of Procedure.

CHAPTER IV

THE EXECUTIVE COMMITTEE

Article 14. *Functions:*

The functions of the Executive Committee shall be:

A. To authorize the Director of the Bureau to convoke meetings of the Council.

B. To approve the provisional agenda of meetings of the Conference and of the Council.

C. To consider and submit to the Conference or to the Council the proposed program and budget prepared by the Director of the Bureau with such recommendations as it deems advisable.

D. To advise the Conference or the Council regarding matters referred to the Executive Committee by those bodies or, on its own initiative, regarding other matters relating to the activities of the Conference, the Council, or the Bureau.

E. To discharge any other function assigned to it by the Conference or the Council.

Article 15. *Composition:*

A. The Executive Committee shall be composed of nine Member Governments of the Organization elected by the Conference or the Council for overlapping periods of three years. Each of the elected Member Governments shall be entitled to designate one representative to the Executive Committee. Each representative may be accompanied by one or more alternates and advisers. A Member Government shall not be eligible for reelection to the Executive Committee until one year has elapsed since the expiration of its term of office.

B. Governments not represented on the Executive Committee may at their own expense, send observers who may, in accordance with the Rules of Procedure of the Executive Committee, participate without vote in the proceedings of the Executive Committee.

C. The Director of the Bureau shall participate *ex officio* without the right to vote.

Article 16. *Voting:*

A. Each Member Government elected to and represented on the Executive Committee shall have the right to one vote.

B. Motions shall be considered adopted when they have received the affirmative vote of a majority of the Member Governments present and voting, except where the Constitution or the Rules of Procedure otherwise provide.

Article 17. *Meetings:*

A. Two regular meetings of the Executive Committee shall be held every year. One of these meetings shall be held at the place of the meeting of the Council or of the Conference and immediately following it. Special meetings shall be held when convoked by the Director of the Bureau, either on his own initiative or upon request of at least three Member Governments.

B. The expenses of the representatives to the Executive Committee attending meetings concurrent with, immediately preceding, or immediately following those of the Council, or of the Conference, shall be borne by Member Governments. Expenses of representatives to other meetings of the Executive Committee, or, in the event that any representative is unable to attend, of an alternate, shall be paid by the Bureau.

Article 18. *Officers:*

The Executive Committee shall elect from among its members a Chairman and a Vice-Chairman, who shall hold office until their successors are elected. The elections shall take place each year at the first meeting of the Executive Committee following the election of its new Member Governments.

Article 19. *Rules of Procedure:*

The Executive Committee shall adopt its own Rules of Procedure.

CHAPTER V

THE BUREAU

Article 20. *Functions:*

The duties and functions of the Bureau shall be those specified in the Pan American Sanitary Code, and those which are assigned in the future by the Conference or the Council in fulfillment of the purposes expressed in Article 1 of this Constitution.

Article 21. *Administration:*

A. The Bureau shall have a Director elected at the Conference by the vote of a majority of the Governments of the Organization. The Director shall hold office for a period of four years. In the event of his successor not being elected prior to the expiration of his term of office the Director shall continue to serve until his successor takes office. In the event of the resignation, incapacity, or death of the Director, the Deputy Director shall assume his duties until the next meeting of the Council. The Council shall then elect a Director ad interim by a majority vote of the Governments present and voting.

B. The Bureau shall have a Deputy Director and an Assistant Director appointed by the Director with the approval of the Executive Committee. The Director shall also appoint all other personnel of the Bureau. All appointments shall be in accordance with the rules and regulations adopted by the Council. These rules and regulations shall specify the conditions governing the selection of personnel competent to carry out the duties entrusted to the Bureau. Whenever possible, the widest geographic distribution shall be followed in regard to the recruiting of the personnel.

C. The Director of the Bureau shall create, in the central office and its branches, such sections as are deemed necessary in order to carry out the program of health activities authorized by the Organization.

Article 22. *International Character of the Personnel:*

A. No member of the staff of the Bureau may act as a representative of any Government.

B. In the performance of their duties, the Director and all personnel of the Bureau shall not seek or receive instructions from any Government or from any authority external to the Organization. They shall refrain from any action which is incompatible with their status as international officers. Each Government, on its part, shall undertake to respect the exclusively international character of the Director and the personnel and shall not seek to influence them.

Article 23. *Technical Commissions:*

The Director of the Bureau may appoint such permanent technical commissions as are authorized by the Conference or the Council, as well as such nonpermanent technical commissions as are authorized by the Conference, by the Council, or by the Executive Committee.

CHAPTER VI

BUDGET

Article 24. *Financial Obligations of the Governments:*

A. The Organization shall be financed by annual contributions from Governments. The contributions from Member Governments shall be determined in conformity with Article 60 of the Pan American Sanitary Code. The Participating Governments shall make annual contributions computed on a basis similar to that established for the Member Governments.

B. Governments may make extraordinary contributions for general expenses and specific purposes, in addition to their annual quota contributions.

Article 25. *Donations:*

The Conference, the Council, the Executive Committee, or the Director of the Bureau may accept and administer donations and bequests made to the Organization provided that any conditions attached to such donations or bequests are consistent with the purposes and policies of the Organization.

CHAPTER VII

RELATIONS

Article 26. *Relations with Other Organizations:*

The Conference or the Council may make suitable arrangements for consultation and cooperation with other organizations interested in or concerned with public health and, to this end, may conclude special agreements with such organizations.

CHAPTER VIII

MODIFICATIONS

Article 27. *Revisions of the Pan American Sanitary Code:*

A. The Director of the Bureau shall prepare periodic revisions of the Pan American Sanitary Code in accordance with general needs and policies determined by the Conference or the Council.

B. Such revisions shall be reviewed by the Executive Committee and submitted to the Conference or the Council for approval.

C. Such revisions shall be submitted to the Governments which are parties to the Pan American Sanitary Code, for appropriate action as recommendations of the Conference or the Council.

Article 28. *Amendments to the Constitution:*

Proposals to amend the Constitution shall be communicated to the Member Governments at least three months in advance of their consideration by the Conference or the Council. Amendments shall come into force for all Member Governments when adopted by the Conference by a two-thirds vote of the representatives of all Member Governments or when adopted by the Council by a two-thirds vote of those representatives.

CHAPTER IX

VALIDITY

Article 29. *Entry into Force:*

A. This Constitution shall enter into force when approved by the Council.

B. The previous Constitution is hereby revoked.

The present Constitution was signed in the city of Buenos Aires on the second day of the month of October of the year nineteen hundred and forty-seven.

**5. PARTICIPATION IN THE ORGANIZATION BY CERTAIN
MEMBERS OF THE WORLD HEALTH ORGANIZATION
NOT HAVING THEIR SEATS OF GOVERNMENT
WITHIN THE WESTERN HEMISPHERE**

*Resolutions adopted by the Directing Council at its V Meeting held
in Washington, D. C., from 24 September to 3 October 1951*

Resolution XV

**PARTICIPATION IN THE MEETINGS OF THE DIRECTING COUNCIL
BY CERTAIN MEMBERS OF THE WORLD HEALTH ORGANIZATION
NOT HAVING THEIR SEATS OF GOVERNMENT WITHIN THE
WESTERN HEMISPHERE**

WHEREAS:

The Directing Council at its IV Meeting requested the Executive Committee to study the relationship between the Directing Council and the Regional Committee of the World Health Organization, and the relation of each of these to the Member States of the World Health Organization not having their seats of government within the Western Hemisphere, and to recommend to the Council the inclusion, in the proposed constitutional revision, of measures to clarify these relationships;

The XIII Pan American Sanitary Conference authorized the Executive Committee to examine the proposed revision submitted to the Conference by the Directing Council, and to submit it for consideration to the Directing Council at its V Meeting, together with the opinions expressed by the Member Governments, the Members of the Regional Committee of the World Health Organization, and the Council of the Organization of American States;

Resolution II of the II Meeting of the Directing Council offered certain rights or participation in the Pan American Sanitary Organization¹ to the non-self-governing territories of the Western Hemisphere; and Resolution IX of the III Meeting invited certain non-member States to participate, on the same basis as the American republics, in meetings of the Directing Council as Regional Committee of the World Health Organization; and

¹Renamed "Pan American Health Organization" by decision of the XV Pan American Sanitary Conference, September-October 1958.

The Directing Council has adopted a resolution expressing its belief that a revision of the Constitution of the Pan American Sanitary Organization is not timely, and until this instrument is revised, the Directing Council should clarify the said Resolution IX of the III Meeting of the Directing Council,

THE DIRECTING COUNCIL

RESOLVES:

1. That all meetings of the Directing Council shall at the same time be meetings of the Regional Committee of the World Health Organization except when the Directing Council is considering constitutional matters, the juridical relations between the Pan American Sanitary Organization and the World Health Organization or the Organization of American States, or other questions relating to the Pan American Sanitary Organization as an Inter-American Specialized Organization.

2. That, modifying paragraphs (a) and (b) of Resolution II² of the II Meeting of the Directing Council, the vote on Pan American Sanitary Organization budget matters is granted to States Members of the World Health Organization not having their seats of government within the Western Hemisphere, which "(a) either by reason of their Constitution consider certain territories or groups of territories in the Western Hemisphere as part of their national territory, or (b) are responsible for the conduct of the international

²The Directing Council

Resolves:

To declare that the non-self-governing countries of the Western Hemisphere be offered the following rights within the Pan American Sanitary Organization:

- (a) To participate without the right to vote in the deliberations of the plenary sessions of the Directing Council.
- (b) To participate with the right to vote in the committees of the Directing Council, except in those which deal with administration, finances, and the Constitution.
- (c) To participate on the same basis as the Members, subject only to the limitations mentioned in subdivision (a), in matters relating to procedure in the sessions of the Directing Council and its committees, such as presenting motions, amendments, and points of order, etc.
- (d) To propose subjects for inclusion in the provisional agenda of the meetings of the Directing Council.
- (e) To receive all the documents, reports and minutes of the Directing Council.
- (f) To participate on the same basis as the Members in all plans for the calling of special sessions.
- (g) To appoint observers and to participate in the discussions of the Executive Committee, subject to the same conditions which apply to the Members of the Pan American Sanitary Organization who are not members of the Committee, although these representatives are not eligible for membership in the Committee.

relations of territories or groups of territories within the Western Hemisphere." The vote thus granted shall be on behalf of these territories and shall be contingent upon their making an equitable contribution to the budget of the Pan American Sanitary Organization. The privilege of voting on the Pan American Sanitary Organization budget thus granted may be exercised either by the representatives of such territories or by the representatives of the Member States of the World Health Organization referred to above.

3. To amend the Rules of Procedure of the Directing Council, in accordance with the recommendation of the Executive Committee, to provide *inter alia* that if the representative of a non-member State of the Pan American Sanitary Organization is elected an officer at any meeting, such representative will not officiate in the sessions at which any of the matters mentioned in paragraph 1 is under discussion.

Resolution XL

FINANCIAL PARTICIPATION OF FRANCE, THE NETHERLANDS, AND THE UNITED KINGDOM, ON BEHALF OF THEIR DEPENDENT TERRITORIES IN THE REGION OF THE AMERICAS, IN THE BUDGET OF THE PAN AMERICAN SANITARY ORGANIZATION

WHEREAS:

The Directing Council at this V Meeting has adopted a resolution³ recommending *inter alia* that the Representative States of non-self-governing territories be granted the vote on budget matters of the Pan American Sanitary Organization provided this vote be contingent upon an equitable contribution being made by them to the Pan American Sanitary Organization budget,

THE DIRECTING COUNCIL

RESOLVES:

1. To instruct the Director to compute the annual contributions in respect to the territories of France, the Netherlands, and the United Kingdom in the Western Hemisphere, on the following basis:

(a) for each group of territories select the Member State whose capacity-to-pay is most comparable to that of the group;

³Resolution XV, see p. 19.

(b) divide the amount assessed the most comparable Member State by its total population;

(c) multiply the per capita assessment of the most comparable Member State (derived in step b) by the total population of the respective groups of territories, the resulting sum being the amount of the contribution for the group.

2. To instruct the Director to consult each Representative State in the selection of the Member State whose capacity to pay is most comparable to the group of territories which it represents.

3. To instruct the Director to inform the Executive Committee annually of the manner in which the most comparable Member State was selected.

6. CONSTITUTION OF THE WORLD HEALTH ORGANIZATION¹

THE STATES Parties to this Constitution declare, in conformity with the Charter of the United Nations, that the following principles are basic to the happiness, harmonious relations and security of all peoples:

Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.

The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition.

The health of all peoples is fundamental to the attainment of peace and security and is dependent upon the fullest co-operation of individuals and States.

The achievement of any State in the promotion and protection of health is of value to all.

Unequal development in different countries in the promotion of health and control of disease, especially communicable disease, is a common danger.

Healthy development of the child is of basic importance; the ability to live harmoniously in a changing total environment is essential to such development.

The extension to all peoples of the benefits of medical, psychological and related knowledge is essential to the fullest attainment of health.

Informed opinion and active co-operation on the part of the public are of the utmost importance in the improvement of the health of the people.

Governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures.

ACCEPTING THESE PRINCIPLES, and for the purpose of co-operation among themselves and with others to promote and protect the health of all peoples, the Contracting Parties agree to the present Constitution and hereby establish the World Health Organization as a specialized agency within the terms of Article 57 of the Charter of the United Nations.

¹The Constitution was adopted by the International Health Conference held in New York from 19 June to 22 July 1946, and signed on 22 July 1946 by the representatives of 61 States (*Off. Rec. Wld Hlth Org.*, 2, 100). Amendments adopted by the Twenty-sixth and Twenty-ninth World Health Assemblies (Resolutions WHA26.37 and WHA29.38) came into force on 3 February 1977 and 20 January 1984, respectively, and are incorporated in the present text.

CHAPTER I — OBJECTIVE

Article 1

The objective of the World Health Organization (hereinafter called the Organization) shall be the attainment by all peoples of the highest possible level of health.

