



STAFF REGULATIONS

AND

STAFF RULES

OF THE

INTERNATIONAL OIL POLLUTION COMPENSATION FUND 1992

January 2023

The Staff Regulations were adopted by the Assembly of the 1992 Fund at its 3rd extraordinary session in April 1998 (92FUND/A/ES.3/21, paragraph 5). Amendments have been issued by the Director following approval by the Assembly. The amendments were put forward to the Assembly for its approval in documents 92FUND/A/ES.9/28/2, 92FUND/A/11/16, IOPC/OCT14/7/1, IOPC/APR15/9/1 and, and IOPC/OCT16/7/1.

The Staff Rules were issued by the Director in May 1998 (92FUND/ES.3/21, paragraph 6). Amendments have been issued by the Director, who has informed the Assembly of these amendments in documents 92FUND/A.4/17, 92FUND/A.5/15, 92FUND/A.6/17, 92FUND/A.7/17, 92FUND/A.8/16, 92FUND/A.9/16, 92FUND/A.10/17, 92FUND/A.11/16, 92FUND/A.12/15, 92FUND/A.13/14/Rev.1, IOPC/OCT09/7/1, IOPC/OCT10/7/1, IOPC/OCT11/7/1, IOPC/OCT12/7/1, IOPC/OCT13/7/1, IOPC/OCT14/7/1, IOPC/APR15/9/1, IOPC/OCT15/7/1, IOPC/OCT16/7/1, IOPC/APR17/7/2 IOPC/OCT17/7/1, IOPC/OCT18/7/1, IOPC/OCT19/7/1, IOPC/NOV20/7/1, IOPC/NOV21/7/1, IOPC/OCT/22/7/1 and IOPC/OCT22/7/1 Corr.1 (English only).

**Staff Regulations of the
International Oil Pollution Compensation Fund
established under the 1992 Fund Convention**

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**Staff Regulations of the
International Oil Pollution Compensation Fund
established under the 1992 Fund Convention**

(as amended by the Assembly at its 19th extraordinary session held during the period 20 - 23 April 2015)

Regulation 1

Definitions

- 1.1 The "1992 Fund Convention" means the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992.
- 1.2 The "1992 Fund" means the International Oil Pollution Compensation Fund, established pursuant to Article 2.1 of the 1992 Fund Convention.
- 1.3 The "Supplementary Fund Protocol" means the Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992.
- 1.4 The "Supplementary Fund" means the International Oil Pollution Compensation Supplementary Fund established under the Protocol of 2003 to the 1992 Fund Convention established pursuant to Article 2.1 of the Supplementary Fund Protocol.
- 1.5 The "1971 Fund Convention" means the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1971.
- 1.6 The "1971 Fund" means the International Oil Pollution Compensation Fund, established pursuant to Article 2.1 of the 1971 Fund Convention.
- 1.7 "Director" means the Director referred to in Article 16 of the 1992 Fund Convention.
- 1.8 "Secretariat" means the Secretariat referred to in Article 16 of the 1992 Fund Convention.
- 1.9 "Assembly" means the Assembly referred to in Article 16 of the 1992 Fund Convention or, where appropriate, the Administrative Council established by the Assembly at its 7th session by 1992 Fund Resolution N°7 or the Executive Committee established by the Assembly at its 2nd session by 1992 Fund Resolution N°5, when the Council or Committee performs functions delegated to it by the Assembly.

Regulation 2

Scope and Purpose

The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of the Director and other members of the Secretariat of the 1992 Fund. They represent the broad principles of human resources policy for the staffing and administration of the Secretariat.

SECTION I

Duties and Obligations

Regulation 3

The Director and other members of the Secretariat are international civil servants. Their responsibilities are not national but exclusively international. By accepting appointment, they pledge themselves to discharge their functions and to regulate their conduct with the interests of the 1992 Fund and the Supplementary Fund (hereinafter referred to as "the Funds"), only in view, except as provided for in Regulation 4. In the performance of their duties they shall neither seek nor accept instructions from any government or from any authority external to the Funds, except as provided for in Regulation 4. All members of the Secretariat are subject to the authority of the Director and are responsible to him or her in the exercise of their functions.

Regulation 4

The Director and other members of the Secretariat shall act also as Director and Secretariat of the Supplementary Fund and perform duties under the Supplementary Fund Protocol.

Regulation 5

Every member of the Secretariat, on taking up his or her duties, shall make and sign the following oath or declaration:

"I solemnly swear (undertake, affirm, promise) to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the 1992 Fund, to discharge those functions and regulate my conduct with the interests of the 1992 Fund and the Supplementary Fund only in view and not to seek or accept instructions in regard to the performance of my duties from any government or other authority external to the 1992 Fund and the Supplementary Fund."

Regulation 6

Any privileges and immunities accorded to the 1992 Fund and the Supplementary Fund are conferred in the interests of the respective Funds. No such privileges and immunities shall excuse members of the Secretariat from the performance of their private obligations or from the observance of laws and regulations otherwise applicable to them. Any incident giving rise to controversy on the applicability of any privilege or immunity shall immediately be reported by the member of the Secretariat concerned to the Director, with whom alone it rests to decide whether such privilege or immunity shall be waived. In the case of the Director, the Assembly shall decide whether the privileges and immunities shall be waived.

Regulation 7

Members of the Secretariat shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person any information known to them by reason of their official position which has not been made public, except so far as is necessary for their duties or by authorisation of the Director. Nor shall they at any time use such information to private advantage. These obligations do not cease upon separation from the Secretariat.

Regulation 8

Members of the Secretariat are not expected to give up their national sentiments or their political or religious convictions, and they may exercise their right to vote. However, they shall avoid any action, and in particular any kind of public pronouncement or political activity, which may adversely reflect on their position as international civil servants, at all times bearing in mind the reserve and tact incumbent upon them by reason of their international status.

Regulation 9

The whole time of members of the Secretariat shall be at the disposal of the Director and they shall not accept or hold any office or engage in any occupation or activity incompatible with the proper discharge of their duties. In particular, they shall not participate in any manner or have any financial interest in an enterprise whose aims or activities are closely related to those of the Funds.

Regulation 10

No member of the Secretariat shall accept any honour, decoration, favour or gift or remuneration from any government or other source without the Director's prior agreement. Agreement shall be granted only in exceptional cases and provided acceptance is not incompatible with the individual's status as an international civil servant.

SECTION II

Appointment, Renewal and Promotion

Regulation 11

Within the budgetary and other limits established by the Assembly, the Director shall appoint the members of the Secretariat and such other additional personnel for short-term duties and assignments as may be found necessary. Each member of the Secretariat shall receive a letter of appointment in accordance with the provisions of Annex I to these Regulations, signed by the Director or his or her duly authorised representative.

Regulation 12

The paramount consideration in the appointment of members of the Secretariat shall be to secure the highest standards of efficiency, competence and integrity. Subject to this requirement, all persons shall be equally eligible for all posts in the Secretariat without distinction as to sex, race, creed or religion.

Regulation 13

Selection shall normally be made on a competitive basis. Subject to this, recruitment shall be on as wide a geographical basis as possible and with a view to ensuring equitable representation in the Secretariat of nationals of the Member States of the 1992 Fund.

Regulation 14

Members of the Secretariat shall normally be appointed on a fixed-term basis for service of a prescribed duration. Appointments may be renewed but shall not carry any legal entitlements, express or implied, to such renewal. The maximum period of a fixed-term appointment shall be five years.

Regulation 15

The Director shall establish appropriate medical standards which persons shall be required to meet before appointment.

SECTION III

Classification of Posts

Regulation 16

Subject to the budgetary provisions made by the Assembly, the Director shall determine appropriate categories and grades for established posts, on the basis of the classification standards approved by the Assembly.

SECTION IV

Salaries and Related Allowances

Regulation 17

The salaries, allowances and grants and the conditions of entitlement thereto, for all members of the Secretariat shall, except as may be otherwise provided in these Regulations, conform whenever appropriate with the United Nations common system as applied by the International Maritime Organization under its Staff Regulations and Staff Rules.

Regulation 18

The terms and conditions of service of the Director shall be determined by the Assembly with reference to the provisions of Regulation 17 and shall be specified in a contract between the Director and the 1992 Fund represented by the Chairman of the Assembly.

SECTION V

Leave

Regulation 19

Members of the Secretariat shall be allowed annual leave, sick leave, maternity leave and home leave, and may be allowed special leave with or without pay under the conditions specified in the Staff Rules.

SECTION VI

Separation

Regulation 20

The normal age of retirement for members of the Secretariat shall be 65 years. This age limit may be extended in the interest of the Funds in exceptional cases.

Regulation 21

- (a) The Director may, giving his or her reasons therefore, terminate the appointment of a staff member before the expiry date of the appointment in any of the following circumstances, namely:
- (i) if the needs of the Funds require abolition of the post or reduction in staff;
 - (ii) if the services of the staff member prove unsatisfactory;
 - (iii) if the staff member is for reasons of health incapacitated for further service;
 - (iv) if the conduct of the staff member does not meet the high standards of integrity and behaviour required under these Regulations or is otherwise unsatisfactory;
 - (v) if facts anterior to the appointment of the staff member and relevant to his or her suitability come to light, which, if they had been known at the time of his or her appointment, should under the standards provided in these Regulations have precluded his or her appointment.
- (b) If a prima facie case for terminating an appointment under this Regulation has been established, the Director may suspend the staff member concerned from duty, with or without pay, during investigation, the suspension being without prejudice to the rights of the individual.

Regulation 22

The terms and conditions governing termination under Regulation 21, including provisions for the payment of termination indemnity, shall be specified in the Staff Rules.

Regulation 23

Where it is not intended to offer reappointment for a period of at least one year to a member of the Secretariat serving under a fixed-term contract, that staff member shall be entitled to be informed of the intention not to offer reappointment at least six months before the date of expiry of the contract.

Regulation 24

Unless otherwise specified in the letter of appointment, ninety days' written notice of resignation shall be given by staff members in the Professional and Higher categories and thirty days' written notice by staff members in the General Service category. The Director may, however, accept resignations on shorter notice.

SECTION VII

Travel and Removal Expenses

Regulation 25

The 1992 Fund shall pay the travel and related expenses, including removal costs, of members of the Secretariat and their dependants on the terms and conditions specified in the Staff Rules.

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SECTION VIII

Social Security

Regulation 26

- (a) The Director shall establish a scheme of social security for staff members, including provisions for health protection, sick leave and maternity or paternity leave, and compensation in the event of illness, accident or death attributable to the performance of official duties on behalf of the Funds.
- (b) The Director shall establish and operate a Provident Fund to which both the 1992 Fund and staff members shall contribute on such terms and conditions as may be approved by the Assembly.

SECTION IX

Staff Relations

Regulation 27

Members of the Secretariat shall be entitled to make proposals to the Director regarding human resources policies and general questions of staff welfare.

SECTION X

Disciplinary Measures

Regulation 28

The Director may impose disciplinary measures on members of the Secretariat whose conduct is unsatisfactory. He or she may summarily dismiss a staff member for serious misconduct.

SECTION XI

Appeals

Regulation 29

- (a) A staff member, former staff member or rightful claimants to his or her estate may request the Director on the grounds of non-observance of these Staff Regulations, the Staff Rules or the conditions of employment, to withdraw or amend an individual decision applicable to him or her.
- (b) The request shall be made in writing within thirty days of the date of notification of the decision in question, or within ninety days in the case of a request by rightful claimants to an estate.
- (c) If the Director declines a request or takes no decision thereon within thirty days of receipt of the application, the applicant may lodge an appeal with the Appeals Board of the 1992 Fund which is hereby established for this purpose. The Statute of the Board is set out in Annex II to these Regulations.
- (d) The execution of a disputed decision of the Director shall not be suspended pending the consideration of a request or appeal.

