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**Industrial Development Board**

Fifth Session

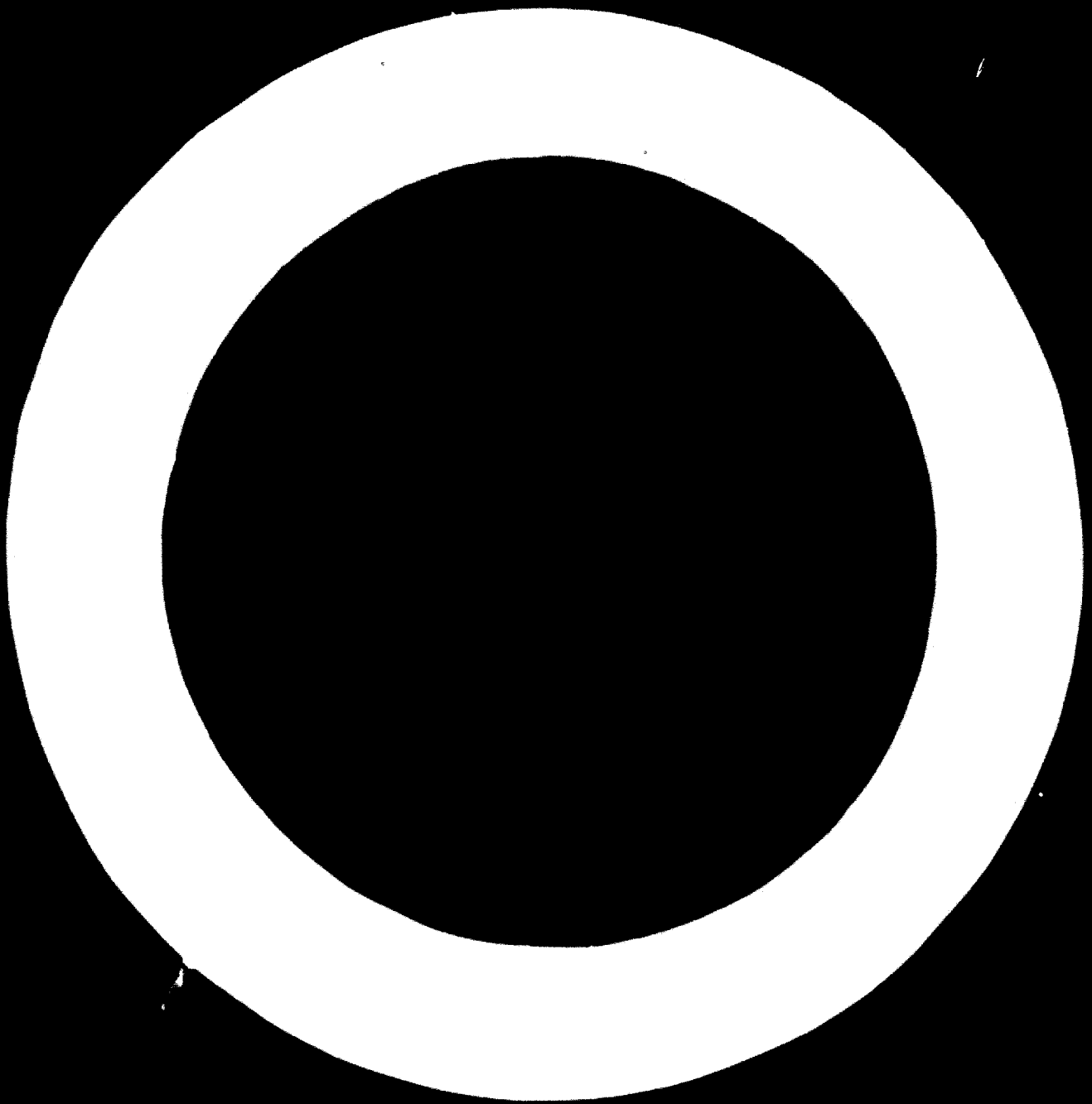
Vienna, 24 - 28 May 1971

Agenda item 12

**HEADQUARTERS REGULATIONS**

**Note by the Executive Director**

Id.71-426



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## HEADQUARTERS REGULATIONS

1. By Section 7(a) of the Agreement between the United Nations and the Republic of Austria regarding the Headquarters of the United Nations Industrial Development Organization (the Headquarters Agreement)<sup>1/</sup> the Austrian Government has recognized the extraterritoriality of the headquarters seat,<sup>2/</sup> "which shall be under the control and authority of the UNIDO" as provided in the Headquarters Agreement. Section 7(b) provides that the laws of the Republic of Austria shall apply within the headquarters seat, except as otherwise provided in the Headquarters Agreement or in the Convention on the Privileges and Immunities of the United Nations and subject to any regulation enacted under Section 8(a) of the Headquarters Agreement.
2. Section 8(a) empowers the UNIDO "to make regulations, operative within headquarters seat, for the purpose of establishing therein conditions in all respects necessary for the full execution of its functions". It further provides that "no law of the Republic of Austria which is inconsistent with a regulation of the UNIDO authorized by this section shall, to the extent of such inconsistency, be applicable within the headquarters seat".
3. Similar provisions to those mentioned in paragraphs 1 and 2 above are contained in the Headquarters Agreement between the United Nations and the United States of America and in the Headquarters Agreement between the International Atomic Energy Agency and the Republic of Austria. Both organizations have adopted regulations through their appropriate organs (General Assembly for the United Nations and Board of Governors for the IAEA) concerning the qualifications and requirements necessary for the performance of professional - in the medical profession, for example - or other special occupational services within the headquarters seat, as well as for the times and hours of operation of any services and facilities or retail establishments authorized within the headquarters seat.
4. It has now become desirable for the UNIDO to exercise the power which it has under Section 8(a) of the Headquarters Agreement and the drafts of two such regulations are accordingly submitted to the Board in the annex.
5. The Board is requested to approve the draft headquarters regulations set forth in the annex.

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<sup>1/</sup> See Report of the Industrial Development Board on the work of its first session, Supplement No. 15 to the Official Records of the twenty-second session of the General Assembly (A/6715/Rev.1), Annex III.

<sup>2/</sup> As defined in Section 1(f) of the Headquarters Agreement.

ANNEX

**Draft Headquarters Regulations**

WHEREAS the United Nations Industrial Development Organization has the power under Section 8(a) of the Agreement between the United Nations and the Republic of Austria regarding the Headquarters of the United Nations Industrial Development Organization to make regulations, operative within the headquarters seat as defined in Section 1(f) of the Agreement, for the purpose of establishing therein any conditions necessary for the full execution of its functions;

WHEREAS it appears judicious for the UNIDO to exercise this power for the purpose of facilitating its employment of persons having particular qualifications, and its operation of certain facilities required for the satisfactory execution of its functions;

NOW THEREFORE the UNIDO has promulgated the following regulations:

**Regulation No.1 - Qualifications for professional or other special occupational services with the UNIDO**

The qualifications and requirements necessary for the performance of professional or other special occupational services within the headquarters seat shall be determined by the Executive Director, provided that, prior to authorizing medical or nursing services by any person, the Executive Director shall ascertain that such person has been duly qualified to perform such services in his own or another country.

**Regulation No.2 - Operation of services within the headquarters seat**

The times and hours of operation of any services and facilities or retail establishments authorized within the headquarters seat shall be in compliance with schedules fixed by the Executive Director; no regulations, requirements or prohibitions beyond those so prescribed shall be imposed without his approval.





**22.7.74**