CHAPTER II — FUNCTIONS

Article 2

In order to achieve its objective, the functions of the Organization shall be:

- (a) to act as the directing and co-ordinating authority on international health work;
- (b) to establish and maintain effective collaboration with the United Nations, specialized agencies, governmental health administrations, professional groups and such other organizations as may be deemed appropriate;
- (c) to assist Governments, upon request, in strengthening health services;
- (d) to furnish appropriate technical assistance and, in emergencies, necessary aid upon the request or acceptance of Governments;
- (e) to provide or assist in providing, upon the request of the United Nations, health services and facilities to special groups, such as the peoples of trust territories;
- (f) to establish and maintain such administrative and technical services as may be required, including epidemiological and statistical services;
- (g) to stimulate and advance work to eradicate epidemic, endemic and other diseases;
- (h) to promote, in co-operation with other specialized agencies where necessary, the prevention of accidental injuries;
- (i) to promote, in co-operation with other specialized agencies where necessary, the improvement of nutrition, housing, sanitation, recreation, economic or working conditions and other aspects of environmental hygiene;
- (j) to promote co-operation among scientific and professional groups which contribute to the advancement of health;
- (k) to propose conventions, agreements and regulations, and make recommendations with respect to international health matters and to perform such duties as may be assigned thereby to the Organization and are consistent with its objective;

- (l) to promote maternal and child health and welfare and to foster the ability to live harmoniously in a changing total environment;
- (m) to foster activities in the field of mental health, especially those affecting the harmony of human relations;
- (n) to promote and conduct research in the field of health;
- (o) to promote improved standards of teaching and training in the health, medical and related professions;
- (p) to study and report on, in co-operation with other specialized agencies where necessary, administrative and social techniques affecting public health and medical care from preventive and curative points of view, including hospital services and social security;
- (q) to provide information, counsel and assistance in the field of health;
- (r) to assist in developing an informed public opinion among all peoples on matters of health;
- (s) to establish and revise as necessary international nomenclatures of diseases, of causes of death and of public health practices;
- (t) to standardize diagnostic procedures as necessary;
- (u) to develop, establish and promote international standards with respect to food, biological, pharmaceutical and similar products;
- (v) generally to take all necessary action to attain the objective of the Organization.

CHAPTER III — MEMBERSHIP AND ASSOCIATE MEMBERSHIP

Article 3

Membership in the Organization shall be open to all States.

Article 4

Members of the United Nations may become Members of the Organization by signing or otherwise accepting this Constitution in accordance with the provisions of Chapter XIX and in accordance with their constitutional processes.

Article 5

The States whose Governments have been invited to send observers to the International Health Conference held in New York, 1946, may become Members by signing or otherwise accepting this Constitution in accordance with the provisions of Chapter XIX and in accordance with their constitutional processes provided that such signature or acceptance shall be completed before the first session of the Health Assembly.

Article 6

Subject to the conditions of any agreement between the United Nations and the Organization, approved pursuant to Chapter XVI, States which do not become Members in accordance with Articles 4 and 5 may apply to become Members and shall be admitted as Members when their application has been approved by a simple majority vote of the Health Assembly.

Article 7¹

If a Member fails to meet its financial obligations to the Organization or in other exceptional circumstances, the Health Assembly may, on such condition as it thinks proper, suspend the voting privileges and services to which a Member is entitled. The Health Assembly shall have the authority to restore such voting privileges and services.

Article 8

Territories or groups of territories which are not responsible for the conduct of their international relations may be admitted as Associate Members by the Health Assembly upon application made on behalf of such territory or group of territories by the Member or other authority having responsibility for their international relations. Representatives of Associate Members to the Health Assembly should be qualified by their technical competence in the field of health and should be chosen from the native population. The nature and extent of the rights and obligations of Associate Members shall be determined by the Health Assembly.

CHAPTER IV — ORGANS

Article 9

The work of the Organization shall be carried out by:

- (a) The World Health Assembly (herein called the Health Assembly);
- (b) The Executive Board (hereinafter called the Board);
- (c) The Secretariat.

¹The amendment to this Article adopted by the Eighteenth World Health Assembly (Resolution WHA18.48) has not yet come into force.

CHAPTER V — THE WORLD HEALTH ASSEMBLY

Article 10

The Health Assembly shall be composed of delegates representing Members.

Article 11

Each Member shall be represented by not more than three delegates, one of whom shall be designated by the Member as chief delegate. These delegates should be chosen from among persons most qualified by their technical competence in the field of health, preferably representing the national health administration of the Member.

Article 12

Alternates and advisers may accompany delegates.

Article 13

The Health Assembly shall meet in regular annual session and in such special sessions as may be necessary. Special sessions shall be convened at the request of the Board or of a majority of the Members.

Article 14

The Health Assembly, at each annual session, shall select the country or region in which the next annual session shall be held, the Board subsequently fixing the place. The Board shall determine the place where a special session shall be held.

Article 15

The Board, after consultation with the Secretary-General of the United Nations, shall determine the date of each annual and special session.

Article 16

The Health Assembly shall elect its President and other officers at the beginning of each annual session. They shall hold office until their successors are elected.

Article 17

The Health Assembly shall adopt its own rules of procedure.

Article 18

The functions of the Health Assembly shall be:

- (a) to determine the policies of the Organization;
- (b) to name the Members entitled to designate a person to serve on the Board;
- (c) to appoint the Director-General;
- (d) to review and approve reports and activities of the Board and of the Director-General and to instruct the Board in regard to matters upon which action, study, investigation or report may be considered desirable;
- (e) to establish such committees as may be considered necessary for the work of the Organization;
- (f) to supervise the financial policies of the Organization and to review and approve the budget;
- (g) to instruct the Board and the Director-General to bring to the attention of Members and of international organizations, governmental or non-governmental, any matter with regard to health which the Health Assembly may consider appropriate;
- (h) to invite any organization, international or national, governmental or non-governmental, which has responsibilities related to those of the Organization, to appoint representatives to participate, without right of vote, in its meetings or in those of the committees and conferences convened under its authority, on conditions prescribed by the Health Assembly; but in the case of national organizations, invitations shall be issued only with the consent of the Government concerned;
- (i) to consider recommendations bearing on health made by the General Assembly, the Economic and Social Council, the Security Council or Trusteeship Council of the United Nations, and to report to them on the steps taken by the Organization to give effect to such recommendations;
- (j) to report to the Economic and Social Council in accordance with any agreement between the Organization and the United Nations;
- (k) to promote and conduct research in the field of health by the personnel of the Organization, by the establishment of its own institutions or by co-operation with official or non-official institutions of any Member with the consent of its Government;
- (l) to establish such other institutions as it may consider desirable;
- (m) to take any other appropriate action to further the objective of the Organization.

Article 19

The Health Assembly shall have authority to adopt conventions or agreements with respect to any matter within the competence of the Organization. A two-thirds vote of the Health Assembly shall be required for the adoption of such conventions or agreements, which shall come into force for each Member when accepted by it in accordance with its constitutional processes.

Article 20

Each Member undertakes that it will, within eighteen months after the adoption by the Health Assembly of a convention or agreement, take action relative to the acceptance of such convention or agreement. Each Member shall notify the Director-General of the action taken, and if it does not accept such convention or agreement within the time limit, it will furnish a statement of the reasons for non-acceptance. In case of acceptance, each Member agrees to make an annual report to the Director-General in accordance with Chapter XIV.

Article 21

The Health Assembly shall have authority to adopt regulations concerning:

- (a) sanitary and quarantine requirements and other procedures designed to prevent the international spread of disease;
- (b) nomenclatures with respect to diseases, causes of death and public health practices;
- (c) standards with respect to diagnostic procedures for international use;
- (d) standards with respect to the safety, purity and potency of biological, pharmaceutical and similar products moving in international commerce;
- (e) advertising and labelling of biological, pharmaceutical and similar products moving in international commerce.

Article 22

Regulations adopted pursuant to Article 21 shall come into force for all Members after due notice has been given of their adoption by the Health Assembly except for such Members as may notify the Director-General of rejection or reservations within the period stated in the notice.

Article 23

The Health Assembly shall have authority to make recommendations to Members with respect to any matter within the competence of the Organization.

CHAPTER VI — THE EXECUTIVE BOARD

Article 24¹

The Board shall consist of thirty-one persons designated by as many Members. The Health Assembly, taking into account an equitable geographical distribution, shall elect the Members entitled to designate a person to serve on the Board, provided that, of such Members, not less than three shall be elected from each of the regional organizations established pursuant to Article 44. Each of these Members should appoint to the Board a person technically qualified in the field of health, who may be accompanied by alternates and advisers.

Article 25¹

These Members shall be elected for three years and may be reelected, provide that of the eleven Members elected at the first session of the Health Assembly held after the coming into force of the amendment to this Constitution increasing the membership of the Board from thirty to thirty-one the term of office of the additional Member elected shall, insofar as may be necessary, be of such lesser duration as shall facilitate the election of at least one Member from each regional organization in each year.

Article 26

The Board shall meet at least twice a year and shall determine the place of each meeting.

Article 27

The Board shall elect its Chairman from among its members and shall adopt its own rules of procedure.

¹The amendment to this Article adopted by the Thirty-ninth World Health Assembly (Resolution WHA39.6) has not yet come into force.

Article 28

The functions of the Board shall be:

- (a) to give effect to the decisions and policies of the Health Assembly;
- (b) to act as the executive organ of the Health Assembly;
- (c) to perform any other functions entrusted to it by the Health Assembly;
- (d) to advise the Health Assembly on questions referred to it by that body and on matters assigned to the Organization by conventions, agreements and regulations;
- (e) to submit advice or proposals to the Health Assembly on its own initiative;
- (f) to prepare the agenda of meetings of the Health Assembly;
- (g) to submit to the Health Assembly for consideration and approval a general programme of work covering a specific period;
- (h) to study all questions within its competence;
- (i) to take emergency measures within the functions and financial resources of the Organization to deal with events requiring immediate action. In particular it may authorize the Director-General to take the necessary steps to combat epidemics, to participate in the organization of health relief to victims of a calamity and to undertake studies and research the urgency of which has been drawn to the attention of the Board by any Member or by the Director-General.

Article 29

The Board shall exercise on behalf of the whole Health Assembly the powers delegated to it by that body.

CHAPTER VII — THE SECRETARIAT

Article 30

The Secretariat shall comprise the Director-General and such technical and administrative staff as the Organization may require.

Article 31

The Director-General shall be appointed by the Health Assembly on the nomination of the Board on such terms as the Health Assembly may determine. The Director-General, subject to the authority of the Board, shall be the chief technical and administrative officer of the Organization.

Article 32

The Director-General shall be *ex-officio* Secretary of the Health Assembly, of the Board, of all commissions and committees of the Organization and of conferences convened by it. He may delegate these functions.

Article 33

The Director-General or his representative may establish a procedure by agreement with Members, permitting him, for the purpose of discharging his duties, to have direct access to their various departments, especially to their health administrations and to national health organizations, governmental or non-governmental. He may also establish direct relations with international organizations whose activities come within the competence of the Organization. He shall keep regional offices informed on all matters involving their respective areas.

Article 34

The Director-General shall prepare and submit to the Board the financial statements and budget estimates of the Organization.

Article 35

The Director-General shall appoint the staff of the Secretariat in accordance with staff regulations established by the Health Assembly. The paramount consideration in the employment of the staff shall be to assure that the efficiency, integrity and internationally representative character of the Secretariat shall be maintained at the highest level. Due regard shall be paid also to the importance of recruiting the staff on as wide a geographical basis as possible.

Article 36

The conditions of service of the staff of the Organization shall conform as far as possible with those of the other United Nations organizations.

Article 37

In the performance of their duties the Director-General and the staff shall not seek or receive instructions from any government or from any authority external to the Organization. They shall refrain from any action which might reflect on their position as international officers. Each Member of the Organization on its part undertakes to respect the exclusively international character of the Director-General and the staff and not to seek to influence them.

CHAPTER VIII — COMMITTEES

Article 38

The Board shall establish such committees as the Health Assembly may direct and, on its own initiative or on the proposal of the Director-General, may establish any other committees considered desirable to serve any purpose within the competence of the Organization.

Article 39

The Board, from time to time and in any event annually, shall review the necessity for continuing each committee.

Article 40

The Board may provide for the creation of or the participation by the Organization in joint or mixed committees with other organizations and for the representation of the Organization in committees established by such other organizations.

CHAPTER IX — CONFERENCES

Article 41

The Health Assembly or the Board may convene local, general, technical or other special conferences to consider any matter within the competence of the Organization and may provide for the representation at such conferences of international organizations and, with the consent of the Government concerned, of national organizations, governmental or non-governmental. The matter of such representation shall be determined by the Health Assembly or the Board.

Article 42

The Board may provide for representation of the Organization at conferences in which the Board considers that the Organization has an interest.

CHAPTER X — HEADQUARTERS

Article 43

The location of the headquarters of the Organization shall be determined by the Health Assembly after consultation with the United Nations.

CHAPTER XI — REGIONAL ARRANGEMENTS

Article 44

- (a) The Health Assembly shall from time to time define the geographical areas in which it is desirable to establish a regional organization.
- (b) The Health Assembly may, with the consent of a majority of the Members situated within each area so defined, establish a regional organization to meet the special needs of such area. There shall not be more than one regional organization in each area.

Article 45

Each regional organization shall be an integral part of the Organization in accordance with this Constitution.

Article 46

Each regional organization shall consist of a regional committee and a regional office.

Article 47

Regional committees shall be composed of representatives of the Member States and Associate Members in the region concerned. Territories or groups of territories within the region, which are not responsible for the conduct of their international relations and which are not Associate Members, shall have the right to be represented and to participate in regional committees. The nature and extent of the rights and obligations of these territories or groups of territories in regional committees shall be determined by the Health Assembly in consultation with the Member or other authority having responsibility for the international relations of these territories and with the Member States in the region.

Article 48

Regional committees shall meet as often as necessary and shall determine the place of each meeting.

Article 49

Regional committees shall adopt their own rules of procedure.

Article 50

The functions of the regional committee shall be:

- (a) to formulate policies governing matters of an exclusively regional character;
- (b) to supervise the activities of the regional office;
- (c) to suggest to the regional office the calling of technical conferences and such additional work or investigation in health matters as in the opinion of the regional committee would promote the objective of the Organization within the region;
- (d) to co-operate with the respective regional committees of the United Nations and with those of other specialized agencies and with other regional international organizations having interests in common with the Organization;
- (e) to tender advice, through the Director-General, to the Organization on international health matters which have wider than regional significance;
- (f) to recommend additional regional appropriations by the Governments of the respective regions if the proportion of the central budget of the Organization allotted to that region is insufficient for the carrying out of the regional functions;
- (g) such other functions as may be delegated to the regional committee by the Health Assembly, the Board or the Director-General.

Article 51

Subject to the general authority of the Director-General of the Organization, the regional office shall be the administrative organ of the regional committee. It shall, in addition, carry out within the region the decisions of the Health Assembly and of the Board.

Article 52

The head of the regional office shall be the Regional Director appointed by the Board in agreement with the regional committee.

Article 53

The staff of the regional office shall be appointed in a manner to be determined by agreement between the Director-General and the Regional Director.

Article 54

The Pan American Sanitary Organization¹ represented by the Pan American Sanitary Bureau and the Pan American Sanitary Conferences, and all other inter-governmental regional health organizations in existence prior to the date of signature of this Constitution, shall in due course be integrated with the Organization. This integration shall be effected as soon as practicable through common action based on mutual consent of the competent authorities expressed through the organizations concerned.

