

CERN/99
Geneva, 30th September 1954
(Item 10 of the Agenda)

EUROPEAN ORGANIZATION FOR NUCLEAR RESEARCH

1ST SESSION OF COUNCIL

GENEVA

7th-9th October, 1954

TRANSFER OF ASSETS AND LIABILITIES OF
INTERIM ORGANIZATION

DRAFT RESOLUTION

The Council of the European Organization for Nuclear Research (hereinafter referred to as the "Organization"),

Considering that, consequent upon the establishment of the Organization by the Convention signed at Paris on 1st July 1953, which entered into force on 29th September 1954, the Agreement signed at Geneva on 15th February, 1952, constituting a Council of Representatives of European States for planning an international laboratory and organising other forms of co-operation in nuclear research, terminated,

Noting that the said Council of Representatives, on 8th April, 1954, adopted a Resolution providing for the transfer to the Organization, subject to its acceptance, of the resources of all kinds, liabilities, contractual obligations, including those in respect of the staff at present employed and desiring to be transferred to the Organization, useful information and records of the work of the Council,

Noting further that the above-mentioned Resolution provided that after the date of termination of the said Agreement all funds, property, documents, and other assets of the Council of Representatives should be entrusted to Mr. Edoardo Amaldi, the Secretary-General of the Council, to hold them on behalf of the Organization until such time as the Organization should accept them,

RESOLVES

to accept the transfer to the Organization of

- (i) the funds, property, documents, assets and liabilities of the Council of Representatives ;
- (ii) such staff of the Council of Representatives as, including the Secretary-General and Consultants, whose contracts have not terminated, and as desire

to be transferred, on the following conditions :

- (a) that, subject to (b) and (c) hereof, the future employment of this staff shall be at the absolute discretion of the Organization;
- (b) that until a decision on this matter is taken by the Organization, it shall continue to employ each member of the staff on the same terms and conditions regarding pay and otherwise as applied under his contract of employment by the Council of Representatives ;
- (c) that if the Organization decides not to continue the employment of any member of the staff or not to continue such employment on the same terms and conditions as under the Council of Representatives, the member of the staff concerned shall be entitled to receive such notice or the payment of such compensation, if any, as may be provided under the contract between such member and the said Council;
- (d) that the Organization shall also indemnify all members of the staff transferred from the Council of Representatives against such claims against them, arising out of their employment before the date on which the transfer takes effect as the said Council, if it had continued in existence, would have been bound to indemnify them.

INSTRUCTS

The Director-General to make all necessary arrangements with Mr. Edoardo Amaldi to give effect to the provisions of this Resolution.