SECTION XII

General Provisions

Regulation 30

These Regulations may be supplemented or amended by the Assembly, without prejudice to the acquired rights of members of the Secretariat.

Regulation 31

The Director shall issue Staff Rules necessary to implement these Regulations and shall report such Rules and any amendments thereto to the Assembly.

* * *

ANNEX I

(Staff Regulation 11)

Letter of Appointment

- (a) The letter of appointment referred to in Staff Regulation 11 shall state:
- (i) that the appointment is subject to the provisions of the Staff Regulations and of the Staff Rules applicable to the category of appointment in question, and to changes which may be duly made in such Regulations and Rules from time to time;
 - (ii) the nature of the appointment;
 - (iii) the date at which the staff member is required to enter upon his or her duties;
 - (iv) the period of appointment, the notice required to terminate it and the period of probation, if any;
 - (v) the category, level, commencing rate of salary and, if increments are allowable, the scale of increments and the maximum attainable;
 - (vi) any special conditions which may be applicable.
- (b) A copy of the Staff Regulations and of the Staff Rules shall be transmitted to the staff member with the letter of appointment. In accepting appointment staff members shall state that they have been made acquainted with and accept the conditions laid down in the Staff Regulations and in the Staff Rules.

* * *

ANNEX II

(Staff Regulation 29)

*Statute of the Appeals Board of the
International Oil Pollution Compensation Fund 1992*

I Jurisdiction of the Board

- (a) The Appeals Board established under Staff Regulation 29 shall have authority to settle disputes between staff members, former staff members or the rightful claimants to their estates and the Director concerning individual decisions applying to persons in the former categories, who base their case on non-observance of the Staff Regulations, the Staff Rules or the conditions of employment including the contract or letter of appointment.
- (b) Any dispute as to the competence of the Board shall be decided by the Board itself.

II Composition of the Board

- (a) The Appeals Board shall consist of three nationals of different Member States to be appointed by the Assembly. Three substitute members from three other Member States shall also be appointed.
- (b) The members and the substitute members may be named individuals or the holders for the time being of any senior government office and residing in or near London. They shall not be members of the Secretariat. At least one member and one substitute member shall have legal qualifications.
- (c) The members and the substitute members shall be appointed for a term of two years and may be reappointed. In the event of the death or resignation of a member or substitute member, the Assembly shall appoint a replacement for the unexpired portion of his/her term. Pending such appointment the member or substitute member shall be replaced by his/her successor in office.
- (d) The members of the Board shall be completely independent in the discharge of their duties. They shall not receive any instructions.
- (e) The Board shall designate from among its members a Chairman. The Chairman shall have legal qualifications.
- (f) The Board shall not be validly constituted unless three members or substitute members, one of whom shall have legal qualifications, is present. If the Chairman is unavailable for a particular hearing, another member shall be chosen to act as Chairman for that hearing.

III Procedure

- (a) The Appeals Board shall adopt its own rules of procedure including provisions for fixing time limits on the lodgement of appeals and setting these dates for examining appeals.
- (b) The Board may decide on the appeal without holding a hearing. However, a hearing shall be held if so decided by the Chairman or at the request of the appellant or the Director. When a hearing is held, the Board shall decide whether all or part of the proceedings shall be held in public or in private.
- (c) The Director and the appellant may attend the hearing and make oral statements in support of the arguments put forward in written memoranda. They may be assisted or represented for this purpose by persons of their choice.

- (d) The Board is entitled to have before it any document it may consider useful for the consideration of an appeal. Any document communicated to the Board shall also be communicated to the Director and to the appellant.
 - (e) The Board shall hear any witnesses whose evidence it considers may be useful in the proceedings. The Board may require any official of the 1992 Fund to appear before it as a witness.
 - (f) The members of the Board shall deliberate in private.
 - (g) Where the Board allows an appeal, it shall annul or vary the disputed decision. It may also order the 1992 Fund to pay the appellant compensation for damage sustained as a result of any non-observance of the Staff Regulations, the Staff Rules or the contract or conditions of employment.
 - (h) In determining the amount of compensation to be paid to the appellant, the Board may take into account considerations put forward by the Director that the execution of the award might cause internal difficulties for the 1992 Fund.
 - (i) In cases where it has allowed an appeal, the Board may decide that the 1992 Fund shall reimburse justified expenses incurred by the appellant. The Board may also decide that the 1992 Fund shall reimburse travel and subsistence expenses incurred by witnesses. In taking such decisions, the Board shall take into account the nature of the dispute and the amount of money involved.
 - (j) The Appeals Board shall reach its decisions by majority vote. Reasons shall be given for decisions.
 - (k) No appeal lies from decisions of the Board.
 - (l) The Director shall make the necessary administrative arrangements for the functioning of the Appeals Board.
 - (m) The Chairman shall appoint a Secretary to the Board. In the discharge of his or her duties, the Secretary shall be responsible only to the Board.
 - (n) Travel expenses incurred by members of the Board and expenses incurred by the Secretary shall be refunded by the 1992 Fund.
 - (o) Any compensation awarded by the Board and expenses payable by the 1992 Fund shall be borne by the budget of the 1992 Fund.
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**Staff Rules of the
International Oil Pollution Compensation Fund
established under the 1992 Fund Convention**

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**Staff Rules of the
International Oil Pollution Compensation Fund
established under the 1992 Fund Convention**

Section I

DUTIES AND OBLIGATIONS

RULE I.1

Applicability

The Staff Rules are applicable to all staff members appointed by the Director except technical assistance project personnel and personnel specifically engaged for conference and other short-term services.

RULE I.2

Hours of work

- (a) Normal working hours shall be from 9 a.m. to 5.30 p.m. Monday through Friday, with an interruption of one hour for lunch. Exceptions may be made by the Director as the needs of the service may require.
- (b) Staff members shall be required to work beyond the normal tour of duty whenever requested to do so.

RULE I.3

Official holidays

- (a) Official holidays shall be:

- New Year's Day
- Good Friday
- Easter Monday
- May Day Holiday
- Spring Bank Holiday
- August Bank Holiday
- Christmas Day
- Boxing Day
- One extra day during the Christmas season

When one of these days falls on a Saturday or Sunday, the following Monday shall be observed as a holiday in lieu thereof.

- (b) Each staff member shall be credited with one additional day of annual leave to enable them to observe either a national or a religious day not otherwise designated as an official holiday, provided that their contract is in effect on their national day. Periods of special leave with partial pay or without pay for which annual leave does not accrue will not qualify for the additional day.

RULE I.4

Outside activities and interests

- (a) Staff members shall not engage in any continuous or recurring outside occupation or employment without the prior approval of the Director.
- (b) No staff member may be actively associated with the management of, or hold a financial interest in, any business concern if it were possible for him/her to benefit from such association or financial interest by reason of his official position with the 1992 Fund or the Supplementary Fund.
- (c) A staff member who has occasion to deal in his/her official capacity with any matter involving a business concern in which he/she holds a financial interest shall disclose the measure of that interest to the Director.
- (d) The mere holding of shares in a company shall not constitute a financial interest within the meaning of this Rule unless such holding constitutes a substantial control.
- (e) Staff members shall not, except in the normal course of official duties or with the prior approval of the Director, perform any one of the following acts, if such an act relates to the purpose, activities, or interests of the 1992 Fund or the Supplementary Fund:
 - (i) issue statements to the press, radio or other agencies of public information;
 - (ii) accept speaking engagements;
 - (iii) take part in films, theatre, radio or television productions;
 - (iv) submit articles, books or other material for publication.

RULE I.5

Membership in political parties and political activities

- (a) Membership in a political party is permitted provided that such membership does not entail action, or obligation to action, contrary to Staff Regulation 8. The payment of normal financial contributions shall not be construed as an activity contrary to Staff Regulation 8.
- (b) In any case of doubt as to the interpretation or application of Staff Regulation 8 and the present Rule, the staff member concerned shall request a ruling from the Director.

Section II

APPOINTMENT, RENEWAL AND PROMOTION

RULE II.1

Letter of appointment

The letter of appointment granted to every staff member shall, in addition to the information referred to in Annex I of the Staff Regulations, contain expressly, or by reference, all the terms and conditions of

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employment. All contractual entitlements of staff members are strictly limited to those contained expressly, or by reference, in their letters of appointment.

RULE II.2

Effective date of appointment

- (a) The appointment of every locally recruited staff member shall take effect from the date on which he/she starts to perform his/her duties.
- (b) The appointment of every staff member internationally recruited shall take effect from the date on which he/she enters into official travel status to assume his or her duties, or if no official travel is involved, from the date on which he/she starts to perform his or her duties.
- (c) For the purpose of entitlements and benefits for staff members who on 15 May 1998 were employed by the 1971 Fund and from 16 May 1998 took up employment with the 1992 Fund, the appointment date shall be considered to be the date when the staff member started to perform his or her duties with the 1971 Fund.

RULE II.3

Medical examination

Prior to recruitment, all candidates for posts with the 1992 Fund are to undergo a medical examination by a medical adviser appointed by the Director, to establish that they are free from any ailment likely to impair their work or to impair the health of other staff members.

RULE II.4

Local recruitment

Staff members who have been recruited for service in the General Service Category shall be regarded as having been locally recruited unless:

- (a) they have been recruited from outside the United Kingdom; or
- (b) the post for which the staff member has been recruited is one which, in the opinion of the Director, it would otherwise have been necessary to fill by recruitment from outside the United Kingdom.

RULE II.5

Nationality

- (a) In the application of the Staff Regulations and Staff Rules, the 1992 Fund shall not recognise more than one nationality for each staff member.
- (b) When a staff member has been legally accorded nationality status by more than one State, the staff member's nationality for the purposes of the Staff Regulations and these Rules shall be the nationality of the State with which the staff member is, in the opinion of the Director, most closely associated.

RULE II.6

Family relationships

- (a) Except where another person equally well qualified cannot be recruited, appointment shall not be granted to a person who bears any of the following relationships to a staff member: husband, wife, father, mother, son, daughter, brother or sister.
- (b) If two staff members marry, the benefits and entitlements which accrue to them shall be modified as provided in the relevant Rules; their appointment status shall not, however, be affected.

Section III

CLASSIFICATION OF POSTS

(see Staff Regulation 16)

Section IV

SALARIES AND RELATED ALLOWANCES

RULE IV.1

Salary scales

- (i) Director and Professional staff
 - (a) The terms and conditions of service of the Director shall, in accordance with Staff Regulation 18, be specified in a contract between the Director and the 1992 Fund.
 - (b) The gross salaries for staff members in the Professional and higher categories shall correspond to those payable by the International Maritime Organization (IMO) to officers of identical level and step as revised from time to time. The relevant IMO salary scales are reproduced at Annex A.
 - (c) A staff assessment shall be applied to the gross salary scales at the same rates as are applied by IMO from time to time. The rates specified by IMO are contained in Annex B. The amount remaining after deduction of the assessment shall be the net salary as specified in Annex A and shall be the amount payable to the staff member.
 - (d) Except where otherwise provided in these Rules, "salary" in relation to the Director and Professional staff shall mean the net salary arrived at under sub-paragraph (c).
 - (e) No staff assessment shall be applied to dependency benefits or post adjustments.
 - (f) Salary increments within the levels applied by IMO (and specified in Annex A) shall be awarded annually on the basis of satisfactory service, except that
 - for grades P-1 to P-5, any increments above step VII shall be preceded by two years at the previous step;

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- for the D-1 level any increments above step IV shall be preceded by two years at the previous step;
 - for the D-2 level any increments shall be preceded by two years at the previous step;

(ii) General Service staff

- (a) The gross salary scales for the General Service staff members shall correspond to those payable by IMO to staff members of identical level and step (as revised from time to time). The relevant IMO salary scales are reproduced at Annex C.
- (b) A staff assessment shall be applied to the gross salary scales at the same rates as are applied by IMO from time to time. The rates specified by IMO are contained in Annex D. The amount remaining after deduction of the assessment shall correspond to the net salary specified in Annex C and shall be the amount payable to the staff member.
- (c) Except where otherwise provided in these Rules, "salary" in relation to General Service staff shall mean the net salary arrived at under sub-paragraph (b).
- (d) Staff assessment shall be applied to language allowances.
- (e) No staff assessment shall be applied to dependency benefits or non-resident's allowances.