CHAPTER XII — BUDGET AND EXPENSES

Article 55

The Director-General shall prepare and submit to the Board the budget estimates of the Organization. The Board shall consider and submit to the Health Assembly such budget estimates, together with any recommendations the Board may deem advisable.

Article 56

Subject to any agreement between the Organization and the United Nations, the Health Assembly shall review and approve the budget estimates and shall apportion the expenses among the Members in accordance with a scale to be fixed by the Health Assembly.

Article 57

The Health Assembly or the Board acting on behalf of the Health Assembly may accept and administer gifts and bequests made to the Organization provided that the conditions attached to such gifts or bequests are acceptable to the Health Assembly or the Board and are consistent with the objective and policies of the Organization.

Article 58

A special fund to be used at the discretion of the Board shall be established to meet emergencies and unforeseen contingencies.

¹Renamed "Pan American Health Organization" by decision of the XV Pan American Sanitary Conference, September-October 1958.

CHAPTER XIII — VOTING

Article 59

Each Member shall have one vote in the Health Assembly.

Article 60

(a) Decisions of the Health Assembly on important questions shall be made by a two-thirds majority of the Members present and voting. These questions shall include: the adoption of conventions or agreements; the approval of agreements bringing the Organization into relation with the United Nations and inter-governmental organizations and agencies in accordance with Articles 69, 70 and 72; amendments to this Constitution.

(b) Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the Members present and voting.

(c) Voting on analogous matters in the Board and in committees of the Organization shall be made in accordance with paragraphs (a) and (b) of this Article.

CHAPTER XIV — REPORTS SUBMITTED BY STATES

Article 61

Each Member shall report annually to the Organization on the action taken and progress achieved in improving the health of its people.

Article 62

Each Member shall report annually on the action taken with respect to recommendations made to it by the Organization and with respect to conventions, agreements and regulations.

Article 63

Each Member shall communicate promptly to the Organization important laws, regulations, official reports and statistics pertaining to health which have been published in the State concerned.

Article 64

Each Member shall provide statistical and epidemiological reports in a manner to be determined by the Health Assembly.

Article 65

Each Member shall transmit upon the request of the Board such additional information pertaining to health as may be practicable.

CHAPTER XV — LEGAL CAPACITY, PRIVILEGES AND IMMUNITIES

Article 66

The Organization shall enjoy in the territory of each Member such legal capacity as may be necessary for the fulfilment of its objective and for the exercise of its functions.

Article 67

(a) The Organization shall enjoy in the territory of each Member such privileges and immunities as may be necessary for the fulfilment of its objective and for the exercise of its functions.

(b) Representatives of Members, persons designated to serve on the Board and technical and administrative personnel of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

Article 68

Such legal capacity, privileges and immunities shall be defined in a separate agreement to be prepared by the Organization in consultation with the Secretary-General of the United Nations and concluded between the Members.

CHAPTER XVI — RELATIONS WITH OTHER ORGANIZATIONS

Article 69

The Organization shall be brought into relation with the United Nations as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations. The agreement or agreements bringing the Organization into relation with the United Nations shall be subject to approval by a two-thirds vote of the Health Assembly.

Article 70

The Organization shall establish effective relations and co-operate closely with such other inter-governmental organizations as may be desirable. Any formal agreement entered into with such organizations shall be subject to approval by a two-thirds vote of the Health Assembly.

Article 71

The Organization may, on matters within its competence, make suitable arrangements for consultation and co-operation with non-governmental international organizations and, with the consent of the Government concerned, with national organizations, governmental or non-governmental.

Article 72

Subject to the approval by a two-thirds vote of the Health Assembly, the Organization may take over from any other international organization or agency whose purpose and activities lie within the field of competence of the Organization such functions, resources and obligations as may be conferred upon the Organization by international agreement or by mutually acceptable arrangements entered into between the competent authorities of the respective organizations.

CHAPTER XVII — AMENDMENTS

Article 73

Texts of proposed amendments to this Constitution shall be communicated by the Director-General to Members at least six months in advance of their consideration by the Health Assembly. Amendments shall come into force for all Members when adopted by a two-thirds vote of the Health Assembly and accepted by two-thirds of the Members in accordance with their respective constitutional processes.

CHAPTER XVIII — INTERPRETATION

Article 74¹

The Chinese, English, French, Russian and Spanish texts of this Constitution shall be regarded as equally authentic.

¹The amendment to this Article adopted by the Thirty-first World Health Assembly (Resolution WHA31.18) has not yet come into force.

Article 75

Any question or dispute concerning the interpretation or application of this Constitution which is not settled by negotiation or by the Health Assembly shall be referred to the International Court of Justice in conformity with the Statute of the Court, unless the parties concerned agree on another mode of settlement.

Article 76

Upon authorization by the General Assembly of the United Nations or upon authorization in accordance with any agreement between the Organization and the United Nations, the Organization may request the International Court of Justice for an advisory opinion on any legal question arising within the competence of the Organization.

Article 77

The Director-General may appear before the Court on behalf of the Organization in connection with any proceedings arising out of any such request for an advisory opinion. He shall make arrangements for the presentation of the case before the Court, including arrangements for the argument of different views on the question.

CHAPTER XIX — ENTRY INTO FORCE

Article 78

Subject to the provisions of Chapter III, this Constitution shall remain open to all States for signature or acceptance.

Article 79

(a) States may become parties to this Constitution by

- (i) signature without reservation as to approval;
- (ii) signature subject to approval followed by acceptance; or
- (iii) acceptance.

(b) Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

Article 80

This Constitution shall come into force when twenty-six Members of the United Nations have become parties to it in accordance with the provisions of Article 79.

Article 81

In accordance with Article 102 of the Charter of the United Nations, the Secretary-General of the United Nations will register this Constitution when it has been signed without reservation as to approval on behalf of one State or upon deposit of the first instrument of acceptance.

Article 82

The Secretary-General of the United Nations will inform States parties to this Constitution of the date when it has come into force. He will also inform them of the dates when other States have become parties to this Constitution.

IN FAITH WHEREOF the undersigned representatives, having been duly authorized for that purpose, sign this Constitution.

DONE in the City of New York this twenty-second day of July 1946, in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. The original texts shall be deposited in the archives of the United Nations. The Secretary-General of the United Nations will send certified copies to each of the Governments represented at the Conference.

7. AGREEMENT BETWEEN THE WORLD HEALTH ORGANIZATION AND THE PAN AMERICAN HEALTH ORGANIZATION

WHEREAS Chapter XI of the Constitution of the World Health Organization provides that the Pan American Sanitary Organization¹ represented by the Pan American Sanitary Bureau and the Pan American Sanitary Conference shall in due course be integrated with the World Health Organization and that such integration shall be effected as soon as practicable through common action based on mutual consent of the competent authorities expressed through the organizations concerned; and

WHEREAS the World Health Organization and the Pan American Sanitary Organization have agreed that measures towards the implementation of such action by the conclusion of an agreement shall be taken when at least fourteen American countries shall have ratified the Constitution of the World Health Organization; and

WHEREAS on the twenty-second of April 1949 this condition was satisfied,

IT IS HEREBY AGREED AS FOLLOWS:

Article 1

The States and territories of the Western Hemisphere make up the geographical area of a regional organization of the World Health Organization, as provided in Chapter XI of its Constitution.

¹Renamed "Pan American Health Organization" by decision of the XV Pan American Sanitary Conference, September-October 1958.

Article 2

The Pan American Sanitary Conference, through the Directing Council of the Pan American Sanitary Organization and the Pan American Sanitary Bureau, shall serve respectively as the Regional Committee and the Regional Office of the World Health Organization for the Western Hemisphere, within the provisions of the Constitution of the World Health Organization. In deference to tradition, both organizations shall retain their respective names, to which shall be added "Regional Committee of the World Health Organization" and "Regional Office of the World Health Organization," respectively.

Article 3

The Pan American Sanitary Conference may adopt and promote health and sanitary conventions and programmes in the Western Hemisphere, provided that such conventions and programmes are compatible with the policy and programmes of the World Health Organization and are separately financed.

Article 4

When this Agreement enters into force, the Director of the Pan American Sanitary Bureau shall assume, subject to the provisions of Article 2, the post of Regional Director of the World Health Organization, until the termination of the period for which he was elected. Thereafter, the Regional Director shall be appointed in accordance with the provisions of Article 49 and 52 of the World Health Organization Constitution.

Article 5

In accordance with the provisions of Article 51 of the Constitution of the World Health Organization, the Director-General of the World Health Organization shall receive from the Director of the Pan American Sanitary Bureau full information regarding the administration and the operations of the Pan American Sanitary Bureau as the Regional Office for the Western Hemisphere.

Article 6

An adequate proportion of the budget of the World Health Organization shall be allocated for regional work.

Article 7

The annual budget estimates for the expenses of the Pan American Sanitary Bureau as the Regional Office for the Western Hemisphere shall be prepared by the Regional Director and shall be submitted to the Director-General for his consideration in the preparation of the annual budget estimates of the World Health Organization.

Article 8

The funds allocated to the Pan American Sanitary Bureau, as Regional Office of the World Health Organization, under the budget of the World Health Organization, shall be managed in accordance with the financial policies and procedures of the World Health Organization.

Article 9

This Agreement may be supplemented with the consent of both parties, on the initiative of either party.

Article 10

This Agreement shall enter into force upon its approval by the World Health Assembly and signature by the Director of the Pan American Sanitary Bureau, acting on behalf of the Pan American Sanitary Conference, provided that fourteen of the American republics have at that time deposited their instruments of acceptance of the Constitution of the World Health Organization.

Article 11

In case of doubt or difficulty in interpretation, the English text shall govern.

IN WITNESS WHEREOF this Agreement was done and signed at Washington, D.C., on this twenty-fourth day of May nineteen hundred and forty-nine in four copies, two in English and two in French.

For the World Health Organization:

BROCK CHISHOLM
Director-General

*For the Pan American
Sanitary Conference:*

FRED L. SOPER
The Director

**“AGREEMENT WITH THE PAN AMERICAN SANITARY
ORGANIZATION²**

The Second World Health Assembly,

Acting in pursuance of Chapter XI of the Constitution of the World Health Organization,

APPROVES the Agreement between the World Health Organization and the Pan American Sanitary Organization signed in Washington by the Director-General of the World Health Organization and the Director of the Pan American Sanitary Organization on 24 May 1949;

DECLARES that the said Agreement shall have effect from 1 July 1949.”

²This Agreement was approved at the tenth plenary session of the Second World Health Assembly, held in Rome in June 1949

8. AGREEMENT BETWEEN THE COUNCIL OF THE ORGANIZATION OF AMERICAN STATES AND THE DIRECTING COUNCIL OF THE PAN AMERICAN HEALTH ORGANIZATION

WHEREAS:

The Charter of the Organization of American States stipulates that it is the duty of the Council of the Organization "to conclude agreements with the Inter-American Specialized Organizations to determine the relations that shall exist between the respective agency and the Organization," and sets forth the provisions that may be included in such agreements;

Resolution III of the Ninth International Conference of American States authorized the Council of the Organization of American States to make a complete survey of the status and activities of, and to take certain measures with reference to, Inter-American Organizations, as might be appropriate;

The resolution adopted by the Directing Council of the Pan American Sanitary Organization¹ in 1947 authorized the Director of the Pan American Sanitary Bureau to study and plan, in agreement with the Director General of the Pan American Union, the necessary measures for the maintenance of close relations between the two organizations;

The Directing Council of the Pan American Sanitary Organization, at its Third Meeting held in Lima, October 1949, agreed in Resolution XI, paragraph 6, "to authorize the Executive Committee to give final approval on behalf of the Pan American Sanitary Organization to an Agreement with the Organization of American States"; and

The Executive Committee at its Tenth Meeting having approved a draft of the above-mentioned Agreement,

THEREFORE:

The Council of the Organization of American States and the Directing Council of the Pan American Sanitary Organization have agreed upon the following:

¹Renamed "Pan American Health Organization" by decision of the XV Pan American Sanitary Conference, September-October 1958.

I

The Pan American Sanitary Organization is recognized as an Inter-American Specialized Organization.

II

The Pan American Sanitary Organization acts as regional organization of the World Health Organization in the Western Hemisphere.

III

The Pan American Sanitary Organization shall continue to enjoy the fullest autonomy in the accomplishment of its purposes, within the limits of the instruments which govern it. In any event, the Pan American Sanitary Organization, through its competent organs, shall take into account the recommendations made by the Council of the Organization of American States, in accordance with the provisions of the Charter of the said Organization.

IV

The Pan American Sanitary Organization shall give technical advice on matters of public health and medical care to the Council of the Organization of American States and its Organs, and to the Pan American Union, upon request.

V

The Council of the Organization of American States, its Organs, and the Pan American Union shall consult the Pan American Sanitary Organization on all matters of public health and medical care that are brought to the attention of the former.

VI

The Council of the Organization of American States may send observers, with voice but without vote, to the Pan American Sanitary Conference, the meetings of the Directing Council and of the Executive Committee of the Pan American Sanitary Organization, and to other technical meetings held or sponsored by the Pan American Sanitary Organization.

VII

The Pan American Sanitary Organization may send observers, with voice but without vote, to the Inter-American Conference, as well as to meetings of the Organs and the Committees of the Council of the Organization of American States, when they deal with subjects of interest to the Pan American Sanitary Organization.

VIII

The Council of the Organization of American States and the Pan American Sanitary Organization may recommend, either one to the other, topics for inclusion in the agenda of any of the conferences and meetings mentioned in the two preceding articles.

IX

The Pan American Sanitary Organization shall prepare the programs and regulations of the Pan American Sanitary Conference, which is recognized as having the status of a Specialized Conference, and may promote or sponsor such other technical meetings on public health, medicine, and allied sciences as it considers appropriate. These technical meetings shall have the status of Inter-American Specialized Conferences only when they are convoked in accordance with the provisions of Article 93 of the Charter of the Organization of American States.

The Pan American Sanitary Bureau and the Pan American Union shall keep each other mutually informed, for their respective purposes, of every initiative that may be taken to hold Inter-American Specialized Conferences or other inter-American meetings in the said fields.

X

The Pan American Sanitary Bureau shall inform the Council of the Organization of American States of the proposed dates of the Pan American Sanitary Conference, of the meetings of the Directing Council and of the Executive Committee, and of such other technical meetings as the Sanitary Organization may convene or sponsor, in order that the Council of the Organization of American States may make such observations as it deems appropriate with a view to coordinating the dates of such meetings with those of other conferences. The programs and regulations of such meetings shall also be sent to the Council of the Organization of American States for its information.

XI

The Pan American Union shall transmit to the States Members of the Organization of American States the convocation issued by the Pan American Sanitary Bureau for the Pan American Sanitary Conference and for other Inter-American Specialized Conferences which the Pan American Sanitary Organization holds or sponsors.

