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ORGANISATION EUROPÉENNE POUR LA RECHERCHE NUCLÉAIRE
CERN EUROPEAN ORGANIZATION FOR NUCLEAR RESEARCH

COMMITTEE OF COUNCIL

Thirtieth Meeting

Geneva - 26 October, 1961

BUDGET PROCEDURE

(by Directorate Member for Administration)

At its Twentieth Session, on 19 December, 1961, the Council will have to consider the amendment to the Financial Protocol to the Convention proposed by the Italian Government.

The Italian proposal has already been considered informally by the Council and the Committee of Council and, as a result of these discussions, an alternative is now proposed by the President of Council, for consideration by the Committee of Council at its meeting on 26 October, and, if they agree, for recommendation to the Council.

BUDGET PROCEDURE

(by Directorate Member for Administration)

1. At its Twenty-ninth Meeting, the Committee of Council and, at its Nineteenth Session, the Council had an informal discussion of the proposed amendment to the Financial Protocol appearing in the letter of 8 March from the Italian Delegate to the Director-General. A copy of this letter is attached as Annex I. The due notice period having now elapsed, the Council is asked to debate the matter and to take a decision on it at its Twentieth Session, on 19 December, 1961.

2. The discussion at Council and Committee of Council has shown a certain divergence of view, and that any change in the present arrangements would obviously have disadvantages as well as advantages. If, in the light of these various considerations, it is felt to be desirable to change the present arrangements, there seems to be strong reasons, juridical and otherwise for doing this by means of an instruction by the Council to the Finance Committee rather than by seeking to change the Financial Protocol. If, after further discussion, the Council is satisfied that a change is desirable, they may wish to consider the alternative course, proposed by the President, of adopting the instruction to the Finance Committee contained in Annex II.

TRANSLATION

ITALIAN DELEGATION TO UNO
10, chemin de l'Impératrice
Geneva

Geneva, 8 March, 1961

Sir,

I have the honour to inform you that, pursuant to Article X of the Convention signed in Paris on 1 July, 1953, for the establishment of a European Organization for Nuclear Research, my Government has instructed me to request you to submit to the Member States, at the next session of the CERN Council, a proposal to amend paragraph 2 of Article 1 of the Financial Protocol annexed to the aforementioned Convention.

This amendment would have the effect of modifying the present procedure for the examination and approval of detailed estimates of income and expenditure; it would entail the application to the provisions of Article 1 (2) of the Financial Protocol of the two-thirds majority rule already laid down in Articles VII and X of the Convention.

In the opinion of the Italian Government, Article 1, paragraph (2) of the Financial Protocol should consequently be amended to read as follows :

"The Director shall, not later than the 1st of September in each year, submit to the Council for consideration and approval by a two-thirds majority of all the Member States detailed estimates of income and expenditure for the following financial year".

I have the honour to be,

Sir

Your obedient Servant,

G.B. Toffolo
Ambassador, Permanent Delegate

Mr. J.B. ADAMS
Director-General
CERN
Meyrin-GENEVA

INSTRUCTION BY THE COUNCIL TO THE FINANCE COMMITTEE

"CONSIDERING the importance of securing the greatest possible degree of agreement in any Council decision on the budget of the Organization,

THE COUNCIL asks the Finance Committee to ensure that any draft budget recommended to the Council by the Finance Committee is supported by a majority of the Member States so composed that the sum of the contributions of these Member States exceeds the sum of the contributions of the Member States who would oppose the budget."