(iii) Other personnel

The Director shall, from time to time, determine the rates of salaries or fees to be paid to personnel specifically engaged for conferences and other short-term service and to consultants.

RULE IV.2

Post adjustments (Director and Professional staff)

The Director may adjust the net base salaries referred to in Rule IV.1(i) above by the application of post adjustments at the same rates as are applied by IMO from time to time. Such post adjustments shall not be subject to staff assessment and the amounts shall be determined by multiplying one per cent of the net base salary by a multiplier reflecting the classification of the duty station concerned, as applied by IMO.

RULE IV.3

Settling-in grant

- (a) A staff member shall be paid, in respect of himself or herself and his or her eligible dependants, a settling-in grant when the staff member travels at the expense of the 1992 Fund on initial appointment expected to be of at least one year's duration. Such payment shall be the total compensation payable by the Fund towards the initial extraordinary living costs incurred by the staff member and his or her dependants immediately following their arrival at the duty station.
- (b) The amount of the settling-in grant shall, in the case of the staff member, be the equivalent of daily subsistence allowance (DSA) for 30 days after arrival and, for each accompanying eligible family member who remains at least six months at the duty station, one half of the amount payable to the staff member plus a lump-sum amount equivalent to one month of net base pay plus applicable post adjustment.

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- (c) The DSA portion of the grant which is payable to the staff member shall not normally be recoverable. However, with regard to family members who do not remain with the staff member at the duty station for at least six months, the DSA portion paid may be recovered from the staff member, unless the Organisation is satisfied that the departure of the family member took place because of compelling circumstances.
 - (d) In cases where the staff member has not completed one year of service, the lump-sum portion of the settling-in grant shall be recovered on a pro-rata basis corresponding to the number of months of completed service.

RULE IV.4

Language allowance

- (a) The language allowance referred to in Annex C shall be paid to a staff member in the General Service category who passes a test prescribed by the Director and who demonstrates continued proficiency in the use of two or three official languages of the 1992 Fund.
- (b) The amount of the allowance for a second official language shall be that specified in Annex C to these Rules; the allowance for a third official language shall be half that amount.
- (c) The language allowance shall be taken into account in determining Provident Fund, medical and group insurance contributions, overtime compensation and payments and indemnities on separation.

RULE IV.5

Salary policy in promotions

Staff members receiving promotions shall be paid in accordance with the following provisions:

- (a) On promotion, a staff member shall be placed in the lowest step in the grade to which he/she has been promoted which provides an increase in net base salary equal to at least the amount that would have resulted from the granting of two increments at the lower grade, provided that the resulting salary shall in no case be less than the commencing salary or greater than the maximum salary of the grade to which the staff member has been promoted.
- (b) If promotion is effective in the month in which an increment at the lower grade is due, such increment will be included in the salary at the lower grade, to which two increments will then be added to determine the staff member's salary on promotion in accordance with paragraph (a) above.
- (c) Subject to Rule IV.1(i)(f), the date of the first salary increment at the high grade shall be the anniversary date of promotion except that, in the case of those increments that require two years of satisfactory service, the first increment at the higher grade will become due two years from the date of promotion.
- (d) On promotion of a staff member from the General Service to the Professional category and in order to determine in accordance with paragraph (a) above the step that should be granted within the grade to which the staff member is promoted, the following emoluments shall also be taken into account:

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- (i) the net amount of any pensionable allowance that the staff member received at the lower grade; and
 - (ii) the post adjustment corresponding to the net base salary for the grade and step in the Professional category to which the staff member is promoted.
- (e) Where the promotion of a staff member from the General Service to the Professional category would result in a reduction of his or her pensionable remuneration, the staff member may retain the level of pensionable remuneration reached immediately prior to promotion until it is surpassed as a result of the staff member's advancement in the new grade or further promotion.

RULE IV.6

Overtime and compensatory time off for General Service staff members

Additional payment or compensatory time off shall be given to General Service staff members for all hours they are required to work in excess of the full-time working week established in Rule I.2, provided that they have worked more than 40 hours during that week, in accordance with the following provisions:

- (a) Staff members shall be given compensatory time off equal to the period of overtime worked. Such time off shall be taken before the end of the third month following the month in which the overtime is worked or within such longer period as the Director may specifically authorise. If time off cannot be granted without seriously hampering the work, the staff member shall be compensated for the overtime hours worked by an additional payment.
- (b) Work required to be performed on an official holiday shall be compensated in accordance with the provisions of (a) above, provided however that the Director may require all staff members to work on a holiday which falls during a period of exigency. In this event, the Director shall set another working day to be observed as the holiday and no overtime payment or compensatory time off shall be granted in respect of work performed on the official holiday.
- (c) Overtime payments which will be calculated to the nearest quarter of an hour, are made at one and one half times salary + language allowance.
- (d) Work periods which are less than half an hour in excess of the normal working day (7 ½ hrs) shall not be eligible for overtime payments.
- (e) Overtime shall be claimed only in (15) minute bands for each day.
- (f) Overtime shall be calculated for the exact time worked and not rounded up or down to the nearest hour.

RULE IV.7

Compensatory time off for Professional staff members

Should the exigencies of the service permit, occasional compensatory time off may be granted to the Professional staff members who have been required to work substantial or recurrent periods of overtime.

RULE IV.8

Night differential for General Service staff members

General Service staff members shall receive a night differential of 25 per cent of hourly pay in respect of each hour of a regular tour of duty falling between 7 p.m. and 7 a.m. No night differential shall be paid in respect of hours of overtime worked between 7 p.m. and 7 a.m.

RULE IV.9

Education grant

Definitions

- (a) For the purposes of this Rule:
- (i) "child" means a child dependent upon the staff member for main and continuing support. "Disabled child" means a child who is unable, by reasons of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to prepare him/her for full integration into society or, while attending a normal educational institution, requires special teaching or training to assist him/her in overcoming the disability;
 - (ii) "home country" means the country of home leave of the staff member under Rule V.3. If both parents are eligible staff members, "home country" means the country of home leave of either parent;
 - (iii) "duty station" means the country or area where the staff member is serving.

Eligibility

- (b) A staff member, who is regarded as internationally recruited, who holds a fixed-term appointment and whose recognised home is outside the country of the duty station, shall be entitled to an education grant in respect of each dependent child in full-time attendance at an educational institution. If the staff member is subsequently reassigned to a duty station in his/her recognised home country during the course of a school year, the education grant may be paid for the remainder of that school year.
- (c) The education grant is payable for dependent children in full-time attendance at an educational institution from primary level up to the end of the fourth year of post-secondary studies.
- (d) For the purposes of this grant education shall be deemed "primary":
 - (i) if the child is five years of age at the beginning of the school year; or
 - (ii) from the first day of the term in which the child reaches the age of five.
- (e) The education grant is not payable when the child ceases to be in full-time attendance at an educational institution or beyond the school year in which the child reaches the age of 25, unless the child's education has been interrupted for at least one year by compulsory national service, illness or other compelling reason. In such cases the grant may be extended for the period of interruption beyond the scholastic year in which the child reaches the age of 25. The grant is also not payable in respect of:
 - (i) attendance at a kindergarten or nursery school at the pre-primary level;
 - (ii) attendance at a free school or one charging only nominal fees at the duty station;

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- (iii) correspondence courses, except those which in the opinion of the Director are the best available substitute for full-time attendance at a school of a type not available at the duty station;
 - (iv) private tuition, except tuition in a language of the home country at duty stations where satisfactory school facilities for learning that language are not available; or
 - (v) vocational training or apprenticeship which does not involve full-time schooling or in which the child receives payment for services rendered.

Admissible educational expenses

- (f) Admissible expenses shall include tuition (including tuition in the mother tongue and summer courses if certified as necessary by the school) and enrolment-related fees.
- (g) Tuition in the mother tongue may be reimbursed provided that:
 - (i) the staff member serves in a country whose language is different from his/her mother tongue;
 - (ii) the child attends a local school in which the language of instruction is not the staff member's mother tongue.
- (h) The admissible expenses as defined in paragraph (f) above are reimbursed at the rates indicated in Annex F of the Staff Rules.

Boarding costs

- (i) Boarding costs may exceptionally be reimbursed at a flat amount determined regularly by the ICSC only when a staff member serves at a field duty station classified as A to E and if the child is boarding away from the duty station.

Capital assessment fee

- (j) A capital assessment fee charged by a school attended by a child with respect to whom the education grant is paid will be reimbursed at 75 per cent of the actual amount, outside the education grant scheme.

Scholarships, bursaries or similar grants

- (k) The amount of all scholarships, bursaries or similar grants received in respect of a child will be deducted from the expenses incurred by staff members in respect of their child's education, before calculation of the grant to which they may be entitled.

Attendance for periods of less than the full scholastic year

- (l) The amount of the education grant and special education grant relating to admissible expenses for school attendance shall be prorated if the period of the child's school attendance or the staff member's period of service covers less than two thirds of the academic year. The amount of the grant relating to the flat sum for boarding shall be prorated if the period of the child's school attendance or the staff member's period of service covers less than a full academic year.
- (m) For the purpose of prorating part months:

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- (i) periods of 15 and more days shall be counted as full months;
 - (ii) periods of less than 15 days shall be counted as half months.
- (n) The education grant is not payable in respect of school attendance prior to the staff member's appointment or following the staff member's separation. However, should a staff member die during the course of the school year, education grant shall be paid for the remainder of that school year.

Education Grant Claims

- (o) Claims for education grant shall be submitted in writing and supported by evidence satisfactory to the Director.

Special Education Grant for Disabled Children

Purpose

- (p) The special education grant is designed to contribute to costs related to the education of disabled children.
- (q) The special education grant is payable to staff members who hold a fixed-term appointment, whether or not they serve in their home country, in respect of a disabled dependent child as defined in paragraph (a)(i) of this rule.
- (r) The special education grant is payable in respect of each disabled dependent child from the date on which the special teaching or training is required. Upon recommendation of the IMO Medical Adviser, the special education grant may be authorised for a disabled child attending an institution at the pre-primary level.
- (s) The special education grant shall not normally be paid beyond the end of the school year in which the dependent child reaches the age of 25. In exceptional circumstances and where certified by the IMO Medical Adviser, the grant may be extended up to the end of the school year in which the child reaches the age of 28.

Admissible educational expenses

- (t) In addition to the expenses admissible under the regular education grant, the following expenses are also admissible under the special education grant:
- (i) expenses required to provide an educational programme designed to meet the needs of a disabled child in order that he/she may attain the highest possible level of functional ability. These may include:
 - .1 charges for teaching or training services;
 - .2 other costs or fees directly related to educational programmes that are not optional or related to extracurricular activities;
 - .3 expenses for special equipment for educational purposes, if not covered under health insurance;
 - .4 expenses for full board (food and lodging), even in the case of a child attending an institution at the duty station, if, as certified by the institution, such boarding is an integral part of the educational programme;

- (ii) expenses incurred for local transportation that may be required for a disabled child, if organised by the educational institution.