XII

The Pan American Union and the Pan American Sanitary Bureau shall maintain a full exchange of information, publications, and documents.

XIII

The Pan American Sanitary Organization, through its competent organ, shall transmit to the Council of the Organization of American States the proposed budget for the following fiscal year prepared by the Executive Committee of the Pan American Sanitary Organization as soon as it is ready, if possible before September 15.

XIV

The Pan American Union shall forward to the Governments the budget approved by the Directing Council of the Pan American Sanitary Organization, together with a statement of the quota due from each Government for the maintenance of the Bureau.

XV

The Pan American Union and the Pan American Sanitary Bureau shall cooperate to the fullest extent possible in recruiting and in establishing standards of compensation of personnel, in the exchange and regulation of personnel, and in the reciprocal use of equipment, facilities, and services.

XVI

Administrative arrangements between the Pan American Union and the Pan American Sanitary Bureau relative to the receipt and disbursement of funds, and to personnel, library facilities, and the utilization of space, equipment, facilities, and services, may be made by the Secretary General of the Organization of American States and the Director of the Pan American Sanitary Bureau.

XVII

The Pan American Sanitary Bureau shall have the option of including its employees in the Pan American Union Retirement and Pension Fund, subject to the provisions of the plan governing its administration.

XVIII

The Pan American Sanitary Bureau shall transmit annually to the Council of the Organization of American States a report on the progress of the work of the Pan American Sanitary Organization. Such report shall contain a statement of activities undertaken during the preceding year, as well as a statement of financial operations.

XIX

Whenever a project contemplating substantial changes in the structure or financial basis of the Pan American Sanitary Organization is to be submitted to the competent organ of that Organization, it will first be submitted in due time to the Council of the Organization of American States.

XX

The present Agreement shall come into force on the date on which it is signed by the authorized representative of the Council of the Organization of American States and by the authorized representative of the Directing Council of the Pan American Sanitary Organization.

XXI

This Agreement may be revised by mutual agreement between the Council of the Organization of American States and the Directing Council of the Pan American Sanitary Organization, or denounced, on three months' notice given by either of the Contracting Parties.

IN WITNESS WHEREOF, the Secretary General of the Organization of American States, authorized representative of the Council of the Organization, and the Director of the Pan American Sanitary Bureau, authorized representative of the Directing Council of the Pan American Sanitary Organization, sign the present Agreement in Spanish and English at the Pan American Union, Washington, D. C., this 23rd day of May, nineteen hundred fifty.

ALBERTO LLERAS
Secretary General of the Organization
of American States

FRED L. SOPER
Director of the Pan American
Sanitary Bureau

9. RULES OF PROCEDURE OF THE PAN AMERICAN SANITARY CONFERENCE¹

PART I—MEETINGS OF THE CONFERENCE

Rule 1

The Director of the Pan American Sanitary Bureau shall convoke the Conference to meet at the time and place determined in conformity with Article 7 of the Constitution. Notices of convocation shall be sent not less than 60 days before the date fixed for the opening of the Conference to all Governments and to all organizations entitled to be represented at the Conference.

Rule 2

When Article 7, paragraph B, of the Constitution applies, the Conference shall be held at the Headquarters of the Organization, if, for any reason, it cannot be held in the designated country.

Rule 3

Whenever the Conference meets elsewhere than at the Headquarters of the Organization, the inaugural plenary session shall be held at the place set by the Host Government in consultation with the Director of the Bureau.

Rule 4

The presence of the delegations of a majority of the Governments shall constitute a quorum for the opening of the Conference.

Rule 5

All meetings of the Conference shall at the same time be meetings of the Regional Committee of the World Health Organization, except when the Conference is considering constitutional matters, the juridical relations between the Pan American Health Organization and the World Health Organization or the Organization of American States, or other questions relating to the Pan American Health Organization as an Inter-American Specialized Organization.

¹Text approved by the XVI Pan American Sanitary Conference, Resolution I (1962) and modified pursuant to Resolution XI of the XVII Pan American Sanitary Conference (1966), Resolution I of the XVIII Pan American Sanitary Conference (1970), and Resolution IV of the XXI Pan American Sanitary Conference (1982).

PART II—AGENDA OF CONFERENCE MEETINGS

Rule 6

The provisional agenda of the Conference shall be prepared by the Director of the Bureau and submitted to the Executive Committee for approval.

Rule 7

The provisional agenda shall include:

- (a) Any item the inclusion of which has been ordered by the Conference at a preceding meeting;
- (b) Any item the inclusion of which has been ordered by the Council at a preceding meeting;
- (c) Any item proposed by the Governments, or by organizations entitled to propose agenda items;
- (d) Any item which the Executive Committee wishes to submit;
- (e) Any item which the Director of the Bureau wishes to submit.

Rule 8

The provisional agenda shall be sent to the Governments and to organizations entitled to representation at least 60 days prior to the meeting. Furthermore, the documents relating to the provisional agenda will, whenever possible, be sent to the Governments, with copies of such documents to the national health authorities, at least 30 days prior to the meeting.

Rule 9

The Conference shall adopt its own agenda and, in so doing, may make such additions or modifications to the provisional agenda as it may wish, in accordance with these Rules of Procedure.

Rule 10

Supplementary items may be added to the agenda after its adoption, if two thirds of the delegations present and voting approve.

Rule 11

Whenever possible, a proposal for the inclusion of an item in the provisional agenda or agenda should be accompanied by a working document to serve as a basis for discussion.

Rule 12

The Director of the Bureau shall report to the Conference on the technical, administrative, and financial implications, if any, of all agenda items.

PART III—PLENARY SESSIONS OF THE CONFERENCE

Rule 13

The plenary sessions shall be devoted to matters of general interest and to the discussion and decision on the reports of such committees or working parties as may be established by the Conference.

Rule 14

The sessions shall be public unless the Conference otherwise decides.

Rule 15

A majority of the delegations participating in the Conference, with the right to vote, shall constitute a quorum in a plenary session, provided that the number of delegations present is not less than twelve.

Rule 16

The names of delegates, including all alternates and advisers, of each Government, as well as of observers of organizations entitled to be represented at the Conference and of invited nongovernmental organizations, shall be communicated to the Director of the Bureau not less than 15 days, if possible, before the date fixed for the opening of the Conference.

Rule 17

The credentials of delegates and observers shall be delivered to the Director of the Bureau not less than 24 hours, if possible, before the opening of the meeting of the Conference.

PART IV—OFFICERS OF THE CONFERENCE

Rule 18

The Conference shall elect a President, two Vice-Presidents, and a Rapporteur who shall hold office until their successors are elected.

Rule 19

The President shall preside over the sessions of the Conference and exercise any other duties assigned to him under these Rules of Procedure.

Rule 20

The President, or a Vice-President while presiding, shall not participate in the discussions, but may vote in the event he is the sole delegate of his country.

Rule 21

In the absence of the President or when he delegates his duties, one of the Vice-Presidents shall preside. In the absence of the President and both Vice-Presidents the Conference shall appoint one of the delegates to preside temporarily.

Rule 22

In the event that at the opening of the Conference neither the President nor either of the Vice-Presidents elected at the preceding Conference is present, the President of the immediately preceding meeting of the Directing Council or, in his absence, the Chairman of the Executive Committee shall preside. If the Chairman of the Executive Committee is not present and if the meeting is held at Headquarters, a President ad interim shall be selected by lot from among the heads of delegations, and if the meeting is held elsewhere than at Headquarters the head of the delegation of the Host Country shall preside.

Rule 23

Delegates of Participating Governments who are elected officers shall not officiate during a session at which any matter enumerated in Rule 5 of these Rules of Procedure is under discussion.

Rule 24

The Rapporteur shall be responsible for drafting proposed resolutions in the light of the deliberations of the Conference. These proposed resolutions and those presented by committees, any delegate, or the Secretary shall be submitted to the General Committee where they will be dealt with in accordance with the provisions of Rule 34.

Rule 25

The Director of the Bureau shall be Secretary *ex officio* of the Conference and of all committees, subcommittees, and working parties established by it. He may delegate these functions.

PART V—COMMITTEES OF THE CONFERENCE

Rule 26

A Committee on Credentials consisting of three delegates of as many Governments shall be appointed by the Conference at the beginning of the first plenary session. This Committee shall examine the credentials of delegates and observers and report to the Conference thereon without delay.

Rule 27

The Conference shall establish a General Committee consisting of the President of the Conference, the two Vice-Presidents, the Rapporteur, the Chairmen of such main committees as shall be established, and one delegate of a Government elected by the Conference from among those Governments not already represented on the General Committee. The President of the Conference shall serve as Chairman of the General Committee.

Rule 28

The General Committee shall:

- (a) Decide the time and place of all plenary sessions and of all sessions of committees;
- (b) Determine the order of the day for each plenary session;
- (c) Propose to the Conference the allocation to committees of items on the agenda;

- (d) Coordinate the work of all committees;
- (e) Fix the date of adjournment;
- (f) Otherwise facilitate the orderly dispatch of the business of the meeting.

Rule 29

The Conference may establish such main committees or working parties as it considers necessary for the orderly dispatch of the business of the meeting. The Chairmen of main committees shall be elected by the Conference. Alternates and advisers may serve on such committees and working parties as may be established.

Rule 30

All delegations shall be entitled to be represented and to vote in main committees.

Rule 31

A main committee shall elect a Vice-Chairman and a Rapporteur who shall report to the plenary session the conclusions reached by the committee.

PART VI—PARTICIPATION OF REPRESENTATIVE OF THE
EXECUTIVE COMMITTEE

Rule 32

The Executive Committee shall be represented at the Conference by such person serving on the Committee as the Committee may determine.

Rule 33

The Representative of the Executive Committee will attend plenary sessions and sessions of the main committees of the Conference. He may participate without vote in their deliberations.

PART VII—CONDUCT OF BUSINESS AT PLENARY SESSIONS

Rule 34

The Reports of all committees or working parties, before being submitted to a plenary session for final disposition, shall be referred to the General Committee for coordination. After being examined by the General Committee, such reports, including draft resolutions, shall be distributed, insofar as practicable, no later than the preceding session to the one in which they shall be considered.

Rule 35

The Conference may limit the time allotted to each speaker.

Rule 36

Any delegate may make a point of order during the discussion of any matter, and the point of order shall be resolved immediately by the President.

Rule 37

A delegate may move the closure of the debate at any time. This motion shall be submitted to a vote immediately, after one delegate has been given the opportunity to speak in favor of, and another against, the motion.

Rule 38

The President may at any time call for a vote to close the debate. If this motion is approved, the President shall declare the debate closed.

Rule 39

Amendments to resolutions, submitted in accordance with the provisions of Rule 34 and motions shall normally be introduced in writing and handed to the Secretary who shall circulate copies to the delegates. As a general rule, no proposal shall be discussed or put to the vote unless copies have been circulated to all delegates no later than the preceding session to the one in which they shall be considered by the Conference. Nevertheless, in special circumstances, the President may permit the discussion and consideration of such resolutions, amendments, or motions even though they have not

been circulated previously. Proposals shall be voted on in the order in which they are presented except when the Conference decides to the contrary. Parts of a proposal or an amendment shall be voted on separately if any delegate so requests.

Rule 40

When an amendment to a proposal is moved, the amendment shall be voted on first, and, if the amendment is adopted, the proposal as amended shall then be voted on.

Rule 41

If two or amendments to a proposal are moved, the amendment deemed by the President to be furthest removed in substance from the proposal shall be voted on first and then the amendment next removed therefrom, and so on until all the amendments have been put to a vote, unless the result of a vote on an amendment makes unnecessary any other voting on the amendment or amendments still outstanding.

Rule 42

A motion is considered an amendment to a proposal if it merely adds to, deletes from, or revises part of that proposal. A motion that constitutes a substitution for a proposal shall be considered as a separate proposal.

Rule 43

A motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been amended or, if amended, that the proposer of the amendment agrees to the withdrawal. A motion thus withdrawn may be re-introduced by any delegate.

Rule 44

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting unless the Conference, by a vote of two thirds of the delegations present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

PART VIII—VOTING IN PLENARY SESSIONS

Rule 45

For the purpose of these Rules, “Governments present and voting” means Governments casting a valid affirmative or negative vote; or in an election, a valid vote for a person or a Government eligible in accordance with the Constitution or these Rules of Procedure. For the purpose of these Rules, “majority” means any number of votes greater than half the votes cast by the Governments present and voting or, in the case of the election of the Director, any number of votes greater than half the number of the Governments of the Organization. Governments abstaining from voting or who cast blank ballots or invalid votes are considered as not voting. In computing a majority, any fraction shall be counted as a whole number.

Rule 46

A motion shall be considered adopted when it has received the affirmative vote of the majority of the Governments present and voting, except when the Constitution or these Rules of Procedure otherwise provide. If the votes are equally divided on a matter other than an election the motion will be regarded as not adopted.

Rule 47

The Conference shall normally vote by show of hands except that any delegation may request a roll-call vote, which shall then be taken in the alphabetical order of the delegations as expressed in the language of the country where the meeting is held. The delegation to vote first shall be determined by lot.

Rule 48

The vote of each delegation participating in any roll call shall be inserted in the record of the session.

Rule 49

In addition to the cases expressly provided for elsewhere in these Rules, the Conference may vote on any matter, except budgetary matters, by a secret ballot if it has been previously so decided by a majority of the delegations present and voting.

Rule 50

Elections shall normally be held by secret ballot. Except as concerns the election of members of the Executive Committee and of the Director of the Bureau, when the number of candidates for elective office does not exceed the number of offices to be filled, no ballot shall be required and such candidates shall be declared elected.

Where ballots are required, two tellers shall be appointed by the President from among the delegations present.

Rule 51

Except as concerns the election of the Director of the Bureau, when only one elective place is to be filled and no candidate obtains in the first ballot the majority required, a second ballot shall be taken which shall be restricted to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the President shall draw lots to decide between the candidates.

Rule 52

When two or more elective places are to be filled at one time under the same circumstances, those candidates obtaining in the first ballot the majority required shall be elected. If the number of candidates obtaining such majority is less than the number of elective places to be filled, ballots shall then be taken separately for each of the remaining places in accordance with Rule 51. If the number of candidates obtaining such majority is greater than the number of elective places to be filled, those candidates obtaining the largest number of votes shall be deemed to have been elected.

Rule 53

In an election each Government, unless it abstains, shall vote for that number of candidates equal to or less than the number of elective places to be filled. Any ballot paper on which there are more names than there are elective places to be filled, or on which the name of any candidate appears more than once, or which is illegible or signed or which reveals the identity of the voter, shall be considered null and void.

PART IX—CONDUCT OF BUSINESS AND VOTING IN COMMITTEES AND WORKING PARTIES

Rule 54

The procedure governing the conduct of business and voting by committees and working parties shall conform as far as practicable to the Rules relative to the conduct of business and voting in plenary sessions.

