



## **Administrative Instruction**

Ref. ICC/AI/2013/001

14 January 2013

### Property and Assets Management

#### Section 1

##### Purpose

- 1.1 The Registrar, pursuant to section 3.2 of Presidential Directive ICC/PRES/D/G/2003/001 and for the purpose of implementing Staff Regulation 1.2 (p) and Staff Rule 101.8(a), promulgates the following:

#### Section 2

##### General

- 2.1 The property and assets of the Court shall include consumable supplies, equipments, buildings and land owned by or entrusted to the Court, for use whether acquired by purchase, loan, lease, donation or any other means.
- 2.2 All personnel of the Court, including elected officials, staff members, consultants, volunteers, interns and contractors who are entrusted with the use of, or have access to the Court's property and assets, have an obligation to exercise reasonable care when utilising them.
- 2.3 The Registrar, acting in accordance with Financial Rule 110.20(a), delegates to the heads of each organizational unit the responsibility to ensure that property and assets entrusted to the organizational unit is adequately managed, controlled and recorded.
- 2.4 The Field Office Manager (FOM) or the ranking manager at an office away from the seat of the Court shall:

- a) maintain a record of items assigned to the Field Office, including vouchers for issuances and transfers;
  - b) assume the primary responsibility for the administration of the recorded items inventory; and
  - c) ensure that copies of the vouchers for issuances, transfers or any events requiring the Property Survey Board's (PSB) action shall be sent to the Logistics & Transport Unit, (LTU) of the General Services Section (GSS) at the seat of the Court.
- 2.5 The LTU shall maintain the management oversight of the Court's inventory of non-expendable property. An organizational unit shall notify the LTU of the movement, issuance or transfer of the property of the Court for items that have been registered in the central asset register. Such property shall be identified with the Court's non-expendable property tag.
- 2.6 The transfer notification to the LTU shall be achieved by copying the handover voucher or receipt to the LTU, pursuant to Financial Rule 110.24. The organizational unit shall comply with the provisions of Financial Rules 110.23, 110.24 and 110.25, respectively.
- 2.7 Inventory records of property must in all cases indicate the organizational unit, the official accountable for the property and the acquisition details. Financial adjustments for the accounts shall be made by the Budget and Finance Section (BFS).

### Section 3

#### Category of property

- 3.1 Non-expendable property: Include tangible items of property or equipment valued at €1000 or more, per unit at the time of purchase with an expected lifecycle of one year or more subject to depreciation over its lifecycle. Property records and controls shall be maintained for such items.
- 3.2 Real property: Real property consists of land and buildings regardless of value. Built-in-fixtures may be included to this category if its removal would be destructive in nature. Property records and controls shall be maintained for built-in-fixtures if planned lifecycle and replacement protocols are applicable.
- 3.3 Special items: For inventory management purposes items that have a value below €1000 and are attractive in nature i.e. have a higher than normal risk of theft or loss will be described as "Special Items". The LTU shall identify and maintain a list of items that fall into this category and publish it as Annex 1 to this Administrative Instruction. Items with a value less than €100 shall not be recorded as special items. Property records and controls shall be maintained for such items, and for administrative purposes they shall be treated as non-expendable property.

3.4 Expendable property: Property and equipment with a purchase price under €1000 including Court property and equipment with a value over €1000 with an expected serviceable life of less than one year. The property of the Court that is identified as “individual issue”<sup>1</sup> shall also be classified as expendable property. Property that is purchased with an intention to be used as consumables or spare parts and treated as an expense and not capitalized shall fall into this category. Property records and controls shall be maintained for expendable property by the respective organizational unit.

## Section 4

### Property records and controls

- 4.1 Non-expendable property: The LTU shall affix a bar code label to all non-expendable property during a receiving and inspection process. The LTU shall maintain records for all such property which shall include original purchase information, current location, means of acquisition and the organizational unit responsible for the item. Non-expendable property shall be recorded by the LTU in an electronic format. Non-expendable property delivered to offices away from the seat of the Court as well as their movement from one location to another shall be reported to LTU by a voucher.
- 4.2 Expendable property: Organizational units shall exercise control over their expendable property and ensure that appropriate controls are established as a safeguard from:
- a) excessive losses;
  - b) excessive consumption of specific items; and
  - c) use of property other than for official purposes pursuant to Staff Regulation 1.2 (p) and Staff Rule 101.8(a).

## Section 5

### Inventory reporting

- 5.1 An end of year inventory report shall be prepared by the LTU and submitted to the Registrar and the BFS. A summary statement of non-expendable property shall be provided to the Auditor no later than three months following the end of the financial period. Copies of the reports shall be retained by the LTU for ease of reference.
- 5.2 The end of year inventory report shall include all non-expendable property and special items acquired by the Court, including items pending write off action and items that have been written off during the previous financial year.