Conditions and reimbursement levels of the special education grant

- (u) Claims for the grant shall be submitted annually in writing and supported by medical evidence satisfactory to the Director regarding the child's disability. The maximum amount of admissible expenses under the special education grant scheme corresponds to the maximum amount shown in the sliding scale of Annex F of the Staff Rules plus the flat rate for boarding when applicable.
- (v) Payment for each disabled child shall be 100 per cent of admissible expenses actually incurred, up to the maximum established for this entitlement.
- (w) The amount of admissible educational expenses shall be reduced by the amount of benefits or similar payments received from other sources for the child's education and training. Staff members are required to report such benefits.
- (x) If a disabled child is in full-time attendance at a regular educational institution and no special arrangements are made for the child at that institution, only the regular education grant may be payable, with no entitlement to the special education grant. In such cases, internationally recruited staff members serving in their home country and locally recruited staff members with a child attending a regular educational institution with no special arrangements shall not be entitled to education grant, whether regular or special.
- (y) When a disabled child is in full-time attendance at a normal education institution, but special arrangements are made at that institution for the child concerned, the staff member may be entitled to reimbursement under special education grant provisions, i.e. 100 per cent of the maximum admissible education expenses. Capital assessment fee is not reimbursable in such case.

RULE IV.10

Dependency allowances

- (a) Staff members in the Professional and higher categories shall be entitled to receive dependency allowances for a dependent child, a disabled child and a secondary dependant at the rates applicable in the United Nations common system as follows:
 - (i) The staff member shall receive an allowance for each dependent child except that, the allowance shall not be paid in respect of the first dependent child if the staff member receives a single parent allowance under staff rule IV.10 (c).
 - (ii) The staff member shall receive a special allowance when the dependent child is determined by the Director, on the basis of medical evidence, to be physically or mentally handicapped either permanently or for a period expected to be of long duration. However, if the staff member is entitled to the single parent allowance under staff rule IV.10 (c) in respect of a disabled child, the allowance shall be the same as the allowance for a dependent child in subparagraph (i) above.
 - (iii) Where there is no dependent spouse, a single annual allowance shall be paid for either a dependent parent, a dependent brother or dependent sister.

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- (b) Staff members in the Professional and higher categories with a recognised dependent spouse shall be entitled to receive a dependent spouse allowance in the amount of 6 per cent of net base salary plus post adjustment, regardless of where the spouse resides.
- (c) Staff members in the Professional and higher categories without a spouse shall be entitled to a single parent allowance in respect of the first dependent child in the amount of 6 per cent of net base salary plus post adjustment.
- (d) The rates of dependency allowances applicable to the General Service category shall be set out in Annex C to these Rules. If the dependent child is disabled, a further allowance equal to the allowance for an additional dependent child shall also be payable.
- (e) If both husband and wife are staff members, one only may claim for dependent children. The claim may be made under (a)(i) if at least one is in the professional or higher categories or, if not, the claim may be made under (d). In either case the other may claim for a secondary dependant only under either (a)(ii) or (d) above if otherwise entitled.
- (f) For the purpose of the Staff Regulations and Staff Rules, a dependent spouse shall be a spouse whose gross earnings, if any, do not exceed the gross salary of the General Service salary scale, in force on 1 January of the year concerned, applicable to the G.2, step I level in London.
- (g) For the purpose of the Staff Regulations and Staff Rules, a “child” is any of the following children for whom the staff member provides main and continuing support:
- (i) a staff member’s natural or legally adopted child; or
 - (ii) a staff member’s step child who is residing with the staff member; or
 - (iii) a child who cannot be legally adopted, for whom the staff member has legal responsibility and who is residing with the staff member;
- (h) For the purpose of the Staff Regulations and Staff Rules a “dependent child” is a child for whom the staff member provides main and continuing support and who meets one of the following criteria:
- (i) The child is under the age of 18 years;
 - (ii) The child is between the ages of 18 and 21 years and attends university or its equivalent full-time; the requirement of residing with the staff member does not apply in this case;
 - (iii) The child is of any age and has a disability that is permanent or for a period that is expected to be long-term that prevents substantial gainful employment.
- (i) For the purpose of the Staff Regulations and Staff Rules: a “single parent” is a staff member who does not have a spouse and has a dependent child for whom the staff member provides continuing support.
- (j) A staff member claiming a child as a dependant must certify that he or she provides main and continuous support. In this context, “main support” means an amount at least twice the amount of the child allowance. This certification must be supported by documentary evidence satisfactory to the Director, if the child:
- (i) does not reside with the staff member;
 - (ii) is married; or
 - (iii) is recognised as a dependant under subparagraph (g) (iii) above.
- (k) Where the staff member or his or her spouse receives a direct government grant in respect of the same child the dependent child allowance or single parent allowance payable under this rule shall be reduced by the amount of that grant. No dependent child allowance or single parent allowance is

payable if the governmental grant is equal to or exceeds the rate set out under the Staff Regulations and Staff Rules.

- (l) A secondary dependant shall be either a father, mother, brother or sister of whose financial support the staff member provides one half or more, and in any case at least twice the amount of the dependency allowance, provided that a dependent brother or sister shall be subject to the same age and school attendance requirements, or otherwise, as a dependent child. No allowance for a secondary dependant shall be paid to a staff member with a dependent spouse.
- (m) The claim for dependency allowances shall be supported by evidence satisfactory to the Director.
- (n) The amount of the allowance payable in local currency under (a)(ii) above shall not be less than the local currency equivalent of the dollar amount at the time it was established or last revised.

Transitional measures

- (o) A staff member in the Professional and higher categories in receipt of the dependent rate of salary in respect of a first dependent child on 31 December 2016 and who is not in receipt of the single parent allowance, shall be eligible for a transitional allowance in the amount of 6 per cent of net base salary plus post adjustment in respect of that child.
- (p) While in receipt of the transitional allowance, no concurrent payment of the dependent child allowance under staff rule IV.10 (a)(i) shall be paid in respect of that child, except where the child qualifies for a special dependency allowance for a disabled child.
- (q) The amount of the transitional allowance shall be reduced by one percentage point every 12 months thereafter, until the amount of the transitional allowance is equal or less than the amount of the dependent child allowance provided for under staff rule IV.10 (a)(i), at which time the dependent child allowance shall be payable instead.
- (r) The transitional allowance shall be discontinued earlier if the first dependent child in respect of whom the transitional allowance is payable is no longer recognised as a dependent child.

RULE IV.11

Salary advances

- (a) Salary advances may be made to staff members in the following circumstances and under the following conditions:
- (i) upon departure for extended official travel or for approved leave involving absence from duty for two or more pay days in the amount that would fall due for payment during the anticipated period of absence;
 - (ii) upon separation, where final settlement of pay accounts cannot be made at the time of departure, subject to the advance not exceeding 80% of the estimated payments due;
 - (iii) in cases where new staff members arrive without sufficient funds, in such amounts as the Director may deem appropriate;
 - (iv) upon change of official duty station or detail to mission duty, in such amounts as the Director may deem appropriate;
 - (v) to staff members in the Professional and higher categories, and General Service categories for the purchase of annual season tickets for travel to work.
- (b) The Director may, in exceptional and compelling circumstances, and if the request of the staff member is supported by a detailed justification in writing, authorize an advance for any reason other than those enumerated above.
- (c) Salary advances, other than those referred to in (a)(i), (ii) and (iii) above, shall be liquidated at a rate as determined at the time the advance is authorized, in consecutive periods commencing not later than the period following that in which the advance is made.

RULE IV.12

Pensionable remuneration

Pensionable remuneration for a staff member shall be the amount defined in Rule 103.11 of IMO's Staff Rules. The scale of pensionable remuneration for staff in the Professional and higher categories applied by IMO is reproduced at Annex E.

RULE IV.13

Deductions and contributions

- (a) Contributions to the Provident Fund, based on the staff member's pensionable remuneration as defined in Rule IV.12, shall be deducted each pay period from the total payments due to each staff member.
- (b) Deductions from salaries, wages and other emoluments may also be made for the following purposes:

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- (i) for contributions to the National Insurance scheme in the United Kingdom (if applicable);
- (ii) for accident or health insurance;
- (iii) for indebtedness to third parties when any deduction for this purpose is authorized by the Director and is made with the consent of the staff member concerned.

RULE IV.14

Recovery of payments made in error

- (a) The 1992 Fund shall be entitled to recover any payment made to a staff member in error or entitlement given in error provided that, except in cases where the bad faith of the staff member is established:
 - (i) the right of the 1992 Fund to recovery shall lapse two years after an overpayment has been made or, if several overpayments have been made over a period of time, two years after the last overpayment;
 - (ii) recovery of overpayments made over a period of time shall be limited to an amount equal to the overpayments made during the 12 months immediately preceding the last overpayment.
- (b) Unless otherwise agreed, reimbursement shall be made by deductions, over a period not exceeding 12 months, from the monthly or other payments due to the staff member concerned or from final payments in the case of a staff member separating from service.

RULE IV.15

Retroactivity of payments

A staff member who has not been receiving an allowance, grant or other payment to which he or she is entitled shall not receive retroactively such allowance, grant or payment unless the staff member has made a written claim:

- (i) in the case of the cancellation or modification of the Staff Rule governing eligibility, within three months following the date of such cancellation or modification;
- (ii) in every other case, within one year following the date on which the staff member would have been entitled to the initial payment.

RULE IV.16

Salary Scales – Transitional Measures

Following the introduction of the unified salary scale on 1 January 2017:

- (a) The salaries of staff members that are higher than those at the maximum step of their grade upon conversion to the unified salary scale on 1 January 2017 shall be maintained as a pay protection measure, until such time as the staff member is promoted or separated from service. The relevant IMO

pay protection points for staff beyond the maximum salaries on the unified salary scale are reproduced at Annex A.

- (b) Such salaries shall be adjusted for any consolidation of post adjustment to base salaries as applied by IMO. Pensionable remuneration at those steps shall be maintained and shall be adjusted corresponding to those salaries when the pensionable remuneration scale is adjusted. The relevant IMO Pensionable remuneration scale associated with pay protection points for staff beyond the maximum salaries on the unified salary scale are reproduced at Annex E.

Section V

LEAVE

RULE V.1

Annual leave

- (a) Staff members shall accrue annual leave while in full pay status at the rate of six weeks a year, subject to the provisions of Rule V.2(c), and provided that no leave shall accrue when a staff member is receiving compensation equivalent to salary and allowances under Rule VIII.3.
- (b) Annual leave may be taken in units of days or half-days. All arrangements as to leave shall be subject to the exigencies of the service which may require that leave be taken by a staff member during a period designated by the Director. Leave may be taken only when authorized but the personal circumstances and preferences of the individual staff member shall as far as possible be considered.
- (c) Not more than half the days of annual leave due in any calendar year may be carried forward from that year to the next and the total entitlement carried forward shall not exceed 60 days.
- (d) Any absence from duty not specifically covered by other provisions in these Rules shall be charged to the staff member's accrued annual leave, if any; if he/she has no accrued annual leave, it shall be considered as unauthorized and pay and allowances shall cease for the period of such absence.
- (e) A staff member may, in exceptional circumstances, be granted advance annual leave up to a maximum of two weeks provided his or her service is expected to continue for a period beyond that necessary to accrue the leave so advanced.

RULE V.2

Special leave

- (a) Special leave, with full or partial pay or without pay, may be granted in cases of extended illness, or for other important reasons for such periods as the Director may prescribe.
- (b) A staff member who has completed one year of service and who is called upon to serve in the armed forces of the State of which he/she is a national, whether for training or active duty, may be granted special leave without pay for the duration of such military service.
- (c) The Director may grant, at his discretion, special leave with full pay up to a total of 20 days per child, in the case of a legally recognized adoption.
- (d) Staff members shall not accrue service credits towards sick, annual and home leave, salary increments, termination indemnity and repatriation grant during full months of special leave with partial or without pay. Periods of less than one calendar month of such leave shall not affect the ordinary rates of accrual; nor shall continuity of service be considered broken by periods of special leave.