PART X—ELECTION OF THE EXECUTIVE COMMITTEE

Rule 55

The Conference shall elect the Member Governments to serve on the Executive Committee by secret ballot, in conformity with Article 15, paragraph A, of the Constitution.

Rule 56

The term of office of Member Governments elected to the Executive Committee shall begin immediately after their election and they shall hold office until their successors are elected.

PART XI—ELECTION OF THE DIRECTOR OF THE BUREAU

Rule 57

The Conference shall elect the Director of the Bureau by secret ballot in plenary session, in conformity with Article 21, paragraph A, of the Constitution.

Before voting is begun, delegations that wish to do so may nominate any person they deem suitable for the post, but no official list of candidates shall be drawn up, no eligibility requirements shall be established, and votes may be cast for a person whether nominated or not.

If in the first two ballots no person receives the majority required, two further ballots restricted to the two candidates receiving the largest number of votes in the second of the unrestricted ballots shall then be taken. If no candidate receives the majority required, two unrestricted and two restricted ballots shall be taken alternately until a candidate is elected.

Rule 58

Acting as Regional Committee of the World Health Organization, and in conformity with Articles 49 and 52 of the Constitution of the World Health Organization, the Conference shall submit to the Executive Board of the World Health Organization the name of the person so elected, for appointment as Regional Director.

PART XII—OFFICIAL LANGUAGES

Rule 59

The official languages of the Conference shall be English, French, Portuguese, and Spanish.

PART XIII—FINAL REPORT AND RECORDS

Rule 60

The Final Report shall contain the text of all resolutions and other decisions adopted by the Conference. The Rapporteur, with the assistance of the Secretariat, shall prepare the draft of the Final Report.

Rule 61

The President of the Conference and the Secretary *ex officio* shall sign the Final Report.

Rule 62

The signed original of the Final Report shall be deposited in the archives of the Bureau and be available for examination upon request.

Rule 63

Provisional verbatim records of the plenary sessions and summary records of the committee sessions shall be prepared at the meeting and distributed as soon as possible.

Rule 64

As soon as possible after the closing of the Conference the records of the sessions, the Final Report, and other Conference documents shall be reproduced, and the Director of the Bureau shall transmit copies thereof to the Governments as well as to the organizations represented at the Conference.

PART XIV—AMENDMENT OF THE RULES OF PROCEDURE

Rule 65

These Rules of Procedure may be amended on 24-hour notice by the affirmative vote of a majority of the delegations present and voting or at any time by the affirmative vote of two thirds of the delegations present and voting.

Rule 66

All matters not provided for in these Rules of Procedure may be resolved directly by the Conference.

10. RULES OF PROCEDURE OF THE DIRECTING COUNCIL OF THE PAN AMERICAN HEALTH ORGANIZATION¹

PART I—MEETINGS OF THE COUNCIL

Rule 1

The Director of the Bureau shall convene the Council to meet in conformity with Article 12, paragraph A, of the Constitution and pursuant to a resolution of the Executive Committee. The meeting shall be held at the Headquarters of the Organization or at a place chosen by the Conference or the Council. Whenever the meeting is not held at the Headquarters of the Organization, the Director shall fix the date of the meeting in consultation with the Host Government.

Rule 2

If for any reason the Council cannot be held in the country chosen, the meeting shall take place at the Headquarters of the Bureau.

Rule 3

Notices of convocation shall be sent not less than 60 days before the date fixed for the opening of the meeting to all Governments, and to organizations entitled to be represented at the Council.

Rule 4

The inaugural plenary session shall be held at the place set by the Host Government in consultation with the Director of the Bureau.

Rule 5

The presence of the representatives of a majority of the Governments shall constitute a quorum for the opening of a meeting of the Council.

¹Text approved by the Directing Council at its XIII Meeting, Resolution XXXVII (1961) and modified pursuant to Resolution I of its XVIII Meeting (1968), Resolution I of its XIX Meeting (1969), Resolution I of its XX Meeting (1971), and Resolution IX of its XXVIII Meeting (1981).

Rule 6

All meetings of the Council shall at the same time be meetings of the Regional Committee of the World Health Organization, except when the Council is considering constitutional matters, the juridical relations between the Pan American Health Organization and the World Health Organization or the Organization of American States, or other questions relating to the Pan American Health Organization as an Inter-American Specialized Organization.

PART II—AGENDA OF COUNCIL MEETINGS

Rule 7

The provisional agenda of the Council shall be prepared by the Director of the Bureau and submitted to the Executive Committee for approval.

Rule 8

The provisional agenda shall include:

- (a) Any item the inclusion of which has been ordered by the Conference at a preceding meeting;
- (b) Any item the inclusion of which has been ordered by the Council at a preceding meeting;
- (c) Any item proposed by the Governments, or by organizations entitled to propose agenda items;
- (d) Any item which the Executive Committee wishes to submit;
- (e) Any item which the Director of the Bureau wishes to submit.

Rule 9

The provisional agenda and all available documents relating thereto shall, whenever possible, be sent to the Governments, and to organizations entitled to representation, at least 30 days prior to the meeting. Copies of these documents shall be forwarded to national health authorities.

Rule 10

The Council shall adopt its own agenda and, in so doing, may make such additions or modifications to the provisional agenda as it may wish, in accordance with these Rules of Procedure.

Rule 11

Supplementary items may be added to the agenda after its adoption, if two thirds of the representatives present and voting approve.

Rule 12

Whenever possible, a proposal for the inclusion of an item in the provisional agenda or agenda should be accompanied by a working document to serve as a basis for discussion.

Rule 13

The Director of the Bureau shall report to the Council on the technical, administrative, and financial implications, if any, of all agenda items.

PART III—PLENARY SESSIONS OF THE COUNCIL

Rule 14

The sessions shall be public unless the Council otherwise decides.

Rule 15

A majority of the representatives participating in the meeting of the Council shall constitute a quorum in a plenary session, provided that the number of representatives present is not less than twelve.

Rule 16

The names of representatives, including all alternates and advisers, of each Government, as well as of observers of organizations entitled to be represented at the Council and of invited nongovernmental organizations, shall be communicated to the Director of the Bureau not less than 15 days, if possible, before the date fixed for the opening of the Council.

Rule 17

The credentials of representatives and observers shall be delivered to the Director of the Bureau not less than 24 hours, if possible, before the opening of the meeting of the Council.

PART IV—OFFICERS OF THE COUNCIL

Rule 18

At each meeting the Council shall elect a President, two Vice-Presidents, and a Rapporteur who shall hold office until their successors are elected.

Rule 19

The President shall preside over the sessions of the Council and exercise any other duties assigned to him under these Rules of Procedure.

Rule 20

In the absence of the President, or when he delegates his duties, one of the Vice-Presidents shall preside. In the absence of the President and both Vice-Presidents, the Council shall appoint one of the representatives to preside temporarily.

Rule 21

In the event that, at the opening of the Council, neither the President nor either of the Vice-Presidents elected at the preceding meeting of the Council is present, the Chairman of the Executive Committee shall preside. If he is not present when the meeting is held at Headquarters the acting Chairman shall be chosen by lot from among the chief representatives and if the meeting is held elsewhere than at Headquarters the Acting Chairman shall be the representative of the country in which the meeting is being held.

Rule 22

Representatives of Participating Governments who are elected officers shall not officiate during a session at which any of the matters enumerated in Rule 6 of these Rules of Procedure is under discussion.

Rule 23

The Rapporteur shall be responsible for drafting proposed resolutions in the light of the deliberations of the Council. These proposed resolutions, as well as those submitted by any representative or by the Secretary, shall be distributed to the representatives not later than the plenary session immediately preceding that at which they are to be considered by the Council, save as provided for in Rule 33.

Rule 24

The Director of the Bureau shall be Secretary ex officio of the Council and of all committees, subcommittees, and working parties established by it. He may delegate these functions.

PART V—PARTICIPATION OF REPRESENTATIVE OF
THE EXECUTIVE COMMITTEE

Rule 25

The Executive Committee shall be represented at the Directing Council by such person serving on the Committee as the Committee may determine.

Rule 26

The Representative of the Executive Committee will attend plenary meetings and meetings of the working parties of the Directing Council. He may participate without vote in their deliberations.

PART VI—COMMITTEES OF THE COUNCIL

Rule 27

A Committee on Credentials consisting of three representatives of as many Governments shall be appointed by the Council at the beginning of the first plenary session. This Committee shall examine the credentials of representatives and observers and report to the Council thereon without delay.

Rule 28

The Council shall establish a General Committee consisting of the President, the two Vice-Presidents and the Rapporteur, and three representatives whom the Council shall elect. The President of the Council shall serve as Chairman of the General Committee.

Rule 29

The General Committee shall:

- (a) Decide the time and place of all plenary sessions and of all sessions of working parties;
- (b) Determine the order of the day for each plenary session;

- (c) Fix the date of adjournment;
- (d) Otherwise facilitate the orderly dispatch of the business of the meeting.

Rule 30

The Council may establish such working parties as it considers necessary for the orderly dispatch of the business of the meeting. The reports of all working parties, however, shall be submitted to a plenary session for final disposition. Alternates and advisors may serve on any such working parties.

Rule 31

Governments not represented on working parties may participate thereon without vote.

Rule 32

The working parties shall elect their own officers.

PART VII—CONDUCT OF BUSINESS AT PLENARY SESSIONS

Rule 33

Resolutions, amendments, and motions shall normally be introduced in writing and shall be handed to the Secretary who shall circulate copies to the representatives. As a general rule, no proposal shall be discussed or put to the vote unless copies of it have been circulated to all representatives not later than the preceding session. The President may, however, under special circumstances, permit the discussion and consideration of such resolutions, amendments or motions, even though they have not been previously circulated.

Proposals shall be voted on in the order in which they are presented, except when the Council decides to the contrary. Parts of a proposal or of an amendment shall be voted on separately if any representative so requests.

Rule 34

When an amendment to a proposal is moved, the amendment shall be voted on first and, if the amendment is adopted, the proposal as amended shall then be voted on.

Rule 35

If two or more amendments to a proposal are moved, the amendment deemed by the President to be furthest removed in substance from the proposal shall be voted on first and then the amendment next removed therefrom, and so on until all the amendments have been put to a vote, unless the result of a vote on an amendment makes unnecessary any other voting on the amendment or amendments still outstanding.

Rule 36

A motion is considered an amendment to a proposal if it merely adds to, deletes from, or revises part of that proposal. A motion that constitutes a substitution for a proposal shall be considered as a separate proposal.

Rule 37

A motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been amended or, if amended, that the proposer of the amendment agrees to the withdrawal. A motion thus withdrawn may be reintroduced by any representative.

Rule 38

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting unless the Council, by a vote of two thirds of the Governments present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

Rule 39

The Council may limit the time allotted to each speaker.

Rule 40

Any representative may make a point of order during the discussion of any matter, and the point of order shall be resolved immediately by the President.

Rule 41

A representative may move the closure of the debate at any time. This motion shall be submitted to a vote immediately, after one representative has been given the opportunity to speak in favor of, and another against, the motion.

Rule 42

The President may at any time call for a vote to close the debate. If this motion is approved, the President shall declare the debate closed.

PART VIII—VOTING IN PLENARY SESSIONS

Rule 43

For the purpose of these Rules, "Governments present and voting" means Governments casting a valid affirmative or negative vote; or in an election, a valid vote for a person or a Government eligible in accordance with the Constitution or these Rules of Procedure. Governments abstaining from voting or who cast blank ballots or invalid votes are considered as not voting. In computing a majority, any fraction shall be counted as a whole number.

Rule 44

Motions shall be considered adopted when they have received the affirmative vote of a majority of the Governments present and voting, except when the Constitution or these Rules of Procedure provide otherwise. If the votes are equally divided on a matter other than an election, the motion shall be regarded as rejected.

Rule 45

The Council shall normally vote by show of hands except that any representative may request a roll-call vote, which shall then be taken in the alphabetical order of the Governments as expressed in the language of the country where the meeting is held. The Government to vote first shall be determined by lot.

Rule 46

The vote of each Government participating in any roll call shall be inserted in the record of the session.

Rule 47

In addition to the cases expressly provided for elsewhere in these Rules, the Council may vote on any matter by secret ballot if it has previously been so decided by a majority of the Governments present and voting.

Rule 48

Elections shall normally be held by secret ballot. Except as concerns the election of members of the Executive Committee and of a Director ad interim of the Bureau, when the number of candidates for elective office does not exceed the number of offices to be filled, no ballot shall be required and such candidates shall be declared elected.

Where ballots are required, two tellers shall be appointed by the President from among the representatives.

Rule 49

Except as concerns the election of the Director ad interim of the Bureau, when only one elective place is to be filled and no candidate obtains in the first ballot the majority required, a second ballot shall be taken which shall be restricted to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the President shall draw lots to decide between the candidates.

Rule 50

When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot the majority required shall be elected. If the number of candidates obtaining such majority is less than the number of elective places to be filled, ballots shall then be taken separately for each of the remaining places in accordance with Rule 49. If the number of candidates obtaining such a majority is more than the number of elective places to be filled, those candidates obtaining the largest number of votes shall be regarded as elected.

Rule 51

The Council shall elect a Director ad interim of the Bureau, when required, in conformity with Article 21, paragraph A, of the Constitution.

If in the first two ballots no person receives the majority required, two further ballots restricted to the two candidates receiving the largest number

of votes in the second of the unrestricted ballots shall then be taken. If no candidate receives the majority required, two unrestricted and two restricted ballots shall be taken alternately until a candidate is elected.

Rule 52

In an election, each Government, unless it abstains, shall vote for that number of candidates equal to or less than the number of elective places to be filled. Any ballot paper on which there are more names than there are elective places to be filled, or on which the name of any candidate appears more than once, or which is illegible or signed or which reveals the identity of the voter, shall be considered null and void.

**PART IX—CONDUCT OF BUSINESS AND VOTING IN COMMITTEES
AND WORKING PARTIES**

Rule 53

The procedure governing the conduct of business and voting by committees and working parties shall conform as far as practicable to the rules relative to the conduct of business and voting in plenary sessions.

PART X—ELECTION OF THE EXECUTIVE COMMITTEE

Rule 54

The Council shall elect the Member Governments to serve on the Executive Committee by secret ballot, in conformity with Article 15, paragraph A, of the Constitution.

Rule 55

The term of office of Member Governments elected to the Executive Committee shall begin immediately after their election and they shall hold office until their successors are elected.

PART XI—OFFICIAL LANGUAGES

Rule 56

The official languages of the Council shall be English, French, Portuguese, and Spanish.

PART XII—FINAL REPORT AND RECORDS

Rule 57

The Final Report shall include the text of all resolutions and other decisions adopted by the Council. The Rapporteur, with the assistance of the Secretariat, shall prepare the draft of the Final Report.

