



INTER-GOVERNMENTAL MARITIME  
CONSULTATIVE ORGANIZATION

ASSEMBLY — 8th session  
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RESOLUTION A.301(VIII)

adopted on 23 November 1973

AMENDMENTS TO THE FINANCIAL REGULATIONS

THE ASSEMBLY,

HAVING CONSIDERED the proposed amendments to Articles III.3.6 and IV.4.1 of the Financial Regulations, and the revised text of the proposed standard financial regulations relating to external audit,

NOTING the concurrence of the External Auditor,

NOTING FURTHER the approval by Council of the proposed amendments,

EXERCISING its responsibility under Article XIV.14.1 of the Financial Regulations,

ADOPTS the amendments to Articles III.3.6 and IV.4.1 of the Financial Regulations and the new text of the standard financial regulations relating to external audit, as they appear in Annexes I and II to this Resolution,

RESOLVES that the amended texts shall come into force with immediate effect.

ANNEX I

REVISED TEXTS OF ARTICLES III.3.6 AND IV.4.1 OF  
THE FINANCIAL REGULATIONS\*

- III.3.6 (a) The budget shall be adopted by the Assembly, which shall vote budget appropriations by Sections and in toto for the calendar year to which they relate.
- (b) Council may authorize transfers between Sections of the budget and to the same Section in the second calendar year, provided that these transfers do not result in a total amount of expenditure in excess of the appropriations authorized by the Assembly for a financial period.
- IV.4.1 The appropriations voted by the Assembly shall constitute an authorization to the Secretary-General to incur obligations and make payments for the purposes for which the appropriations were voted and up to the amounts so voted, bearing in mind any transfers authorized by Council between Sessions of the Assembly.

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\* Additions to the existing text are underlined.

## ANNEX II

### STANDARD FINANCIAL REGULATIONS RELATING TO EXTERNAL AUDIT

#### ARTICLE XII

##### *External Audit*

##### **Appointment**

- 12.1 An External Auditor, who shall be the Auditor-General (or officer holding the equivalent title) of a Member State, shall be appointed in the manner and for the period decided by the Assembly.

##### **Tenure of office**

- 12.2 If the External Auditor ceases to hold that office in his own country, his tenure of office as External Auditor shall thereupon be terminated and he shall be succeeded as External Auditor by his successor as Auditor-General. The External Auditor may not otherwise be removed during his tenure of office except by the Assembly.

##### **Scope of audit**

- 12.4 The audit shall be conducted in conformity with generally accepted common auditing standards and, subject to any special directions of the Council or the Assembly, in accordance with the Additional Terms of Reference set out in the Appendix to these Regulations.
- 12.5 The External Auditor may make observations 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.
- 12.6 The External Auditor shall be completely independent and solely responsible for the conduct of the audit.
- 12.7 The Council or the Assembly may request the External Auditor to perform certain specific examinations and issue separate reports on the results.

##### **Facilities**

- 12.8 The Secretary-General shall provide the External Auditor with the facilities he may require in the performance of the audit.
- 12.9 For the purpose of making a local or special examination or of effecting economies of audit cost, the External Auditor may engage the services of any national Auditor-General (or equivalent title) or commercial public auditors of known repute or any other person or firm who, in the opinion of the External Auditor, is technically qualified.

##### **Reporting**

- 12.10 The External Auditor shall issue a Report on the audit of the financial statements and relevant schedules, which shall include such information as he deems necessary in regard to matters referred to in Financial Regulation 12.5 and in the Additional Terms of Reference.
- 12.11 The External Auditor's Reports shall be transmitted through the Council, together with the audited financial statements, to the Assembly in accordance with any directions given by the Assembly. The Council shall examine the financial statements and the audit reports and shall forward them to the Assembly with such comments as it deems advisable. The Report on the interim accounts shall be submitted to the Council not later than 31 May following the end of the calendar year to which the interim accounts relate. The Report on the final accounts shall be submitted to the Council not later than 31 May following the end of the financial period to which the final accounts relate.

**Additional Terms of Reference governing External Audit**

1. The External Auditor shall perform such audit of the accounts of the Organization, including all trust funds and special accounts, as he deems necessary in order to satisfy himself:
  - (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 depositaries 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 the External Auditor have been applied to the recording of all assets, liabilities, surpluses and deficits.
2. The External Auditor shall be the sole judge as to the acceptance in whole or in part of certifications and representations by the Secretary-General and may proceed to such detailed examination and verification as he chooses of all financial records including those relating to supplies and equipment.
3. The External Auditor and his staff shall have free access at all convenient times to all books, records and other documentation which are, in the opinion of the External Auditor, necessary for the performance of the audit. Information classified as privileged and which the Secretary-General (or his designated senior official) agrees is required by the External Auditor for the purposes of the audit and information classified confidential shall be made available on application. The External Auditor and his 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 connexion with the performance of the audit. The External Auditor may draw the attention of the Council to any denial of information classified as privileged which in his opinion was required for the purpose of the audit.
4. The External Auditor shall have no power to disallow items in the accounts but shall draw to the attention of the Secretary-General for appropriate action any transaction concerning which he entertains 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 Secretary-General.
5. The External Auditor shall certify the financial statements in the following terms:

“I have examined the financial statements of the Organization for the year ended 31 December . . . .  
I have obtained all the information and explanations that I have required, and I certify, as a result of the audit, that, in my opinion, the financial statements are correct”;

adding, should it be necessary,  
“subject to the observations in my Report”.
6. The Report of the External Auditor on the financial statements should mention:
  - (a) The type and scope of his examination;
  - (b) Matters affecting the completeness of 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 statements there are deviations of material nature from the generally accepted accounting principles applied on a consistent basis, these should be disclosed.
  - (c) Other matters which should be brought to the notice of the Assembly, such as:
    - (i) cases of fraud or presumptive fraud;

A VIII/Res.301

- 4 -

- (ii) wasteful or improper expenditure of the Organization's money or other assets (notwithstanding that the accounting for the transaction may be correct);
  - (iii) expenditure likely to commit the Organization to further outlay on a large scale;
  - (vi) any defect in the general system or detailed regulations governing the control of receipts and disbursements or of supplies and equipment;
  - (v) expenditure not in accordance with the intention of the Assembly after making allowance for duly authorized transfers within the budget;
  - (vi) expenditure in excess of appropriations as amended by duly authorized transfers within the budget;
  - (vii) expenditure not in conformity with the authority which governs it.
- (d) The accuracy or otherwise of the supplies and equipment records as determined by stock-taking and examination of the record.

In addition, the reports may contain reference to:

- (e) 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 Assembly should have early knowledge.
7. The External Auditor may make such observations with respect to his findings resulting from the audit and such comments on the Secretary-General's financial report as he deems appropriate to the Council or to the Assembly or to the Secretary-General.
  8. Whenever the External Auditor's scope of audit is restricted, or he is unable to obtain sufficient evidence, the External Auditor shall refer to the matter in his report, making clear the reasons for his comments and the effect on the financial position and the financial transactions as recorded.
  9. In no case shall the External Auditor include criticism in his Report without first affording the Secretary-General an adequate opportunity of explanation on the matter under observation.
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