RULE V.3

Home leave

- (a) Staff members, who are serving outside their home country and who are otherwise eligible, shall be entitled once in every two years of qualifying service to visit their home country at the 1992 Fund's expense for the purpose of spending in that country a substantial period of annual leave. Leave taken for this purpose and under the terms and conditions set forth in this Rule shall hereinafter be referred to as home leave.
- (b) A staff member shall not be entitled to home leave unless his or her service is expected by the Director to continue at least six months beyond the date of his return from home leave.
- (c) The country of home leave shall be the country of the staff member's nationality, subject to the following terms, conditions and exceptions:
 - (i) the place of home leave of the staff member within his/her home country shall be, for purposes of travel and transportation entitlements, the place with which the staff member had the closest residential ties during the period of his or her most recent residence in his or her home country preceding appointment;
 - (ii) a staff member who has served with another public international organization immediately preceding his or her appointment shall have the place of his or her home leave determined as though his or her entire previous service with the other international organization had been with the Fund;
 - (iii) the Director, in exceptional and compelling circumstances, may authorize as the home country, for the purposes of this Rule, a country other than the country of nationality. A staff member requesting such authorization will be required to satisfy the Director that he/she maintained his or her normal residence in such other country for a prolonged period preceding his or her appointment.
- (d) The first home leave for an eligible staff member shall fall due in the second calendar year after the one in which he/she was appointed or in which entitlement is acquired.
- (e) A staff member may be required to take his or her home leave in conjunction with travel on official business, due regard being paid to the interests of the staff member and his/her family.
- (f) Subject to the conditions specified in Rule VII.1 of these Rules, a staff member shall be entitled to claim in respect of authorized travel on home leave, travel time and expenses for himself or herself and eligible dependants for the outward and return journeys between his or her official duty station and the place of residence in his or her home country.
- (g) Travel of dependants shall be in conjunction with the approved home leave of the staff member provided that exceptions may be granted if the exigencies of the service or other special circumstances prevent the staff member and his or her dependants from travelling together.
- (h) If both husband and wife are staff members eligible for home leave, they shall be granted home leave when due, with or without the other spouse, except that neither shall be entitled to more than one travel every two years. Dependent children whose parents are staff members each of whom is entitled to home leave, may accompany either parent provided that the frequency of travel does not exceed once in every two years.

- (i) A staff member, and all entitled dependants, travelling on home leave shall be required to spend a substantial period of leave in his or her home country. The Director may request a staff member, on his/her return from home leave, to furnish satisfactory evidence that this requirement has been fully met.

Section VI

SEPARATION

RULE VI.1

Termination indemnity

- (a) Staff members with contracts for a term exceeding six months whose contracts are terminated under Staff Regulation 21 shall be paid an indemnity in accordance with the following schedule, except as provided in sub-paragraph (b)

| Completed years of service with the 1971 Fund and 1992 Fund | Months of separation payments, where applicable ⁽¹⁾ or Months of net pensionable remuneration (including language allowances) where applicable ⁽²⁾ |
|---|--|
| Up to 5 years | One week for each month of uncompleted service subject to a minimum of six weeks and a maximum of three months indemnity pay |
| Less than 6 years | 3 months |
| Less than 7 years | 5 months |
| Less than 8 years | 7 months |
| Less than 9 years | 9 months |
| Less than 10 years | 9 ½ months |
| Less than 11 years | 10 months |
| Less than 12 years | 10 ½ months |
| Less than 13 years | 11 months |
| Less than 14 years | 11 ½ months |
| 14 years or more | 12 months |

⁽¹⁾ Separation payments for staff in the Professional and higher categories shall be determined by the net base salary scale shown in Annex A plus the application of the post adjustment multiplier in force at the time of separation.

⁽²⁾ For staff in the General service category.

- (b) No indemnity shall be paid to a staff member who is summarily dismissed. A staff member whose contract is terminated for unsatisfactory services or who for disciplinary reasons is dismissed for misconduct other than by summary dismissal may be paid, at the discretion of the Director, an indemnity not exceeding one half of the indemnity provided under paragraph (a) above.
- (c) Length of service shall be deemed to comprise the total period of a staff member's full time continuous service with the Fund, regardless of types of appointment. Continuity of such service shall not be considered as broken by periods of special leave without pay or on partial pay but full months of any such periods exceeding one calendar month shall not be credited as service for

indemnity purposes; periods of less than one calendar month shall not affect the ordinary rates of accrual.

- (d) Termination indemnity shall not be paid to any staff member who, upon separation, will receive compensation for permanent disability under Rule VIII.3.

RULE VI.2

Repatriation grant

- (a) A repatriation grant shall be payable to any non-locally recruited staff member who, on leaving the 1992 Fund otherwise than by summary dismissal, has completed five years of service outside the country of his or her home. For the purpose of this Rule, dependants shall mean a spouse and/or dependent children. Current staff members in service on 30 June 2016 who have not yet completed five years of service will retain their eligibility to repatriation grant within the grant schedule in place on that date.
- (b) In the event of the death of a staff member who at the time of death would have been eligible for the grant, payment shall be made to the spouse and dependent children. If there is one such surviving dependant, the grant shall be paid at the single rate; if there is more than one, it shall be paid at the dependency rate. If there is no such surviving dependant, no payment shall be made.
- (c) The repatriation grant shall be computed in accordance with the following schedule. If service in the final year is less than twelve full months, the grant shall be paid in respect of completed months of service in that year.

| Years of continuous service away from the home country with the 1971 Fund and 1992 Fund | Staff member with neither a spouse nor a dependent child at time of separation | | |
|---|--|------------------------------------|--------------------------|
| | Staff member with a spouse or dependent child at time of separation | Professional and Higher categories | General Service Category |
| | Weeks of separation payments, where applicable ⁽¹⁾ or | | |
| | Weeks of pensionable remuneration less staff assessment, where applicable ⁽²⁾ | | |
| 1 | 4 | 3 | 2 |
| 2 | 8 | 5 | 4 |
| 3 | 10 | 6 | 5 |
| 4 | 12 | 7 | 6 |
| 5 | 14 | 8 | 7 |
| 6 | 16 | 9 | 8 |
| 7 | 18 | 10 | 9 |
| 8 | 20 | 11 | 10 |
| 9 | 22 | 13 | 11 |
| 10 | 24 | 14 | 12 |
| 11 | 26 | 15 | 13 |
| 12 or more | 28 | 16 | 14 |

⁽¹⁾ For staff in the Professional and higher categories, the repatriation grant shall be determined by the net base salary scale shown in Annex A.

⁽²⁾ For staff in the General Service category.

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- (d) "Repatriation" as used in this Rule shall mean the obligation to return a staff member and his/her dependants, upon separation, at the expense of the 1992 Fund, to a place outside the country of his/her duty station.
 - (e) "Home country" as used in this Rule shall mean the country of home leave entitlement under Rule V.3 or such other country as the Director may determine.
 - (f) If at any time the staff member was considered to have acquired permanent residence in the country of his or her duty station and subsequently changed from such status, his or her continuous service will be deemed to have commenced at the time the change was made. Continuity of such service shall not be considered as broken by periods of special leave without pay or in partial pay, but full months of any such periods shall not be credited as service for the purpose of calculating the amount of the grant payable; periods of less than one calendar month shall not affect the ordinary rates of accrual.
 - (g) Payment of the repatriation grant shall be subject to the provision by the former staff member of evidence of relocation away from the country of the last duty station.
 - (h) Evidence of relocation shall be constituted by documentary evidence that the former staff member has established residence in a country other than that of the last duty station, such as a declaration by the immigration, police, tax or other authorities of the country or by the former staff member's new employer.
 - (i) Payment of the grant may be claimed by the former staff member within two years of the effective date of separation.
 - (j) No payment shall be made to a staff member who abandons his or her post, nor to any staff member who is residing at the time of separation in his or her home country while performing his or her official duties.
 - (k) Dependants, within the meaning of this Rule, shall consist of (i) a spouse or (ii) children in respect of whom a staff member, at the time of separation, is receiving dependency allowances under Rule IV.10. The repatriation grant shall be paid at the dependency rate to staff members with dependants regardless of the place of residence of the dependants.
 - (l) Where both husband and wife are staff members and each is entitled, on separation, to payment of a repatriation grant, payment shall be made to each, at single rates, according to their respective entitlements, provided that, where dependent children are recognized, the first parent to be separated may claim payment at dependency rates. In this event the second parent, on separation, may claim payment at the single rate for the period of qualifying service subsequent thereto; or, if eligible, at the dependency rate for the whole period of his/her qualifying service, from which shall normally be deducted the amount of the repatriation grant paid to the first parent.
 - (m) Loss of entitlement to payment of return travel expenses under Rule VII.3 shall not affect a staff member's eligibility for payment of the repatriation grant.
 - (n) In the event of the death of an eligible staff member, no payment shall be made unless there is a surviving spouse or one or more dependent children whom the Fund is obligated to return to their home country.

RULE VI.3

Expiration of fixed-term appointments

- (a) An appointment for a fixed term shall expire automatically on the expiration date specified in the letter of appointment.
- (b) Where it is not intended to offer reappointment for a period of at least one year to a member of the Secretariat serving under a fixed-term contract, the Director shall inform the staff member of the intention not to offer reappointment at least six months before the date of expiry of the contract.
- (c) Separation as a result of the expiration of any such appointment shall not be regarded as a termination within the meaning of the Staff Regulations and Rules.

RULE VI.4

Commutation of accrued annual leave

If upon separation a staff member has accrued annual leave, he/she shall be paid in lieu thereof a sum of money for the period of such accrued leave, up to a maximum of 60 working days. The payments shall be calculated:

- (a) for staff in the Professional and higher categories, on the basis of the staff member's net base salary plus post adjustment at the time of separation;
- (b) for staff in the General Service category, on the basis of the staff member's net pensionable salary (including language and non-resident's allowances, where applicable).

RULE VI.5

Restitution of advance annual and sick leave

Upon separation, a staff member who has taken advance annual or sick leave beyond that which he/she has subsequently accrued, shall make restitution for such advance leave by means of a cash refund or an offset against monies due to him/her from the 1992 Fund, equivalent to the remuneration received, including allowances and other payments in respect of the advance leave period. The Director may waive this requirement if satisfied that there are exceptional or compelling reasons for so doing.

RULE VI.6

Certification of service

Any staff member who so requests shall, on leaving the service of the 1992 Fund, be given a statement relating to the nature of his/her duties and the length of his/her service. On his/her written request, the statement shall also refer to the quality of the staff member's work and official conduct.

RULE VI.7

Last day for pay purposes

- (a) When a staff member is separated from service, the date on which entitlement to salary, allowances and benefits shall cease shall be determined according to the following provisions:
- (i) upon resignation, the date shall be either the date of expiration of the notice period under Staff Regulation 24 or such other date as the Director accepts. Staff members will be expected to perform their duties during the period of notice or resignation, except when the resignation takes effect upon the completion of maternity or paternity leave or following sick or special leave. Annual leave will be granted during the notice of resignation only for brief periods and for purposes not inconsistent with the provisions of Rule VI.4;
 - (ii) upon expiration of a fixed-term appointment, the date shall be the date specified in the letter of appointment;
 - (iii) upon termination, the date shall be the date provided in the notice of termination;
 - (iv) upon retirement, the date shall be the date approved by the Director for retirement;
 - (v) in the case of summary dismissal, the date shall be the date of dismissal;
 - (vi) in the case of the death of a staff member holding an appointment for at least one year or who has completed at least one year's service, the date on which entitlement to salary, allowances and benefits shall cease shall be the date of death, unless there is a surviving spouse or dependent child. In this event, the date shall be determined in accordance with the following schedule:

| Completed years of service with the 1971 Fund and 1992 Fund (as defined in Rule VI.1) | Months of extension beyond the date of death |
|---|---|
| 3 or less | 3 |
| 4 | 4 |
| 5 | 5 |
| 6 | 6 |
| 7 | 7 |
| 8 | 8 |
| 9 or more | 9 |

- (1) For staff in the Professional and higher categories, payment shall be determined by the net base salary scale shown in Annex A.
- (2) For staff in the General Service category, payment shall be made on the basis of net pensionable salary (including language and non-resident's allowances, where applicable).