Rule 58

The President of the Council and the Secretary ex officio shall sign the Final Report.

Rule 59

The signed original of the Final Report shall be deposited in the archives of the Bureau and be available for examination upon request.

Rule 60

Provisional summary records of the plenary sessions shall be prepared at the meeting and distributed as soon as possible.

Rule 61

As soon as possible after the closing of the Council the records of the sessions, the Final Report, and other Council documents shall be reproduced, and the Director of the Bureau shall transmit copies thereof to the Governments, as well as to the organizations represented at the Council.

PART XIII—AMENDMENT OF THE RULES OF PROCEDURE

Rule 62

These Rules of Procedure may be amended on 24-hour notice by the affirmative vote of a majority of the Governments present and voting or at any time by the affirmative vote of two thirds of the Governments present and voting.

Rule 63

All matters not provided for in these Rules of Procedure may be resolved directly by the Council.

11. RULES OF PROCEDURE OF THE EXECUTIVE COMMITTEE OF THE PAN AMERICAN HEALTH ORGANIZATION¹

PART I—MEETINGS OF THE EXECUTIVE COMMITTEE

Rule 1

The meetings of the Executive Committee shall be convoked by the Director of the Bureau in conformity with Article 17, paragraph A, of the Constitution.

Rule 2

The presence of six representatives shall constitute a quorum at the sessions of the Executive Committee.

Rule 3

The provisional agenda for each meeting shall be prepared in advance by the Director of the Bureau and shall include:

- (a) Any item the inclusion of which has been ordered by the Conference at a preceding meeting;
- (b) Any item the inclusion of which has been ordered by the Council at a preceding meeting;
- (c) Any item the inclusion of which has been ordered by the Executive Committee at a preceding meeting;
- (d) Any item proposed by the Governments, or by organizations entitled to propose agenda items;
- (e) Any item which the Director of the Bureau wishes to submit.

Rule 4

The Director of the Bureau shall take appropriate steps to ensure that the provisional agenda and all working documents relating thereto are received by the Governments and by organizations entitled to representation at least 21 days prior to the meeting. Copies of these documents shall be forwarded to national health authorities.

¹Text approved by the Executive Committee at its 45th Meeting, Resolution I (1961), and modified pursuant to Resolution III of its 56th Meeting (1967), Resolution I of its 60th Meeting (1968), Resolution I of its 61st Meeting (1969), Resolution I of its 64th Meeting (1970), Resolution XL of its 74th Meeting (1975), Resolution XV of its 82nd Meeting (1979), Resolution XXXII of its 86th Meeting (1981), and Resolution XIII of its 88th Meeting (1982).

Rule 5

The Executive Committee shall adopt its own agenda and, in so doing, may make such additions or modifications to the provisional agenda as it may wish, in accordance with these Rules of Procedure.

Rule 6

Whenever possible, a proposal for the inclusion of an item in the provisional agenda or agenda should be accompanied by a working document to serve as a basis for discussion.

Rule 7

The Director of the Bureau shall report to the Executive Committee on the technical, administrative, and financial implications, if any, of all agenda items.

Rule 8

The sessions shall be public unless the Executive Committee otherwise decides.

PART II—OFFICERS OF THE EXECUTIVE COMMITTEE

Rule 9

The Executive Committee shall elect a Chairman, a Vice-Chairman, and a Rapporteur who shall hold office until their successors are elected. The elections shall take place each year at the first meeting of the Executive Committee following the election of its new Member Governments.

Rule 10

In the event that the Chairman is absent, the Vice-Chairman shall serve as Chairman pro tempore and one of the representatives shall be elected to serve as Vice-Chairman pro tempore. In the absence of both the Chairman and the Vice-Chairman the Executive Committee shall elect from among its members the Chairman pro tempore and the Vice-Chairman pro tempore.

Rule 11

In the absence of the Rapporteur, a Rapporteur pro tempore shall be elected.

Rule 12

The Chairman shall preside over the sessions of the Executive Committee and exercise any other duties assigned to him under these Rules of Procedure.

Rule 13

In the event that, in the course of a meeting the Chairman is absent or, when he delegates his duties, the Vice-Chairman shall preside. In the absence of both the Chairman and the Vice-Chairman, the Executive Committee shall designate one of the representatives to preside temporarily.

Rule 14

The Executive Committee shall be represented at meetings of the Directing Council or of the Conference by its Chairman and by as many as two others appointed by the Committee from among its members. The Committee may designate alternates in the event that either the Chairman or the other members designated are unable to attend the pertinent meeting of the Directing Council or the Conference.

The representative and the other members designated by the Committee shall be responsible for making appropriate reports on the actions and discussions of the Executive Committee, containing such information as may be useful in the deliberations of the Council or Conference. In particular, the representative and the other members designated by the Committee should present the Committee's views on the program and budget proposed by the Director, should summarize its essential features, and make recommendations on the proposed program and budget as a whole.

Rule 15

The Rapporteur shall be responsible for drafting proposed resolutions in the light of the deliberations of the Committee. These proposed resolutions, as well as those submitted by the members or the Secretary, shall be circulated to all members no later than the preceding session to the one in which they shall be considered by the Committee, except when the Chairman otherwise decides.

Rule 16

The Director of the Bureau shall be Secretary ex officio of the Executive Committee and of all its subcommittees and working parties. He may delegate these functions.

PART III—WORKING PARTIES AND COMMITTEES

Rule 17

The Executive Committee may establish such working parties as it considers necessary for the orderly dispatch of the business of the meeting. The reports of the working parties, however, shall be submitted to a plenary session for final disposition. Alternates and advisers may serve on any such working parties.

PART IV—CONDUCT OF BUSINESS

Rule 18

Proposals shall be voted on in the order in which they are presented, except when the Executive Committee decides to the contrary. Parts of a proposal or of an amendment shall be voted on separately if any representative so requests.

Rule 19

When an amendment to a proposal is moved, the amendment shall be voted on first and, if the amendment is adopted, the proposal as amended shall then be voted on.

Rule 20

If two or more amendments to a proposal are moved, the amendment deemed by the Chairman to be furthest removed in substance from the proposal shall be voted on first and then the amendment next removed therefrom, and so on until all the amendments have been put to a vote, unless the result of a vote on an amendment makes unnecessary any other voting on the amendment or amendments still outstanding.

Rule 21

A motion is considered an amendment to a proposal if it merely adds to, deletes from, or revises part of that proposal. A motion that constitutes a substitution for a proposal shall be considered as a separate proposal.

Rule 22

A motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been amended or, if amended, that the proposer of the amendment agrees to the withdrawal. A motion thus withdrawn may be reintroduced by any representative.

Rule 23

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting unless the Committee by an affirmative vote of at least five representatives so decides. Permission to speak on a motion to reconsider shall be accorded only to one speaker opposing the motion, after which it shall be immediately put to the vote.

Rule 24

The Executive Committee may limit the time allotted to each speaker.

Rule 25

Any representative may make a point of order during the discussion of any subject and the point of order shall be resolved immediately by the Chairman.

Rule 26

A representative may move the closure of the debate at any time. This motion shall be submitted to a vote immediately, after one representative has been given the opportunity to speak in favor of, and another against, the motion.

Rule 27

The Chairman may at any time call for a vote to close the debate. If this motion is approved, the Chairman shall declare the debate closed.

PART V—VOTING

Rule 28

For the purpose of these Rules “representatives present and voting” means representatives casting an affirmative or negative vote or, in an election, a vote for a person or a Government eligible in accordance with the Constitution or these Rules of Procedure. Representatives who abstain from voting or who cast blank ballots or invalid votes shall be regarded as not voting. In computing a majority any fraction shall be counted as a whole number.

Rule 29

Motions shall be considered adopted when they have received the affirmative votes of the majority of the representatives present and voting except where the Constitution or these Rules of Procedure otherwise provide. If the votes are equally divided, on a matter other than an election, the motion shall be regarded as not adopted.

Rule 30

The Executive Committee shall normally vote by show of hands, except that any representative may request a roll-call vote; in that event the Government to vote first shall be determined by lot and thereafter the vote shall be taken in the alphabetical order of the names of the Governments represented as expressed in the language of the country in which the meeting is held. The vote of each representative participating in any roll-call vote shall be inserted in the record of the session.

Rule 31

Elections shall normally be held by secret ballot. When the number of candidates for elective office does not exceed the number of offices to be filled, no ballot shall be required and such candidates shall be declared elected.

Where ballots are required, one teller shall be appointed by the Chairman from among the representatives present.

Rule 32

When only one elective place is to be filled and no candidate obtains in the first ballot the majority required, a second ballot shall be taken which shall be restricted to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided the Chairman shall draw lots to decide between the candidates.

Rule 33

When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot the majority required shall be elected. If the number of candidates obtaining such majority is less than the number of elective places to be filled, ballots shall then be taken separately for each of the remaining places in accordance with Rule 32. If the number of candidates obtaining such majority is more than the number of elective places to be filled, the candidates obtaining the largest number of votes shall be deemed to have been elected.

Rule 34

In an election each representative, unless he abstains, shall vote for that number of candidates equal to or less than the number of elective places to be filled. Any ballot paper on which there are more names than there are elective places to be filled, or on which the name of any candidate appears more than once, or which is illegible or signed or which reveals the identity of the voter shall be considered null and void.

PART VI—OFFICIAL LANGUAGES

Rule 35

The official languages of the Executive Committee shall be English, French, Portuguese, and Spanish.

PART VII—FINAL REPORT

Rule 36

The texts of all the resolutions and other decisions adopted by the Executive Committee shall be included in a Final Report. The draft of the Final Report shall be prepared by the Rapporteur with the assistance of the Secretariat.

Rule 37

The Chairman and the Secretary ex officio shall sign the Final Report.

Rule 38

The signed original of the Final Report shall be deposited in the archives of the Bureau and be available for inspection upon request.

Rule 39

The Director of the Bureau shall send copies of the Final Report to the Governments as well as to organizations represented at the Executive Committee.

PART VIII—AMENDMENT OF THE RULES OF PROCEDURE

Rule 40

These Rules may be modified or amended at the proposal of any representative with the affirmative vote of an absolute majority of the Committee, that is, the affirmative vote of at least five of its nine representatives.

Rule 41

All matters not already provided for in these Rules shall be resolved directly by the Executive Committee.

12. FINANCIAL REGULATIONS OF THE PAN AMERICAN HEALTH ORGANIZATION¹

Article I—Applicability

- 1.1 These Regulations shall govern the financial administration of the Pan American Health Organization.
- 1.2 The Director of the Pan American Sanitary Bureau shall receive, deposit, and administer all funds and assets of the Pan American Health Organization in accordance with these Financial Regulations.

Article II—The Financial Year

- 2.1 The financial period shall be two consecutive calendar years beginning with an even numbered year.

Article III—The Budget

- 3.1 The proposed program and budget for the financial period shall be prepared by the Director of the Pan American Sanitary Bureau.
- 3.2 The budget estimates shall cover expenditures for the financial period to which they relate, and shall be presented in U.S. dollars.
- 3.3 The budget estimates shall be divided into parts, and shall be accompanied by such information annexes and explanatory statements as may be requested on behalf of the Conference, the Directing Council, or the Executive Committee, and such further annexes or statements as the Director may deem necessary and useful.
- 3.4 The Director shall submit the proposed biennial program and budget to the Executive Committee for examination.
- 3.5 The Executive Committee shall examine the Director's proposed program and budget and shall make such recommendations thereon as it deems appropriate.

¹Text approved by the Directing Council at its V Meeting (1951), and modified pursuant to Resolution XIII of its VII Meeting (1953), Resolution VII of its X Meeting (1957), Resolution XXVIII of the XV Pan American Sanitary Conference (1958), Resolutions III and XII of the XI Meeting of the Directing Council (1959), Resolution VI of the XXI Meeting of the Directing Council (1972), Resolution XIV of the XXII Meeting of the Directing Council (1973), Resolution XII of the XX Pan American Sanitary Conference (1978), Resolution XXXII of the XXVII Meeting of the Directing Council (1980), Resolution XXXVI of the XXVIII Meeting of the Directing Council (1981), and Resolution V of the XXIX Meeting of the Directing Council (1983).

- 3.6 The proposed program and budget shall be submitted to the Conference or the Directing Council for consideration, together with the recommendations made thereon by the Executive Committee. The proposed program and budget shall be transmitted to all Member States at least thirty days prior to the meeting of the Conference or of the Directing Council.
- 3.7 The budget for the following financial period shall be adopted by the Conference or the Directing Council.
- 3.8 Supplementary estimates may be submitted by the Director when and as he may deem necessary.
- 3.9 The Director shall prepare supplementary estimates in a form consistent with the budget estimates and shall submit such estimates to the Executive Committee for examination and recommendation. The Director shall submit to the Conference or Directing Council for consideration the supplementary estimates, together with the comments of the Executive Committee.

Article IV—Appropriations

- 4.1 The appropriations voted by the Directing Council shall constitute an authorization to the Director to incur obligations and make payments for the purposes for which the appropriations were voted and up to the amounts so voted.
- 4.2 Appropriations shall be available for obligation for the financial period to which they relate. The Director is authorized to charge as an obligation against the appropriations:
 - (a) the costs, including transportation, of operational supplies and equipment for which contracts have been entered into prior to the last day of the financial period;
 - (b) the costs of publications for which complete manuscripts shall have been delivered to and received by the printer prior to the last day of the financial period;
 - (c) the entire costs relating to short-term consultants whose period of assignment may not have been completed by the end of the financial period;
 - (d) the full estimated cost of a fellowship.

The unobligated balances of appropriations shall revert to Miscellaneous Income.

- 4.3 Appropriations shall remain available for twelve months following the end of the financial period to which they relate, to the extent that they

are required to discharge the outstanding legal obligations of that period except obligations established under 4.2 (a), (b), (c) and (d) which shall remain available for expenditure until these obligations have been fully liquidated. The cash balance of the appropriations shall revert to Miscellaneous Income.

- 4.4 At the end of the twelve-month period provided in Regulation 4.3, the remaining balance of any appropriations will revert to Miscellaneous Income. Any unliquidated obligations of the prior period shall at that time be cancelled, or where the obligation remains a valid charge, it shall be transferred as an obligation against current appropriations.
- 4.5 Transfers within the total amount appropriated may be made to the extent permitted by the terms of the budget resolution adopted by the Directing Council.