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<sup>1</sup> “Individual issue” is an item purchased by the Court to equip a staff member to fulfill his/her function. These items such as work clothing, safety shoes are usually not transferable to a new user.

- 5.3 In order to ensure adequate control over the property of the Court in accordance with Financial Rule 110.21, physical inventories of all non-expendable property and special items shall be completed at regular intervals. If the physical inventory identifies shortages, or overages, the information will be provided to the organizational unit who shall determine and report on the cause of the shortage or overage. A reasonable time limit, not exceeding one month, shall be established for the reconciliation to be completed. Such time limit may be extended in exceptional circumstances.
- 5.4 Pursuant to paragraph 2 of Information Circular ICC/INF/2012/006 on the Composition of the Property Survey Board, items that cannot be located shall be referred to the Security and Safety Section (SSS) for investigation. In the event where an overage is identified, the origin of the materials shall be investigated and the item(s) shall be included in the inventory.

## Section 6

### Writing off of property

- 6.1 When the property of the Court is damaged beyond economical repair or no longer usable, such property shall be written off. The term "written off" shall refer to a status in the inventory record and shall not imply a method of disposal. Write off action shall be initiated where an item is:
- a) no longer usable due to normal wear and tear;
  - b) stolen/lost;
  - c) damaged beyond economical repair;
  - d) adjusted during inventory; and
  - e) obsolete.
- 6.2 Where there is write off due to normal wear and tear or an item is obsolete:
- a) the head of an organizational unit shall inform the Secretary of the PSB if the value of the item(s) (individual or cumulative) is less than €5000. Upon approval of the Secretary, the materials shall be transferred to the LTU to arrange for its disposal. An asset disposal voucher shall be issued at the conclusion of the process; or
  - b) where the value (individual or cumulative) exceeds €5000 the head of an organizational unit shall refer the request for write off to the Director of the Common Administrative Services Division (CASD) for approval through the Secretary of the PSB. If the request is approved, the head of an organizational unit shall release the materials to the LTU for disposal.
- 6.3 Where a write off is initiated due to loss, theft or damage:
- a) as a result of an act or omission of a staff member, the matter shall be reported to the SSS, for the purpose of conducting an investigation. The report or outcome of the investigation shall be communicated to the Secretary of the PSB, for further action. The options available in such instances are to recommend a write off to the organizational unit or to the BFS in the event where accounts receivable or cash are involved; or

- b) The Secretary may recommend to the Chairperson of the PSB that a meeting of the PSB should be convened for the purpose of making a recommendation to the Registrar on the cause of any shortages, overages or damage to the property of the Court so as to determine the accountability of the personnel involved.

6.4 Once write off is approved, the LTU shall take custody of the materials in order to arrange for its disposal. The options for disposal are:

- a) discard;
- b) sell as scrap;
- c) trade in;
- d) sale, pursuant to Financial Rule 110.27 (a) and (b); or
- e) cannibalisation for parts.

## Section 7

### Damage to non-expendable property

- 7.1 In the event the damage does not lead to a write off action, but requires an investment by the Court to repair the property or equipment, the head of an organizational unit shall report to the Secretary, and to the SSS that a non-expendable asset of the Court has been damaged to the point that funds need to be invested to return the property to functional use. Section 8.1 below shall then apply.
- 7.2 Based on the report from the SSS, the Secretary shall determine the course of action, including section 6.4 above.

## Section 8

### Property Survey Board

- 8.1 The PSB shall be convened at the request of the Secretary to the Chairperson of the PSB to discuss the accountability of staff members for loss or damage to Court property.
- 8.2 The PSB shall consist of:
  - a) Secretary - Logistics and Transport Officer (or Alternate), GSS;
  - b) Member - Chief (or Alternate), GSS;
  - c) Member - Chief (or Alternate), Information Communications and Technical Services
  - d) Member - Senior Administrative Officer (or Alternate), Office of the Prosecutor
  - e) Member - Legal Officer (or Alternate), Registry Legal Advisory Services Section; and
  - f) Member - Senior Finance Officer (or Alternate), BFS.
- 8.3 The PSB shall investigate and report on any loss, deficiency, surplus, serviceability, obsolescence or other irregularity occurring with the property or assets belonging or entrusted to the Court. The PSB function shall include review of cases of write off, to

determine whether such write off was due to normal wear and tear or to other circumstances.

8.4 The Chairperson shall be elected by the Members. The Logistics and Transport Officer or his alternate shall serve as Secretary to the PSB and shall be responsible for preparing cases for presentation to the PSB and keeping minutes.

8.5 The quorum for a meeting shall be the Secretary plus three members or their alternates.

## Section 9

### Final Provisions

9.1 This Administrative Instruction shall enter into force on 14 January 2013.

  
Silvana Arbia  
Registrar