CONSIDERING,

That a "Named User" is commonly defined in the corresponding trade and commerce as "an individual authorized to use the Software Program which [is] installed on a single workstation, regardless of whether the individual is actively using the program at any time;"

That much of the software provided by the General Secretariat is identified as Licensed "Named User Software," and under most licensing and service agreements covering that software, the Named User is the only person authorized to login and use that specific license of the Software Program; the software may only be used for the purposes identified in the licensing agreement, and the Named User, on behalf of the licensee, is responsible for compliance with the terms of those agreements;

That under Executive Order No. 05-03, the Office of Information Technology Services ("OITS") is responsible for planning and managing "the General Secretariat's technology infrastructure, including . . . operating systems, client software components . . . ;"

THE DECISION:


2. Pursuant to its responsibility for managing and planning the use of client software within the General Secretariat, the Office of Information Technology Services is responsible for the enforcement of and supervision of compliance with the Rules and Procedures in Annex A.

3. Administrative Memorandum No. 108 and all other provisions governing the use of software by the staff of the General Secretariat issued prior to the date of this Administrative Memorandum that are inconsistent with the Rules and Procedures in Annex A are hereby derogated and no longer in force.

[Signature]
Frank Almaguer
Director
Department of Administration and Finance

Date: August 9, 2005
Original: English
ANNEX A
RULES AND PROCEDURES FOR THE USE OF THE GENERAL SECRETARIAT'S LICENSED NAMED USER SOFTWARE

A. RULES

1. Under these Rules and Procedures:

   a. The term "Named User" means a person designated by the owner of a software license or licensee (in this case, the General Secretariat) to use the software under the license.

   b. The term "Licensed Named User Software" means software which can only be used under a license from the owner or authorized licensee of the copyright or patent for the software and for which the license provides that it can only be used by a named user or named users, as the case may be, designated by a duly authorized licensee or sub-licensor.

   c. The term "dependency" means any Department, Executive Secretariat, Office, Unit, or Section identified within the Structure of the OAS General Secretariat, as described in Executive Order No. 05-03, as modified or otherwise amended.

2. The General Secretariat is the licensee or sub-licensor of any software license obtained with the resources of the General Secretariat for use by the Staff of the General Secretariat.

3. All Licensed Named User Software must have at least one designated user and the responsibility for designating named users within each dependency using the software lies with the director of that dependency.

4. Only the director of the dependency of the General Secretariat which has purchased the software for which has otherwise been assigned by OITS to use it has the authority to designate and revoke the delegation of named users. The License for the software is non-delegable and cannot be temporarily assigned or loaned to anyone by the Named User.

5. The Software shall be used exclusively for the official business operations and purposes of the GS/OAS.

6. Each dependency using Licensed User Named Software must inform the Director of the OITS, in writing, of the name and computer location of a new or transferred license and the corresponding Named User.

7. When a Named User is replaced or no longer working in the dependency where he/she was designated, he/she is no longer authorized to use the License. In that case, the Director of the dependency must notify the Director of OITS in writing, with a courtesy copy to the former designated
Named User, indicating that the person is no longer the Named User and also providing the name and computer location of the new designated Named User, if any.

8. OITS shall maintain a current list of each area's Named-User Licenses based on the notifications received.

9. Upon receipt of a designation of a Named User from the corresponding director, OITS will install the Licensed Named User Software in the personal computer ("PC") assigned to the designated Named User. Upon receipt of notification of a revocation of designation, OITS will uninstall the application from the PC of the former designated Named User.

10. In the event a License is not renewed, OITS will uninstall the application on the corresponding computer and terminate the Named User's access effective upon the expiration date of the License.

11. Any person who is not a designated Named User but who uses the Licensed Named User Software and any designated Named User who uses the Program for purposes other than the official business operations of the Organization or who uses the Program in a manner that violates these rules and the terms of the underlying License is: (a) if a staff member, subject to disciplinary action under the GS/OAS Staff Rules; and (b), if not a staff member, subject to contract termination and such other action as the General Secretariat may deem appropriate.

B. PROCEEDURES

1. Procedures for the Purchase of License of Named User Software

   a. Each dependency of the Secretariat with staff members using Licensed Named User Software is responsible for requesting, allocating funds, and purchasing the number of licenses required under the corresponding Licensing Agreement through the Office of Procurement and Facilities Management Services.

   b. Purchase of a license for Licensed Named User Software entitles the dependency to have only one Named User with the right to use the Software and to install that Program in the computer of the Named User.

   c. The dependency must create a requisition, including the name of its Named User, follow up the conversion and approval of purchase and do the receiving.

   d. The Licensed Named-User Software and software CDs must then be sent directly to OITS.

   e. Upon receiving of the Software and CDs, the OITS will create the a new account for the dependency's Named User; will create a
database user account, setup the security and access privileges and will install a copy of the application in the computer of the Area's Named User.

2. Procedures for Renewal of a License for Named-User License Software

a. Each dependency is responsible for requesting, allocating funds and purchasing the annual renewal for each Named User license directly with the Software Provider Supplier. Renewal should be made within forty-five (45) days prior to the expiration of their one year license.

b. The corresponding administrative officers can obtain the information regarding the dependency's Named User licenses, including the named user, purchasing and renewal information and the support number) at OASES Main Web page under the Discoverer link at – Discoverer User List or sending a ticket through the OASES Help desk.

c. The OITS Administrative Officer will send each dependency using one or more of these licenses a written notification containing the license and date by which the dependency must renew the license upon receipt of such information, but no later than forty-five (45) days prior to expiration of the license, the dependency interested in renewing its license must create the requisition, including the name of its Named User, follow up the conversion and approval of purchase and do the receiving.

d. For the Named User Software known as “Discoverer,” OITS will update Named-User License information at the Discoverer Users List link OASES Main Web page under the Discoverer link.

3. Procedures for the Transfer of a License for Named User Software to Another PC within the Same Administrative Area

a. If the Director of a dependency wants a License for Named User Software transferred from one computer to another, he/she must submit a ticket with a transfer request to the OITS Help Desk, including the names of the new and the current “Named User,” if necessary.

b. Upon receipt of the ticket, OITS will contact the requesting dependency's Administrative Officer in order to coordinate the transfer.

c. If the transfer of the software does not involve changing the dependency's current Named User, no changes will be made to the access privileges. If, however, the transfer involves a new Named User, OITS will revoke the privileges assigned to the current Named User, and then will create a new database user
account and setup the security privileges for the new Named User.

d. Once the security and access privileges have been reviewed and/or setup, OITS will uninstall the Software from one computer and install it in the other one, as requested by and in coordination with the requesting dependency's Administrative Officer.

e. OITS will update license information adding the new Named User and removing the former user in Discoverer Users List link at OASES Main Web page under the Discoverer link.

4. Procedures for the Cancellation of a License for Named User Software

a. A dependency interested in canceling a License for Named User Software must request the termination of the license through an OITS Help Desk ticket.

b. Upon receipt of this request, OITS will contact the dependency's Administrative Officer to arrange for execution of the cancellation request.

c. OITS will uninstall the Software from the dependency's Named User computer and revoke the access privileges assigned to its Named User.

d. For Discoverer users, OITS will update license information canceling the Named User and in Discoverer Users List link at OASES Main Web page under the Discoverer link.

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