Payment related to the period of extension beyond the date of death may be made in a lump sum as soon after death as the pay accounts and related matters can be closed. Such payments shall be made only to the surviving spouse or dependent child or children. All other entitlements and accrual of benefits shall cease as of the date of death.

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- (b) When an internationally recruited staff member is exercising an entitlement to return travel, the last day for pay purposes shall be the date established under paragraph (a) (i), (ii) or (iii) above, or the estimated date of arrival at the place of entitlement, whichever is later. The estimated date of arrival shall be determined on the basis of the time it would take to travel without interruption by an approved route and mode of direct travel from the duty station to the place of entitlement, the travel commencing no later than the day following the date established under paragraph (a) above.

RULE VI.8

Transportation of decedents

Upon the death of a staff member or of his or her recognized dependant, the 1992 Fund shall pay the expenses of transportation of the body from his or her official duty station or, in the event of death having occurred whilst in travel status, from the place of death to a place to which the staff member or his or her dependant was entitled to return transportation under Rule VIII.1 or VII.2. These expenses shall include reasonable costs for preparation of the body.

Section VII

TRAVEL AND REMOVAL EXPENSES

RULE VII.1

Official travel of staff members

- (a) Subject to the conditions laid down in these Rules, the 1992 Fund shall pay the travel expenses of a staff member in the following circumstances:
- (i) on initial appointment for internationally recruited staff;
 - (ii) when required to travel on official business;
 - (iii) on home leave, in accordance with the provisions of Rule V.3;
 - (iv) on separation from service.
- (b) Under sub-paragraph (iv) above, the 1992 Fund shall pay the travel expenses of a staff member to the place from which he/she was recruited or, if he/she had an appointment for a period of two years or longer or had completed not less than two years of continuous service, to the place recognized as his or her home for the purposes of home leave under Rule V.3. Should a staff member, on separation, wish to go to any other place, the travel expenses borne by the Fund shall not exceed the maximum amount that would have been payable respectively on the basis of return transportation to the place of recruitment or of home leave.

RULE VII.2

Official travel of dependants

- (a) Subject to the conditions laid down in these Rules, the 1992 Fund shall pay the travel expenses of a staff member's eligible dependants under the following circumstances:

-
- (i) on the initial appointment of a staff member who is considered to have been internationally recruited, provided the appointment is for a period of one year or longer, and provided his or her services are expected by the Director to continue for more than six months beyond the date on which travel of his or her dependants commences;
 - (ii) following completion by the staff member of not less than one year of continuous service, provided his or her services are expected by the Director to continue for more than six months beyond the date on which travel of his or her dependants commences;
 - (iii) on home leave, in accordance with the provisions of Rule V.3;
 - (iv) on separation of a staff member from service, provided his or her appointment was for a period of one year or longer or he/she had completed not less than one year of continuous service;
 - (v) on journeys approved in connection with the education of a staff member's child.
- (b) Under sub-paragraphs (i) and (ii) of paragraph (a) above, the 1992 Fund shall pay the travel expenses of a staff member's eligible dependants either from the place of recruitment or from the place recognized as his or her home for the purposes of home leave. Should a staff member wish to bring any eligible dependants to his or her official duty station from any other place, the travel expenses borne by the Fund shall not exceed the maximum amount that would have been payable on the basis of travel from place of recruitment or home leave.
- (c) Under sub-paragraph (iv) of paragraph (a) above, the 1992 Fund shall pay the travel expenses of a staff member's eligible dependants from his or her official duty station to the place to which he/she is entitled to be returned, in accordance with the provisions of Rule VII.1.

RULE VII.3

Loss of entitlement to return transportation

- (a) A staff member who resigns before completing one year of service or within six months following the date of his or her return from home leave shall not normally be entitled to payment of return travel expenses for himself/herself or his or her dependants. The Director may, however, authorize such payment if he is satisfied there are compelling reasons for so doing.
- (b) Entitlement to return travel expenses shall cease if travel has not commenced within six months of the date of separation.

RULE VII.4

Eligible dependants

- (a) Dependants, for the purposes of official travel, shall be deemed to comprise (i) a spouse and (ii) children in respect of whom a dependency allowance or a single parent allowance is payable under Rule IV.10, a grant is payable under Rule IV.9(c) or in respect of whom such an allowance would be payable if, under the Staff Regulations or Rules, the staff member concerned was not specifically excluded from entitlement. A child of more than 21 years of age may also be considered a dependant for travel purposes if totally disabled.

- (b) The Director may authorize payment of the travel expenses of a child for one trip either to the staff member's duty station or to his/her home country beyond the age when the dependency status of the child would otherwise cease under the relevant Staff Regulations and Staff Rules, either within one year or upon completion of the child's continuous full-time attendance at a university, when the attendance at the university commenced during the period of recognized dependency status.

RULE VII.5

Authority for travel

Before travel is undertaken it shall be authorized in writing by the Director. In exceptional cases staff members may be authorized to travel on oral orders but such oral authorization shall require written confirmation. A staff member shall be personally responsible for ascertaining that he/she has the proper authorization before commencing travel.

RULE VII.6

Travel expenses

- (a) Travel expenses of staff members and their dependants shall be paid or reimbursed according to rates and upon conditions established by the Director and shall include:
- (i) transportation expenses (ie carrier fare);
 - (ii) terminal expenses;
 - (iii) transit expenses;
 - (iv) travel subsistence allowance;
 - (v) necessary additional expenses incurred during travel.
- (b) Staff members shall exercise the same care in incurring expenses that a prudent person would exercise if travelling on personal business.

RULE VII.7

Route, mode and standard of travel

- (a) Official travel shall in all instances be by a route, mode and standard of travel approved in advance by the Director.
- (b) The mode of travel shall normally be by air.
- (c) Except for the Director, payment by the 1992 Fund of air travel expenses shall be limited to the cost of business class accommodation.
- (d) Travel subsistence or other entitlements including travel time shall be limited to the amount allowable for a journey by the approved route, mode and standard. Staff members who wish to

make other arrangements for personal convenience must obtain permission to do so in advance and pay all additional costs.

RULE VII.8

Illness or accident during travel

The 1992 Fund shall pay or reimburse reasonable hospital and medical expenses, in so far as these are not covered by other arrangements which may be incurred by staff members who become ill or are injured while in travel status on official business.

RULE VII.9

Removal costs

- (a) Subject to the conditions laid down in these Rules, the 1992 Fund shall pay expenses in connection with the removal of an internationally recruited staff member's personal effects and household goods, in the following circumstances:
- (i) on initial appointment provided the appointment is for a period of two years or longer;
 - (ii) following completion by a staff member of not less than two years of continuous service;
 - (iii) upon separation from service, provided the staff member had an appointment for a period of two years or longer or had completed not less than two years of continuous service.
- (b) Under sub-paragraphs (i) and (ii) of paragraph (a) above, the 1992 Fund shall pay the expenses of removing a staff member's household goods and personal effects either from the place of recruitment or from the place recognized as his or her home for purposes of home leave under Rule V.3; provided that the goods and effects were in his or her possession at the time of appointment, were used by him/her and/or his or her dependants and are being transported for his or her own use. Payment of removal expenses from a place other than those specified may be authorized by the Director in exceptional cases, on such terms and conditions as he/she deems appropriate.
- (c) Under sub-paragraph (iii) of paragraph (a) above, the 1992 Fund shall pay the expenses of removing a staff member's household goods and personal effects from his or her official duty station to any one place to which he/she is entitled to be returned in accordance with the provisions of Rule VII.1, or any other one place authorized by the Director in exceptional cases on such terms and conditions as he/she deems appropriate, provided the goods and effects were in the staff member's possession at the time of separation, were used by him/her and/or his or her dependants and are being transported for his or her own use.
- (d) Payment by the 1992 Fund of removal expenses shall be subject to the following conditions:
- (i) the entitlements shall be a standard 20-foot container for single staff members and a 40-foot container for staff members with one or more dependants residing with the staff member at his or her official duty station, regardless of the weight of the household goods;

- (ii) storage charges, other than those directly incidental to normal transportation expense, shall not normally be allowed;
 - (iii) reasonable costs of packing, crating, cartage, unpacking and uncrating shall be allowed for shipments within the limits of authorized weights or volume, except that costs for servicing of appliances, dismantling or installation of fixtures or special packing will not be borne by the 1992 Fund;
 - (iv) transportation shall be by the most economical means as determined by the Director, taking into account costs of packing, crating, cartage, unpacking and uncrating;
 - (v) the cost of insurance in transit of personal effects and household goods (excluding any articles of value for which special rates of premium are charged) shall be reimbursed, up to a maximum of US\$40 000 valuation for a staff member without dependants and US\$65 000 valuation for a staff member with one or more dependants. The 1992 Fund shall in no case be responsible for loss or breakage;
 - (vi) privately-owned automobiles shall not be transported at the Fund's expense.
- (e) Removal costs shall not be payable under this Rule in the case of mission service.
 - (f) Where both husband and wife are staff members, and each is entitled to removal of personal effects and household goods, the maximum weight and volume that may be removed at the 1992 Fund's expense for both of them shall be that provided for a staff member with dependants residing with him/her at his or her duty station.
 - (g) A flat rate amount may be paid in lieu of the relocation shipment-under conditions established by the Director which are in accordance with IMO.

RULE VII.10

Loss of entitlement to removal expenses

- (a) A staff member who resigns before completing two years of service shall not normally be entitled to payment of removal expenses under Rule VII.9 above.
- (b) Entitlement to removal expenses under Rule VII.9(a), (i) and (ii) shall cease when the staff member's services are not expected to continue for more than six months beyond the proposed date of arrival of the household goods and effects.
- (c) Entitlements to relocation expenses on appointment shall cease if the removal has not commenced within two years of the date on which the staff member became entitled to removal expenses.
- (d) Entitlement to removal expenses on separation from service shall cease if removal has not commenced within two years after the date of separation.

Section VIII

SOCIAL SECURITY

RULE VIII.1

Sick leave

- (a) Staff members who are incapacitated from the performance of their duties by illness or injury or whose attendance is prevented by public health requirements will be granted sick leave in accordance with the following provisions:
- (i) all sick leave must be approved by the Director;
 - (ii) a staff member holding a fixed-term appointment for less than one year or who has completed less than one year of continuous service shall be granted sick leave credit at the rate of two working days per month of contractual service;
 - (iii) a staff member holding a fixed-term appointment of one year or longer or who has completed one year of continuous service shall be granted sick leave of up to three months on full salary and three months on half salary in any period of twelve consecutive months;
 - (iv) a staff member holding a fixed-term appointment for not less than three years or who has completed three years of continuous service shall be granted sick leave of up to eighteen months in any period of four consecutive years, nine months on full salary and nine months on half salary;
 - (v) staff members shall be responsible for informing their supervisors as soon as possible of absences due to illness or injury;
 - (vi) except with the approval of the Director, no staff member may be granted sick leave for a period of more than seven consecutive working days without producing a certificate from a duly qualified medical practitioner, to the effect that he/she is unable to perform his or her duties and stating the nature of the illness, and the probable duration of incapacity. Such certificate shall, except in circumstances beyond the control of the staff member, be produced not later than the end of the eighth working day following the initial absence from duty of the staff member;
 - (vii) after a staff member has taken periods of non-certified sick leave totalling seven working days within a leave year, any additional sick leave within that year shall either be supported by a medical certificate or be deducted from annual leave or charged as special leave without pay. Part or all of this seven-day entitlement may be used to attend to family-related emergencies.
 - (viii) a staff member may be required at any time to submit a medical report as to his or her condition or to undergo examination by a medical practitioner named by the Director. If the Director is satisfied that a medical condition impairs a staff member's ability to perform his or her functions, the staff member may be directed not to attend the office and requested to seek treatment from a duly qualified practitioner. The staff member shall comply promptly with any direction or request under this rule;

- (ix) a staff member shall not, whilst on sick leave, leave the area of duty station without the prior approval of the Director.
- (b) When sickness of more than seven consecutive working days occurs within a period of annual leave, including home leave, sick leave may be approved on production of an appropriate medical certificate or other satisfactory evidence. In such circumstances, a staff member should submit his/her request for sick leave together with supporting certificate or other evidence as soon as practicable, and in any event immediately on his/her return to duty.
- (c) A staff member shall immediately notify the Director in any case of contagious disease occurring in his/her household or of any quarantine order affecting his/her household. A staff member who, as a result of these circumstances, is directed not to attend the office shall receive his/her full salary and other emoluments for the period of authorized absence.
- (d) Entitlement to sick leave shall lapse on the final date of a staff member's appointment.