Article V—Provision of Funds

- 5.1 The appropriations, subject to the adjustments effected in accordance with the provisions of Regulation 5.2, shall be financed by contributions from Member States, according to Article 60 of the Pan American Sanitary Code. Pending the receipt of such contributions, the appropriation may be financed from the Working Capital Fund.
- 5.2 In the assessment of the contributions of Member States, adjustments shall be made to the amount of the appropriations approved by the Directing Council for the following financial period in respect of:
 - (a) Supplementary appropriations for which contributions have not previously been assessed on the Member States;
 - (b) Contributions resulting from the assessment of new Member States under the provisions of Regulation 5.8; and contributions made by France, the Netherlands, and the United Kingdom on behalf of their territories in the Region of the Americas, under the provisions of Resolution XL of the V Meeting of the Directing Council;
 - (c) The estimated amount of miscellaneous income shall be routinely credited to voted budget appropriations.
- 5.3 The Directing Council shall adopt the total budget, and the amounts of the assessments, determined in accordance with Article 60 of the Pan American Sanitary Code, for the financial period. The assessed contributions of Members shall be divided into two equal annual installments. The first installment shall relate to the first year and the second installment shall relate to the second year of the financial period.

During the first year of the financial period, the Directing Council may decide to amend the amounts of assessments for the second year of the financial period.

- 5.4 After the Directing Council has voted the appropriations, the Director shall request the Secretary General of the Organization of American States to:
 - (a) Transmit the relevant documents to Member States;
 - (b) Inform Member States of their commitments in respect of contributions for the financial period;
 - (c) Request Member States to remit the first and second installments of their contributions for the financial period.
- 5.5 If the Directing Council decides to amend the amounts of the assessments for the second year, or to adjust the amount of the appropriations to be financed by contributions from Member States for the financial period, the Director shall request the Secretary General of the Organization of American States to inform Member States of their revised commitments in respect of contributions for the financial period and to request Member States to remit the revised second installment of their contributions.
- 5.6 Installments of contributions shall be considered as due and payable in full within 30 days of the receipt of the communication of the Secretary General of the Organization of American States as referred to in either Regulation 5.4 or 5.5, or as of the first day of the year to which they relate, whichever is the later. As of 1 January of the following year, the unpaid balance of such contributions shall be considered to be one year in arrears.
- 5.7 Contributions shall be assessed in U.S. dollars and paid in U.S. dollars.
- 5.8 Payments made by a Member State shall be credited to the earliest outstanding assessments in its account.
- 5.9 The Director shall submit to the regular session of the Directing Council a report on the collection of contributions.
- 5.10 New Members shall be required to make a quota contribution for the financial period in which they become Members. If membership begins at any time during the first year of a financial period, new Members will be assessed for the full two-year period. If membership begins at any time during the second year of a financial period, new Members will be assessed for the second year only.

Article VI—Funds

- 6.1 There shall be established a General Fund for the purpose of accounting for the expenditures of the Organization. The contributions paid by the Member States under Regulation 5.1, miscellaneous income, and any advances made from the Working Capital Fund to finance general expenditures shall be credited to the General Fund.
- 6.2 There shall be established a Working Capital Fund in an amount and for purposes to be determined from time to time by the Directing Council. The source of monies of the Working Capital Fund shall be from the surplus as of 31 December 1949 as reported by the Director and as adopted by the Directing Council under Resolution II of the III Meeting of the Directing Council of the Pan American Health Organization and as set forth in Resolution III (Rev. 1) of the XIII Pan American Sanitary Conference.
- 6.3 Title to monies credited to the Working Capital Fund shall remain with the Pan American Health Organization.
- 6.4 The Working Capital Fund shall be used to finance budgetary appropriations during a financial period and the Fund shall be reimbursed as soon as and to the extent that income is available for that purpose.
- 6.5 Transfers from the Working Capital Fund to finance unforeseeable and extraordinary expenses or other authorized purposes shall be reimbursed from regularly budgeted funds unless other authorized means are used to replenish the Fund.
- 6.6 Income derived from investments of the Working Capital Fund shall be credited to miscellaneous income.
- 6.7 Trust, Reserve, and Special Funds may be established by the Director or other appropriate authority.
- 6.8 The purpose and limits of each Trust, Reserve, and Special Fund shall be clearly defined by the appropriate authority. Unless otherwise provided, such Funds shall be administered in accordance with these Regulations.
- 6.9 The Director, with the prior and written concurrence of a majority of the members of the Executive Committee, shall have the power to borrow funds.

Article VII—Other Income

7.1 All income, other than:

- (a) Contributions to the budget;
- (b) Refunds of direct expenditures made during the financial period;
- (c) Advances or deposits to Funds;
- (d) Service charges received from procurement services on behalf of Member Governments, proceeds from the sale of publications and any other items which the Organization may produce for sale; and
- (e) The contributions made by France, the Netherlands and the United Kingdom on behalf of their territories in the Region of the Americas, shall be claimed as miscellaneous income for credit to the General Fund. Profit and losses on exchange shall be credited and debited to miscellaneous income.

7.2 Voluntary contributions may be accepted by the Director provided that the purposes for which the contributions are made are consistent with the policies, aims, and activities of the Organization and provided that the acceptance of such contributions which directly or indirectly involve additional financial liability for the Organization, shall require the consent of the appropriate authority.

7.3 Monies accepted for the purposes specified by the donor shall be treated as Trust Funds or Special Funds under Regulations 6.7 and 6.8.

7.4 Monies accepted in respect of which no purpose is specified shall be treated as miscellaneous income and reported as "gifts" in the accounts.

Article VIII—Custody of Funds

8.1 The Director shall designate the bank or banks in which funds in the custody of the Organization shall be kept.

Article IX—Investment of Funds

9.1 The Director may invest monies not needed for immediate requirements. The investment of monies standing to the credit of any trust fund, reserve, or special account shall be subject to any directives of the appropriate authority.

9.2 The Director shall include in the final financial report submitted to the Directing Council a statement of the investments currently held.

9.3 Income from investments shall be credited to the fund or account from which the invested monies derive unless otherwise provided in the regulations, rules or resolutions relating to that fund or account.

Article X—Internal Control

10.1 The Director shall:

- (a) Establish detailed financial rules and procedures in order to ensure:
 - (i) effective financial administration and the exercise of economy, and
 - (ii) effective custody of the physical assets of the Organization;
- (b) Except where advance or progress payments are specifically provided for in the contract, as may be required by normal commercial practice and the interests of the Organization, ensure that all payments are made on the basis of supporting vouchers and other documents which show that services or goods have been received and have not previously been paid for;
- (c) Designate the officer who may receive monies, incur commitments or obligations and make payments on behalf of the Organization;
- (d) Maintain an internal financial control and internal audit which shall provide an effective current examination and/or review of financial transactions in order to ensure:
 - (i) the regularity of the receipt, custody and disbursement of all funds and other resources of the Organization.
 - (ii) the conformity of commitments or obligations and expenditures with the appropriations or other financial provisions noted by the Directing Council or with the purposes, rules and provisions relating to the fund concerned, and
 - (iii) the economical use of the resources of the Organization.

10.2 Commitments or obligations shall not be incurred and payments shall not be made unless an appropriate authorization has been made in writing under the authority of the Director.

10.3 The Director may make such *ex gratia* payments as he deems to be necessary in the interest of the Organization. A statement of such payments shall be submitted with the final accounts.

10.4 The Director may, after full investigation, authorize the writing-off of losses of cash, supplies, equipment and other assets, other than arrears of contributions. A statement of all such losses written off during the financial period shall be submitted to the External Auditor(s) with the final accounts.

10.5 The Director shall establish rules for the procurement of equipment, supplies and other requirements, including rules governing the invitation of tenders.

Article XI—The Accounts

- 11.1 The Director shall maintain such accounts as are necessary and shall prepare final accounts for each financial period showing:
- (a) The income and expenditure of all funds;
 - (b) The status of appropriations, including:
 - (i) the original budget appropriations,
 - (ii) any supplementary appropriations,
 - (iii) the appropriations as modified by any transfers,
 - (iv) credits, if any, other than the appropriations voted by the Directing Council, and
 - (v) the amounts charged against the appropriations and against any other credits.
 - (c) Statements of assets and liabilities at the close of the financial period.

He shall also give such other information as may be necessary to indicate the current financial position of the Organization.

- 11.2 Appropriate separate accounts shall be maintained in respect of all trust funds, reserves, and special accounts.
- 11.3 At the end of the first year of the financial period the Director shall establish an interim financial report on significant financial developments that have affected the Organization during the year.
- 11.4 At the end of the second year of the financial period, the Director shall prepare a final financial report for the financial period, including the final accounts prepared by the Director pursuant to Financial Regulation 11.1.
- 11.5 The final accounts of the Organization shall be presented in U.S. dollars. The accounting records may, however, be kept in such currency or currencies as the Director may deem necessary.
- 11.6 The final accounts shall be submitted to the External Auditor(s) not later than 31 March following the end of the financial period to which they relate.

Article XII—External Audit

- 12.1 The Directing Council shall appoint External Auditor(s) of international repute to audit the accounts of the Organization. Auditor(s) appointed may be removed only by the Directing Council.
- 12.2 Following generally accepted common auditing standards, the External Auditor(s) shall perform such an audit as he/they may deem necessary to certify:

- (a) That the financial statements are in accord with the books and records of the Organization;
 - (b) That the financial transactions reflected in the statements have been in accordance with the rules and regulations, the budgetary provisions and other applicable directives;
 - (c) That the securities and monies on deposit and on hand have been verified by certificate received direct from the Organization's depositories or by actual count;
 - (d) That the internal controls, including the internal audit, are adequate in the light of the extent of reliance placed thereon;
 - (e) That procedures satisfactory to Auditor(s) have been applied to the recording of all assets, liabilities, surpluses and deficits.
- 12.3 Subject to the provisions of the Financial Regulations, the Auditor(s) shall be the sole judge as to the acceptance in whole or in part of the certifications by members of the staff of the Bureau and may proceed to such detailed examination and verifications of all financial records as he/they may choose, including those relating to supplies and equipment.
- 12.4 The Auditor(s) and his/their staff shall have free access at all convenient times to all books, records and other documentation which are, in the opinion of the Auditor(s), necessary for the performance of the audit. Information classified as privileged and which the Directorate agrees is required by the Auditor(s) for the purposes of the audit and information classified confidential, shall be made available on application. The Auditor(s) and his/their staff shall respect the privileged and confidential nature of any information so classified which has been made available and shall not make use of it except in direct connection with the performance of the audit. The Auditor(s) may draw the attention of the Directing Council to any denial of information classified as privileged which, in his/their opinion was required for the purpose of the audit.
- 12.5 The Auditor(s), in addition to certifying the account, may make such observations as he/they may deem necessary with respect to the efficiency of the financial procedures, the accounting system, the internal financial controls, and in general the administration and management of the Organization. Whenever the Auditor(s) scope of audit is restricted, or he/they is/are unable to obtain sufficient evidence, the Auditor(s) shall refer to the matter in his/their report, making clear the reasons for his/their comments and the effect on the financial position and the financial transactions as recorded. In no case, however, shall the Auditor(s) include criticism in his/their audit report without first

affording the Directorate an opportunity of explanation to the Auditor(s) of the matter under observation. Audit objections to any item in the accounts shall be immediately communicated to the Chief of Administration.

- 12.6 The Auditor(s) shall have no power to disallow items in the accounts but shall draw to the attention of the Director for appropriate action any transaction concerning which he/they entertain(s) doubt as to legality or propriety. Audit objections, to these or any other transactions, arising during the examination of the accounts shall be immediately communicated to the Director.
- 12.7 The Auditor(s) shall prepare a report on the accounts certified, in which he/they should mention the extent and character of his/their examination or any important changes therein, matters affecting the completeness or accuracy of the accounts or other matters which should be brought to the notice of the Directing Council, such as:
- (a) Cases of fraud or presumptive fraud;
 - (b) Wasteful or improper expenditure of money or other assets of the Organization (notwithstanding that the accounting for the transactions may be correct);
 - (c) Expenditure likely to commit the Organization to further outlay on a large scale;
 - (d) Any defect in the general system or detailed regulations governing the control of receipts and expenditure, or of supplies and equipment;
 - (e) Expenditure not in accordance with the intention of the Directing Council, after making allowance for duly authorized transfers within the budget;
 - (f) Expenditure in excess of appropriations as amended by duly authorized transfers within the budget;
 - (g) Expenditure not in conformity with the authority which governs it;
 - (h) The accuracy or otherwise of the supplies and equipment records as determined by stock-taking and examination of the records;
 - (i) Transactions accounted for in a previous year concerning which further information has been obtained or transactions in a later year concerning which it seems desirable that the Directing Council should have early knowledge.
- 12.8 The External Auditor(s) shall be completely independent and solely responsible for the conduct of the audit. However, the Directing Council may request the Auditor(s) to perform certain specific examinations and issue separate reports on the results. The Director shall provide

the External Auditor(s) with the facilities he/they may require in the performance of the audit. For the purpose of making a local or special examination or for effecting economies of audit cost, the Auditor(s) may engage the services of any person or firm who, in the opinion of the Auditor(s), is technically qualified.

12.9 The Auditor(s) shall issue a report on the audit of the final accounts prepared by the Director pursuant to Financial Regulation 11.1 and relevant schedules. The report shall include such information as he/they deem(s) necessary in regard to Financial Regulation 12.5. The report of the Auditor(s) should include:

- (a) The type and scope of his/their examination;
- (b) Matters affecting the completeness or accuracy of the accounts, including where appropriate:
 - (i) Information necessary to the correct interpretation of the accounts;
 - (ii) Any amounts which ought to have been received but which have not been brought to account;
 - (iii) Any amounts for which a legal or contingent obligation exists and which have not been recorded or reflected in the financial statements;
 - (iv) Expenditures not properly substantiated;
 - (v) Whether proper books of accounts have been kept. Where in the presentation of statementst there are deviations of material nature from the generally accepted accounting principles applied on a consistent basis, these should be disclosed.
- (c) The Auditor(s) shall express and sign an opinion in the following terms:

“I/We have examined the following appended financial statements, numbered . . . to . . . properly identified, and relevant schedules of the Pan American Health Organization for the financial period ended 31 December . . . My/Our examination included a general review of the accounting procedures and such tests of the accounting records and other supporting evidence as I/we considered necessary in the circumstances. As a result of my/our examination I/we am/are of the opinion that the financial statements properly reflect the recorded financial transactions for the financial period, which transactions were in accordance with the Financial Regulations and legislative authority and present fairly the financial position as at 31 December . . .” adding, should it be necessary, “subject to the observations in my/our foregoing report.”

- (d) The report(s) of the Auditor(s) shall be transmitted through the Executive Committee, together with the audited final accounts, to the Directing Council not later than 15 April following the end of the financial period to which the final accounts relate. The Executive Committee shall examine the interim financial report and final financial report and the audit report(s) and shall forward them to the Directing Council with such comments as it deems necessary.

