



26 December 2006

Secretary-General's bulletin

Post-employment restrictions

The Secretary-General, for the purpose of ensuring that the Organization functions in an open, transparent and fair manner, and in accordance with staff regulations 1.2 (i) and 1.2 (m), and staff rule 101.2 (o), promulgates the following:

Section 1

Scope

1.1 This bulletin shall apply to all staff members participating in the procurement process.

1.2 For the purpose of this bulletin "participating in the procurement process" shall mean personal, significant and substantive involvement in any of the following activities:

- (a) Drafting, reviewing or approving specifications or statements of work;
- (b) Preparing or developing solicitations;
- (c) Identifying potential contractors or vendors;
- (d) Managing the contractor or vendor database or the registration of new contractors or vendors;
- (e) Evaluating bids or proposals or selecting a source;
- (f) Negotiating price or terms and conditions of the contract;
- (g) Reviewing and approving the award of the contract;
- (h) Signing the contract;
- (i) Certifying, approving and making payments under the contract;
- (j) Managing the contract;
- (k) Reviewing contractor or vendor performance;
- (l) Handling contractor's or vendor's protests or disputes;
- (m) Auditing the procurement process.



Section 2

Restrictions on employment after separation of staff involved in the procurement process

2.1 For a period of one year following separation from service, former staff members who have participated in the procurement process for the Organization before separation from service are prohibited from seeking or accepting employment with, or otherwise accepting any form of compensation or financial benefit from, any United Nations contractor or vendor of goods or services, regardless of location, which conducts business with the Organization or seeks to do so and with whom such staff members have been personally involved in the procurement process during the last three years of service with the Organization.

2.2 For a period of two years following separation from service, former staff members who have participated in the procurement process for the Organization before separation from service are prohibited from knowingly communicating with, or appearing before, any staff member or unit of the Organization on behalf of any third party on any particular matters that were under their official responsibility relating to the procurement process during the last three years of their service with the Organization.

2.3 While in service, staff members participating in the procurement process shall refrain from soliciting or accepting, directly or indirectly, any promise or offer of future employment from any contractor or vendor of goods or services, regardless of location, which conducts business with the Organization or seeks to do so and with whom such staff members have been personally involved in the procurement process during the previous three years of service with the Organization. Should a staff member participating in the procurement process receive a promise or offer, the staff member shall immediately report the incident to the head of office and to the Under-Secretary-General for Internal Oversight Services and recuse himself or herself from any further dealing with such contractor or vendor until instructed to do so by the head of office.

Section 3

Sanctions for violation

3.1 Staff members who are found to have violated the provisions of section 2.3 of the present bulletin may be subject to disciplinary action under Chapter X of the Staff Rules.

3.2 Violation of any of the provisions of section 2.1 or 2.2 of the present bulletin by former staff members shall be recorded by a formal note in the individual's official status file indicating the nature of the violation and a recommendation against any future employment by the Organization. In accordance with established procedures, such a note shall be brought to the attention of the individual concerned so that he or she has an opportunity to provide comments.

3.3 Any United Nations contractor or vendor of goods or services who offers employment, hires or otherwise compensates staff members in violation of the provisions of the present bulletin may, after review by the Organization, be subject to having its registration as a qualified contractor or vendor with the United Nations barred, suspended or terminated, in accordance with United Nations procurement policies and procedures.

3.4 All United Nations contractors or vendors of goods or services shall be informed of the present bulletin, in particular the provisions of section 3.

Section 4
Clarification procedure

A staff member may seek clarification from the Ethics Office as to whether his or her specific situation falls under the scope of the present bulletin.

Section 5
Entry into force

The present bulletin shall enter into force on 1 January 2007.

(Signed) Kofi A. **Annan**
Secretary-General