RULE VIII.2

Maternity and Paternity leave

- (a) A staff member shall be entitled to maternity leave in accordance with the following provisions:
 - i) The leave shall extend for a total period of 16 weeks from the time it is granted, except as provided in subparagraph (iii) below.
 - ii) The leave shall commence six weeks prior to the anticipated date of birth upon production of a certificate from a duly qualified medical practitioner or midwife indicating this date. However, at the staff member's request and upon production of a certificate from a duly qualified medical practitioner or midwife indicating that she is fit to continue working, the absence may be permitted to commence less than six weeks but normally not less than two weeks before the anticipated date of birth. The pre-delivery leave shall extend to the actual date of birth.
 - iii) The post-delivery leave shall extend for a period equivalent to the difference between 16 weeks and the actual period of pre-delivery leave, subject to a minimum of 10 weeks. However, the staff member, on request, may be permitted to return to work after the lapse of a minimum period of six weeks following delivery.
 - iv) The staff member shall receive maternity leave with full pay for the entire duration of her absence under subparagraphs (ii) and (iii) above.
- b) Subject to conditions established by the Director, a staff member shall be entitled to paternity leave in accordance with the following provisions:
 - i) The leave shall be granted for a total period of up to four weeks or, in the case of internationally recruited staff members serving at a non-family duty station, up to eight weeks. In exceptional circumstances, leave shall be granted for a total period of up to eight weeks (this applies to all staff members);
 - ii) the leave may be taken either continuously or in separate periods in the twelve months following the birth of the child, provided it is completed within that period;

- iii) the staff member shall receive paternity leave with full pay for the entire duration of his absence.
- c) Where both the husband and wife are staff members, an unused portion of maternity leave to which the mother would otherwise have been entitled under paragraph (a) above may be used as a paternity leave by the father of the child, under conditions established by the Director. Alternatively, paternity leave may be charged to the father's annual leave entitlement.
- d) Sick leave shall not normally be granted for maternity cases except where serious complications arise.
- e) Annual leave shall accrue during the period of maternity or paternity leave.

RULE VIII.3

Compensation for death, injury or other disability
attributable to service

- a) Staff members shall be entitled to compensation in the event of death, injury or illness attributable to the performance of critical duties on behalf of the 1992 Fund or the Supplementary Fund, in accordance with conditions to be laid down by the Director.
- (b) Staff members shall be entitled to join a private health scheme prescribed by the Director on terms laid down by him/her including reimbursement by the 1992 Fund of up to 75% of the premium paid by the staff member. If a staff member is a member of any other health scheme he/she shall be entitled to reimbursement by the Fund of up to 75% percent of the premiums paid by him/her up to but not exceeding the sum to which he/she would have been entitled if he/she had joined a prescribed scheme.

RULE VIII.4

Compensation for loss or damage to personal effects

Staff members shall be entitled, at the discretion of the Director, to reasonable compensation in the event of loss or damage to their personal effects, determined to be directly attributable to the performance of official duties on behalf of the 1992 Fund or the Supplementary Fund.

RULE VIII.5

Provident Fund

- (a) A Provident Fund shall be established within the 1992 Fund with effect from 16 May 1998.
- (b) All staff members as defined in sub-clause VIII.5(h) shall participate in the 1992 Fund Provident Fund which shall consist of:
 - (i) contributions of 7.9% of the pensionable remuneration of all staff members payable by them as from the dates of commencement of their services with the 1992 Fund respectively;

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- (ii) contributions of 15.8% of the pensionable remuneration of staff members to be made by the 1992 Fund as from the date of commencement of their services with the 1992 Fund respectively;
 - (iii) any amount transferred to the Provident Fund of the 1992 Fund at the staff member's request from his or her share as at 15 May 1998 of the Provident Fund of the 1971 Fund, including interest thereon;
 - (iv) the additional voluntary contributions of up to 23.7% of the pensionable remuneration of staff members from the commencement of their services with the 1992 Fund or at a future agreed date. The Organisation's contribution would be retained at 15.8% of pensionable remuneration;
 - (v) the interest accrued from the investment of amounts referred to in (i)-(iv).
- (c) Payment of contributions to the 1992 Provident Fund shall be effected monthly.
 - (d) The administration, investment and control of the Provident Fund is the responsibility of the Director.
 - (e) The share of the staff member in the Provident Fund shall, at the discretion of the Director, be payable upon separation of the staff member from the 1992 Fund or to his or her nominated beneficiary on his or her death. A staff member whose contract is terminated within or at the end of a probationary period shall be entitled only to that part of his or her share of the Provident Fund contributed by himself or herself plus the interest accruing thereon, unless such separation is in the opinion of the Director due to health reasons; the Fund's contribution under paragraph (b)(ii) of this Rule plus interest thereon shall revert to the Fund.
 - (f) The final date used for the calculation of payment of the staff member's share in the Provident Fund shall be determined by the application of Rule VI.7.
 - (g) The auditing of the Provident Fund shall be carried out in conjunction with the annual auditing of the accounts of the 1992 Fund.
 - (h) For the purpose of this Rule "staff member" means a person holding a fixed-term contract with the 1992 Fund for a period exceeding six months.
 - (i) The share of a staff member in the Provident Fund shall be the contributions referred to in paragraphs (b) (i), (ii) and (iv) of this Rule and any amount transferred pursuant to paragraph (b) (iii) together with interest thereon less a proportion of any administrative expenses or banking charges incurred in respect of the Provident Fund.
 - (j) The share of a staff member in the Provident Fund may be lent as a housing loan to the staff member concerned in conformity with the terms and conditions specified by an administrative directive issued by the Director. The Director shall report such administrative directives and amendments thereto to the Assembly.

STAFF RULE VIII.6

Co-operation in the investigation of misconduct

Staff members must respond promptly and fully to requests for information from other staff members of the Organisations and/or other officials duly authorised to investigate cases of alleged misconduct, such as:

- Fraud;
- Misuse of funds;
- Abuse of trust;
- Breaches of the Organisations' regulations, rules and pertinent administrative instructions; and
- Mismanagement.

* * *

APPEALS BOARD

Rules of procedure

I Lodging of appeals

- (a) No appeal shall be admissible unless the appellant has previously lodged a request in accordance with Staff Regulation 29.
- (b) Appeals shall be lodged with the Chairman of the Appeals Board within 30 days of notification of the Director's decision to reject the application. This period shall, however, be increased to 90 days if an appeal is lodged by a rightful claimant to the staff member's estate. In the absence of a decision by the Director concerning the application, the period shall run from the date of expiry of the time-limits within which, under Staff Regulation 29, the Director may decide on the request.
- (c) In exceptional circumstances, however, the Appeals Board may declare admissible an appeal lodged after the expiry of these periods.
- (d) The Chairman shall designate which of the other members shall act on his/her behalf during his/her absence.

II Written proceedings

- (a) An appeal shall be made in writing and signed by the applicant. The grounds on which it is based shall be stated therein and it shall be accompanied by supporting documents.
- (b) Two copies of the appeal shall be given to the Chairman who shall communicate one copy to the Director.
- (c) The Chairman shall decide within what period of time the Director is to submit written comments which shall be forwarded to the appellant. The Chairman shall also decide within what period of time the appellant may submit his or her reply if he/she so wishes.
- (d) The Director's comments and the appellant's reply shall be supported by documents not already submitted. Each party shall be entitled to receive copies of the other's memorandum and to receive copies of, or to inspect, supporting documents.
- (e) The Chairman may, on his/her own initiative or at the request of either party, call upon the parties to submit additional written statements or additional documents within a period fixed by him/her.

III Convening of hearings

- (a) The Appeals Board shall be convened by the Chairman who shall fix the date for the hearing of an appeal. This date will not be later than four months after the lodging of the appeal unless the Board otherwise determines.
- (b) The Chairman shall designate the substitute members to sit on a particular hearing if any member is unavailable.
- (c) The venue of the hearing shall be in London at a place fixed by the Chairman unless the Board decides otherwise.

- (d) The appeal, together with the memoranda and other supporting documents, the comments of the Director and the appellant's reply, if any, shall be communicated to the members of the Appeals Board at least fifteen days before the date of the hearing.
- (e) The Chairman shall be responsible for transmitting communications to the parties.

IV The Hearing

- (a) The Board shall decide in each case what form of record shall be taken at a hearing.
- (b) The Board shall determine the sequence of the proceedings.
- (c) The Board may examine the witnesses and experts. The parties and/or their representatives may, under the control of the Chairman, put questions to witnesses and experts and they shall have the right of oral argument and comment on the evidence given.
- (d) The Board may exclude from the proceedings evidence which it considers irrelevant, and may limit oral evidence where it considers the written documentation adequate.
- (e) The Board may at its discretion receive written or oral representations from any staff member, other than the applicant, who considers that his or her own rights or interests may be affected by the Board's decision in a particular appeal.

V Decisions

- (a) A copy of the decision certified by the Chairman shall be delivered to each of the parties concerned. The original shall be deposited in the archives of the Fund.
- (b) Decisions of the Board including its reasons shall be in writing. Decisions shall not be published unless the Board decides otherwise in any given case. Decisions shall be given as soon as possible but normally within 21 days of conclusion of the hearing.
- (c) Application for rectification of a decision may be made to the Board on the ground that the decision contained a clerical error.

VI General

All procedural matters not expressly provided for in these Rules shall be dealt with by the Board in the particular appeal.

ANNEX A
SALARY SCALE FOR PROFESSIONAL AND HIGHER CATEGORIES SHOWING
ANNUAL GROSS SALARIES AND NET EQUIVALENTS AFTER APPLICATION OF STAFF ASSESSMENT
(In United States dollars)
Effective 1 January 2023

| Level | | STEPS | | | | | | | | | | | | |
|-------|-------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| | | I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII |
| USG | Gross | 212,632 | | | | | | | | | | | | |
| | Net | 155,837 | | | | | | | | | | | | |
| ASG | Gross | 193,080 | | | | | | | | | | | | |
| | Net | 142,933 | | | | | | | | | | | | |
| D-2 | Gross | 154,212 | 157,747 | 161,282 | 164,820 | 168,359 | 171,895 | 175,429 | 178,968 | 182,503 | 186,038 | - | - | - |
| | Net | 117,280 | 119,613 | 121,946 | 124,281 | 126,617 | 128,951 | 131,283 | 133,619 | 135,952 | 138,285 | - | - | - |
| D-1 | Gross | 137,890 | 140,817 | 143,750 | 146,680 | 149,599 | 152,683 | 155,789 | 158,889 | 161,998 | 165,102 | 168,206 | 171,308 | 174,415 |
| | Net | 106,023 | 108,072 | 110,125 | 112,176 | 114,219 | 116,271 | 118,321 | 120,367 | 122,419 | 124,467 | 126,516 | 128,563 | 130,614 |
| P-5 | Gross | 118,901 | 121,393 | 123,886 | 126,373 | 128,866 | 131,353 | 133,847 | 136,336 | 138,827 | 141,316 | 143,809 | 146,294 | 148,790 |
| | Net | 92,731 | 94,475 | 96,220 | 97,961 | 99,706 | 101,447 | 103,193 | 104,935 | 106,679 | 108,421 | 110,166 | 111,906 | 113,653 |
| P-4 | Gross | 97,139 | 99,353 | 101,701 | 104,104 | 106,507 | 108,910 | 111,317 | 113,720 | 116,123 | 118,523 | 120,931 | 123,329 | 125,733 |
| | Net | 77,326 | 79,008 | 80,691 | 82,373 | 84,055 | 85,737 | 87,422 | 89,104 | 90,786 | 92,466 | 94,152 | 95,830 | 97,513 |
| P-3 | Gross | 79,764 | 81,813 | 83,863 | 85,909 | 87,961 | 90,008 | 92,057 | 94,108 | 96,155 | 98,203 | 100,279 | 102,501 | 104,727 |
| | Net | 64,121 | 65,678 | 67,236 | 68,791 | 70,350 | 71,906 | 73,463 | 75,022 | 76,578 | 78,134 | 79,695 | 81,251 | 82,809 |
| P-2 | Gross | 61,680 | 63,512 | 65,343 | 67,175 | 69,011 | 70,845 | 72,680 | 74,507 | 76,341 | 78,172 | 80,005 | 81,842 | 83,672 |
| | Net | 50,377 | 51,769 | 53,161 | 54,553 | 55,948 | 57,342 | 58,737 | 60,125 | 61,519 | 62,911 | 64,304 | 65,700 | 67,091 |
| P-1 | Gross | 47,471 | 48,896 | 50,349 | 51,905 | 53,459 | 55,017 | 56,570 | 58,128 | 59,682 | 61,239 | 62,793 | 64,347 | 65,904 |
| | Net | 39,401 | 40,584 | 41,765 | 42,948 | 44,129 | 45,313 | 46,493 | 47,677 | 48,858 | 50,042 | 51,223 | 52,404 | 53,587 |