Article XIII—Resolutions Involving Expenditures

- 13.1 The Pan American Sanitary Conference, the Directing Council, and the Executive Committee shall not make decisions involving expenditures unless they have received a report from the Director on the administrative and financial implications of the proposal.
- 13.2 Where, in the opinion of the Director, the proposed expenditure cannot be made from the existing appropriations it shall not be incurred until the Pan American Sanitary Conference or the Directing Council has made the necessary appropriations, unless such expenditure can be made under the conditions of the resolution of the Directing Council relating to the Emergency Procurement Revolving Fund.

Article XIV—Delegation of Authority

- 14.1 The Director may delegate to other officers of the Organization such authority as he considers necessary for the effective implementation of these Regulations.

Article XV—General Provisions

- 15.1 These Regulations shall be effective as of the date of their approval by the Directing Council and may be amended only by the Directing Council or the Pan American Sanitary Conference.
- 15.2 In case of doubt as to the interpretation and application of any of the foregoing Regulations, the Director is authorized to rule thereon.

Article XVI—Special Provisions

- 16.1 The Director shall report annually to the Directing Council or the Pan American Sanitary Conference such Financial Rules and amendments thereto as he may make to implement these Regulations after confirmation by the Executive Committee.

13. FINANCIAL RULES OF THE PAN AMERICAN HEALTH ORGANIZATION¹

Article I—Authority and Applicability

- 101.1 These Rules are established in accordance with the provisions of Financial Regulation 10.1(a) of the Pan American Health Organization.
- 101.2 The Financial Rules are applicable to all offices and, irrespective of the source of funds, to all financial transactions of the Organization.
- 101.3 The Financial Rules become effective as from 1 June 1961 and supersede all rules in force before that date. All subsequent modifications shall become effective as from date of issue by the Director subject to confirmation by the Executive Committee.
- 101.4 In case of doubt as to the meaning of any of the Financial Rules, the Director will rule thereon.
- 101.5 The Director is responsible for the implementation of the Financial Rules.
- 101.6 The Director may delegate, together with authorization for re-delegation, such of his powers as he deems necessary to secure effective administration of these Rules.

Article II—Budget

- 102.1 Appropriate officials shall submit biennial programs of work and necessary estimates to the Chief of Administration in such manner and at such times as may be requested.
- 102.2 The Chief of Administration will consolidate into a single presentation the programs of work and necessary estimates as required by Financial Regulation 3.3.

Article III—Appropriations

- 103.1 The appropriations voted by the Conference or the Directing Council constitute an authority to incur obligations and make payments for the purposes for which the appropriations were voted and up to the amounts so voted, but no obligations may be incurred or payments made until allotments have been issued in writing by the Director.

¹Text approved by the Executive Committee at its 43rd Meeting, Resolution XV (1961) and modified pursuant to Resolution V of its 56th Meeting (1967), Resolution XVIII of its 82nd Meeting (1979), and Resolution XVII of its 90th Meeting (1983).

103.2 Appropriations shall remain available to the extent that they are required to discharge obligations in respect of goods supplied and services rendered in the financial period, and to liquidate any other outstanding legal obligations of the financial period. The Director is authorized to charge as an obligation against the appropriations for the financial period:

- (a) the costs, including transportation, of operational supplies and equipment for which contracts have been entered into prior to the last day of the financial period;
- (b) the costs of publications for which complete manuscripts shall have been delivered to and received by the printer prior to the last day of the financial period;
- (c) the entire costs relating to short-term consultants whose period of assignment may not have been completed by the end of the financial period;
- (d) the full estimated cost of a fellowship.

The unobligated balances of appropriations will revert to Miscellaneous Income.

103.3 Appropriations shall remain available for twelve months following the end of the financial period to which they relate, to liquidate the obligations established under Rule 103.2. At the end of the twelve month period specified in Financial Regulation 4.3, all unliquidated obligations, excepting those listed under Rule 103.2 (a), (b), (c) and (d) shall be cancelled or, where the obligation remains a valid charge, transferred as an obligation against current appropriations. Obligations established under Rule 103.2 (a), (b), (c) and (d) shall remain available for expenditure until fully liquidated. The remaining balances of appropriations surrendered at these times shall be credited to Miscellaneous Income.

103.4 Any excess income over expenditures at the end of a financial period shall be used for the following purposes: (1) to replenish any drawings from the Working Capital Fund in order to restore the Fund to its fixed level, and (2) after replenishing the Working Capital Fund to its fixed level, to place any further surplus in a Holding Account until such time as the Directing Council or the Pan American Sanitary Conference decides on how to utilize the funds. Any deficit arising from excess of obligations over income will be met by an advance from the Working Capital Fund.

103.5 The assessments on Members, required to meet the appropriations voted by the Conference or the Directing Council, will be made in accordance with Article 60 of the Pan American Sanitary Code.

Article IV—Allotments

- 104.1 Requests for allotments for specific purposes will be submitted in writing to the Director.
- 104.2 Allotments will be issued in writing by the Director.
- 104.3 Allotments will be issued for any expenditure to be incurred by the Organization irrespective of the source of funds.
- 104.4 The Chief of Administration will ensure that allotments are issued in accordance with the appropriation resolution and the policies of the Conference, the Directing Council and the Executive Committee.
- 104.5 Officials to whom allotments are issued are responsible to the Director for the correct use of such allotments.

Article V—Obligations

- 105.1 Only the official designated in the allotment as allotment holder is authorized to incur obligations against the allotment.
- 105.2 Obligations may be incurred only for the purpose indicated on the allotment and may not exceed the amount of the allotment.
- 105.3 No obligation shall be incurred without prior certification by the Chief of Administration that funds are available in the appropriate allotment to be charged.
- 105.4 Proposals to incur obligations must be made in writing and be fully documented. They must specify the purpose of the proposed expenditure and the allotment to be charged.
- 105.5 The Chief of Administration will be responsible for examining the proposed obligations to ensure that:
 - (a) funds are available;
 - (b) the rules and regulations and procedures of the Organization are being observed;
 - (c) the financial situation of the Organization will not be prejudiced;
 - (d) the purpose of the proposed expenditure is in the interests of the work of the Organization.
- 105.6 The Chief of Administration will reject any proposal for obligation or expenditure not complying with the provisions of paragraph 105.5.
- 105.7 Revisions to an obligation shall require the same treatment as the original obligation.

Article VI—Control of Expenditure

- 106.1 Except where normal commercial practice so requires, no contract or purchase order shall be made on behalf of the Organization which requires payments in advance of the delivery of goods or performance of services.
- 106.2 The Director may, when he deems it in the interests of the Organization to do so, authorize progress payments.
- 106.3 Payments will not be made unless supporting documents are certified by the appropriate officials confirming that:
- (a) services have been rendered or delivery has been completed in accordance with the terms of the contract;
 - (b) the amount is correct and in accordance with the terms of the contract.
- 106.4 Should the Chief of Administration feel there is any reason why payment of any claim should be withheld, such claims will be referred to the Director.
- 106.5 Claims submitted by staff members which are more than one year old will not normally be considered. This provision does not apply to claims for reimbursement of income tax or matters in connection with settlement of insurance or pension claims.

Article VII—Imprest Cash

- 107.1 Imprest cash advances of an amount to be fixed in each case will be made where necessary to officials designated by the Director.
- 107.2 Officials to whom an imprest cash advance is issued are responsible for the advance and must at all times be in a position to account for it.

Article VIII—Advances

- 108.1 Travel advances may be made upon request to officials to whom official travel authorizations have been issued. Such advances are to be used in accordance with the provisions of the travel rules and must be accounted for when the travel is completed.
- 108.2 Salary advances may be given to staff members in accordance with the provisions of the Staff Rules.
- 108.3 Advances other than those authorized in Rule 108.2 above may be made to staff members in exceptional circumstances, subject to the approval of the Director.

Article IX—Management of Funds

- 109.1 The Chief of Administration is responsible for the management, receipt, and disbursement of all funds of the Organization.
- 109.2 Funds of the Organization will be deposited only in banks or institutions designated by the Director.
- 109.3 The Chief of Administration will manage all banking accounts operated by the Organization, including those opened for trust and other special purposes, maintaining a proper cash account in which all receipts and payments shall be recorded in chronological order. A separate cash account shall be kept for each bank account, as well as for sums deposited with other institutions.
- 109.4 Panels of signatories shall be designated by the Director and all checks drawn on the Organization's accounts will be signed by two officials of the appropriate panels; provided that the Director may, where he deems that adequate safeguards of the funds of the Organization are provided, or in exceptional circumstances, authorize the signature of checks by one official only.
- 109.5 No interest will be payable on sums deposited with or retained by the Organization. Should any interest accrue on investments made on behalf of a third party, the amount of such interest will be paid only if so requested in advance and upon such conditions as may be agreed with the Director.
- 109.6 All securities shall be deposited either in the custody of duly appointed bankers or in safe deposit vaults maintained by a recognized financial institution designated by the Director.

Article X—The Accounts

- 110.1 The Chief of Administration is responsible for establishing and maintaining all official accounts of the Organization.
- 110.2 Obligations will be recorded in the accounts of the financial period for which they are incurred.
- 110.3 Receipts will be recorded in the accounts of the financial period in which they are received.
- 110.4 Expenditures will be recorded in the accounts of the financial period in which they are made.
- 110.5 The accounts will comprise the General Accounts, Budget Accounts, and Treasury Accounts from which the periodic financial statements will be prepared.

- 110.6 All accounts shall be supported by documentation to be retained as integral parts of the official accounts of the Organization.
- 110.7 The accounting and other financial records and all supporting documents shall be retained for such period or periods as may be agreed by the External Auditor, after which, on the authority of the Director, such records and documents may be destroyed.

Article XI—General Accounts

- 111.1 The General Accounts will record classified income, and expenditure, cash in banks and on hand, investments, receivables and other assets, payables and other liabilities, the Working Capital Fund, and such other trust funds or special accounts as may be established.

Article XII—Budget Accounts

- 112.1 The Budget Accounts will show:
- (a) Original appropriations voted by the Conference or the Directing Council;
 - (b) Appropriations after modification by any transfers;
 - (c) Credits, if any, other than appropriations made available by the Conference or the Directing Council;
 - (d) Allotments made;
 - (e) Obligations incurred, liquidated and outstanding;
 - (f) Expenditures;
 - (g) Unobligated balances of allotments.
- 112.2 Obligations and expenditures will be recorded in the accounts in accordance with a uniform system of classification established by the Director.

Article XIII—Treasury Accounts

- 113.1 Treasury Accounts will comprise:
- (a) Cash accounts, showing all receipts and disbursements of the Organization;
 - (b) Trust and other special cash accounts, the management of which is subject to special treatment;
 - (c) Members' contribution records showing the amounts assessed, received, and uncollected;
 - (d) Investments ledger giving full details of each investment made by the Organization.

Article XIV—Financial Statements

- 114.1 The Chief of Administration will furnish:
- (a) Period statements of cash on hand;
 - (b) Periodic statements of budgetary status showing:
 - (i) Allotments made;
 - (ii) Obligations incurred and liquidated;
 - (iii) Expenditures;
 - (iv) Unobligated balances.
 - (c) Periodic special statements showing:
 - (i) Outstanding contributions;
 - (ii) Status of the Emergency Procurement Revolving Fund;
 - (iii) The operations and financial position of the Working Capital Fund;
 - (iv) The position of other special funds.
 - (d) As early as possible in each year of a financial period, an interim or final balance sheet as of the last day of each year of a financial period. In addition to this balance sheet, there shall be prepared:
 - (i) Summarized statement of income and expense;
 - (ii) Budget statement showing appropriations voted and expenditure made;
 - (iii) Statement of obligations as of the last day of the financial period for which reserves will be established in accordance with Rule 103.2;
 - (iv) Statement of outstanding legal obligations as of the last day of the financial period which will be a charge to the appropriations of the succeeding financial period;
 - (v) Statement of trust and other special funds;
 - (vi) Statement of the Working Capital Fund;
 - (vii) Statement of both stores and cash losses which have occurred during the year indicating how these have been dealt with in the accounts;
 - (viii) Statement of ex-gratia payments;
 - (ix) Statement of Procurement Services effected on behalf of the government administrations, public institutions, and other organizations.

Article XV—Property

- 115.1 The cost of all property acquired other than real property will be immediately charged as an expense.

- 115.2 Property records containing full details will be maintained of all real property and nonexpendable supplies and equipment, however acquired and from whatever source, with an acquisition cost over and above levels set by the Director.
- 115.3 An annual physical inventory will be taken of all assets, supplies, and materials on hand.
- 115.4 The Director may declare property to be surplus if it is of no further use to the Organization.
- 115.5 Surplus property shall be sold for the best possible return to the Organization except:
- (a) When the exchange of surplus property in partial payment for new articles will afford an advantage to the Organization over the sale of surplus property and separate purchase of new articles;
 - (b) When the destruction of the surplus or unserviceable material will be more economical, is required by law, or when the confidential nature of the material so warrants;
 - (c) When the best interests of the Organization will be served by disposal by gift or at nominal prices to a non-profit organization.
- 115.6 The proceeds from the sale of surplus property shall be credited to Miscellaneous Income, except that in case an article is being replaced, the trade-in allowance or the proceeds from the sale of the replaced article will serve to reduce the charge to expense incurred under Rule 115.1
- 115.7 Goods and services may be provided to Governments, specialized agencies, and other organizations on a reimbursable or reciprocal basis on such terms and conditions as may be prescribed by the Director.

Article XVI—Procurement

- 116.1 Contracts for the purchase of services, supplies, equipment, or other requirements shall be entered into for and on behalf of the Organization only by duly authorized officials.
- 116.2 The Director shall establish suitable procedures which will ensure full and free competition in obtaining and processing bids from suppliers.
- 116.3 All purchases and contracts over the amount set by the Director shall be made on the basis of competitive bids, except when otherwise authorized by the Director.

- 116.4 Contracts are normally awarded to the lowest bidder. The Director may, however, if he considers it to be in the interests of the Organization, authorize the acceptance of a bid other than the lowest, or the rejection of all bids.

Article XVII—Internal Control

- 117.1 The Chief of Administration is responsible for establishing and maintaining an adequate internal control of the financial transactions and such other operations of the Organization as may be determined by the Director.

Article XVIII—Working Capital Fund

- 118.1 The Financial Rules also govern credits made available from the Working Capital Fund for unforeseen and extraordinary expenses.
- 118.2 The term “unforeseen expenses” means expenses arising from, or incidental to, the carrying out of a program in accord with the policies approved by the Conference or the Directing Council, which expenses were not foreseen when the estimates were made.
- 118.3 The term “extraordinary expenses” means expenses for items or objects outside the scope of the budget estimates, that is to say, outside the program on which the estimates were based.
- 118.4 The Chief of Administration shall be responsible for the preparation of information on the status of all commitments under the resolutions relating to unforeseen and extraordinary expenses to be submitted to the Executive Committee, and shall prepare the supplementary estimates required in connection therewith for submission to the Conference or the Directing Council.

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