Note: The normal qualifying period for in-grade movement between consecutive steps is one year. The shaded steps in each grade require two years of qualifying service at the preceding step.

PAY PROTECTION POINTS FOR STAFF BEYOND THE MAXIMUM SALARIES ON THE UNIFIED SALARY SCALE
(In United States dollars)
Effective 1 January 2023

| | | PP1 | PP2 |
|------------|--------------|----------------|----------------|
| P 4 | Gross | 128,140 | 130,544 |
| | Net | 99,198 | 100,881 |
| P 3 | Gross | 106,950 | 109,173 |
| | Net | 84,365 | 85,921 |
| P 2 | Gross | 85,504 | |
| | Net | 68,483 | |
| P 1 | Gross | 67,458 | |
| | Net | 54,768 | |

ANNEX B

**STAFF ASSESSMENT RATES FOR THE PROFESSIONAL
AND HIGHER CATEGORIES**

- a) **Staff assessment rates for purposes of pensionable remuneration and pensions (effective 1 January 2019)**

| Total assessable payments (in US dollars) | Percentage |
|--|-------------------|
| Up to 20,000 per year | 19 |
| 20,001 to 40,000 per year | 23 |
| 40,001 to 60,000 per year | 26 |
| 60,001 to 80,000 | 28 |
| 80,001 and above per year | 29 |

- b) **Staff assessment rates used in conjunction with gross base salaries (effective 1 January 2017)**

| Total assessable payments (in US dollars) | Assessment rate % |
|--|------------------------------|
| First 50 000 per year | 17 |
| Next 50 000 per year | 24 |
| Next 50 000 per year | 30 |
| Remaining assessable payments | 34 |

* * *

ANNEX C
SALARY SCALE FOR THE GENERAL SERVICE CATEGORY
SHOWING ANNUAL GROSS SALARIES AND NET EQUIVALENTS AFTER APPLICATION OF STAFF ASSESSMENT
(in Pounds sterling)
Effective 1 May 2022

| Grade | | I | II | III | IV | V | VI | VII | VIII | IX | X | XI |
|--------------|---------------------------|----------|-----------|------------|-----------|----------|-----------|------------|-------------|-----------|----------|-----------|
| G.1 | Gross | 26,428 | 27,523 | 28,617 | 29,712 | 30,820 | 31,959 | 33,099 | 34,238 | 35,377 | 36,516 | 37,655 |
| | Gross Pensionable | 26,026 | 27,122 | 28,218 | 29,315 | 30,412 | 31,508 | 32,605 | 33,701 | 34,796 | 35,893 | 36,990 |
| | Total Net/Net Pensionable | 20,959 | 21,802 | 22,645 | 23,488 | 24,331 | 25,174 | 26,017 | 26,860 | 27,703 | 28,546 | 29,389 |
| G.2 | Gross | 29,691 | 30,928 | 32,197 | 33,466 | 34,735 | 36,004 | 37,273 | 38,542 | 39,811 | 41,080 | 42,349 |
| | Gross Pensionable | 29,295 | 30,515 | 31,735 | 32,954 | 34,173 | 35,393 | 36,614 | 37,831 | 39,051 | 40,271 | 41,490 |
| | Total Net/Net Pensionable | 23,472 | 24,411 | 25,350 | 26,289 | 27,228 | 28,167 | 29,106 | 30,045 | 30,984 | 31,923 | 32,862 |
| G.3 | Gross | 33,454 | 34,878 | 36,303 | 37,727 | 39,151 | 40,576 | 42,000 | 43,424 | 44,849 | 46,288 | 47,752 |
| | Gross Pensionable | 32,950 | 34,316 | 35,685 | 37,051 | 38,420 | 39,788 | 41,154 | 42,522 | 43,888 | 45,254 | 46,661 |
| | Total Net/Net Pensionable | 26,280 | 27,334 | 28,388 | 29,442 | 30,496 | 31,550 | 32,604 | 33,658 | 34,712 | 35,766 | 36,820 |
| G.4 | Gross | 37,719 | 39,309 | 40,900 | 42,491 | 44,081 | 45,672 | 47,305 | 48,940 | 50,574 | 52,209 | 53,844 |
| | Gross Pensionable | 37,045 | 38,573 | 40,101 | 41,629 | 43,156 | 44,684 | 46,234 | 47,824 | 49,413 | 51,002 | 52,594 |
| | Total Net/Net Pensionable | 29,436 | 30,613 | 31,790 | 32,967 | 34,144 | 35,321 | 36,498 | 37,675 | 38,852 | 40,029 | 41,206 |
| G.5 | Gross | 42,497 | 44,280 | 46,072 | 47,904 | 49,736 | 51,568 | 53,399 | 55,231 | 57,063 | 58,895 | 60,727 |
| | Gross Pensionable | 41,632 | 43,346 | 45,059 | 46,815 | 48,598 | 50,380 | 52,165 | 53,946 | 55,728 | 57,511 | 59,294 |
| | Total Net/Net Pensionable | 32,972 | 34,291 | 35,610 | 36,929 | 38,248 | 39,567 | 40,886 | 42,205 | 43,524 | 44,843 | 46,162 |
| G.6 | Gross | 47,911 | 49,961 | 52,011 | 54,061 | 56,111 | 58,161 | 60,211 | 62,279 | 64,358 | 66,437 | 68,515 |
| | Gross Pensionable | 46,822 | 48,816 | 50,812 | 52,806 | 54,802 | 56,798 | 58,790 | 60,786 | 62,782 | 64,775 | 66,771 |
| | Total Net/Net Pensionable | 36,934 | 38,410 | 39,886 | 41,362 | 42,838 | 44,314 | 45,790 | 47,266 | 48,742 | 50,218 | 51,694 |
| G.7 | Gross | 54,070 | 56,362 | 58,654 | 60,945 | 63,269 | 65,593 | 67,917 | 70,241 | 72,565 | 74,889 | 77,213 |
| | Gross Pensionable | 52,814 | 55,045 | 57,275 | 59,504 | 61,735 | 63,963 | 66,194 | 68,422 | 70,806 | 73,199 | 75,589 |
| | Total Net/Net Pensionable | 41,369 | 43,019 | 44,669 | 46,319 | 47,969 | 49,619 | 51,269 | 52,919 | 54,569 | 56,219 | 57,869 |

The difference between steps I-X within grades indicate annual increments awarded on the basis of satisfactory service. Step XI at all grades is only awarded to staff with over 20 years of service within the United Nations system, who have been at step X for five years and demonstrated an entirely satisfactory service record.

ANNEX C (Continued)
Allowances payable to General Service Staff
Effective 1 March 2022

| <i>Allowances</i> | <i>Staff joining before 1 July 1996 and in receipt of the allowance before 1 August 2007</i> | <i>Staff joining on or after 1 July 1996 and prior to 1 October 1999 and in receipt of the allowance before 1 August 2007</i> | <i>Staff joining on or after 1 October 1999 and prior to 1 August 2007 and in receipt of the allowance before 1 August 2007</i> | <i>Staff joining on or after 1 August 2007 and prior to 1 November 2015 and in receipt of the allowance before 1 November 2015</i> | <i>Staff becoming entitled on or after 1 November 2015</i> |
|--|--|---|---|--|--|
| | net per annum | net per annum | net per annum | net per annum | net per annum |
| Dependent spouse | £430 | £285 | £258 | nil | nil |
| First dependent child of a married staff member | £1,434 | £1,434 | £1,434 | £1,434 | £1,434 |
| First dependent child of a single, widowed or divorced staff member | £1,434 | £1,434 | £1,434 | £1,434 | £1,434 |
| Each additional dependent child | £952 | £952 | £952 | £952 | £614 |
| Secondary dependent (where there is no dependent spouse, for either a dependent parent, dependent brother or dependent sister) | nil | nil | nil | nil | nil |
| Language allowance (to be included in pensionable remuneration) | £1,641 | £1,641 | £1,641 | £1,641 | £1,641 |
| Second Language allowance (to be included in pensionable remuneration) | £821 | £821 | £821 | £821 | £821 |
| Non-resident's allowance (to be included in pensionable remuneration): | | | | | |
| for staff recruited before 1.9.1983 | £225 | n/a | n/a | n/a | n/a |
| for staff recruited on or after 1.9.1983 | nil | nil | nil | nil | nil |

* * *

ANNEX D

**STAFF ASSESSMENT - GENERAL SERVICE CATEGORY
(Effective 1 January 2019)**

| Total assessable payments (in US dollars) | Percentage |
|--|-------------------|
| Up to 20,000 per year | 19 |
| 20,001 to 40,000 per year | 23 |
| 40,001 to 60,000 per year | 26 |
| 60,001 to 80,000 | 28 |
| 80,001 and above per year | 29 |

* * *

ANNEX E
Pensionable remuneration for Professional and higher categories
(in United States dollars)
Effective 1 February 2022

| Level | I | II | III | IV | V | VI | VII | VIII | IX | X | XI | XII | XIII |
|--------------|----------|-----------|------------|-----------|----------|-----------|------------|-------------|-----------|----------|-----------|------------|-------------|
| P-1 | 84,463 | 87,072 | 89,679 | 92,289 | 94,894 | 97,589 | 100,302 | 103,017 | 105,731 | 108,447 | 111,159 | 113,869 | 116,585 |
| P-2 | 109,216 | 112,415 | 115,611 | 118,808 | 122,008 | 125,210 | 128,410 | 131,601 | 134,802 | 137,996 | 141,192 | 144,430 | 147,712 |
| P-3 | 140,775 | 144,381 | 148,058 | 151,729 | 155,405 | 159,079 | 162,752 | 166,433 | 170,103 | 173,776 | 177,457 | 181,128 | 184,808 |
| P-4 | 171,868 | 175,838 | 179,808 | 183,780 | 187,750 | 191,728 | 195,760 | 199,786 | 203,809 | 207,832 | 211,867 | 215,882 | 219,911 |
| P-5 | 208,465 | 212,637 | 216,813 | 220,979 | 225,156 | 229,322 | 233,502 | 237,671 | 241,842 | 246,014 | 250,187 | 254,353 | 258,530 |
| D-1 | 240,276 | 245,180 | 250,089 | 254,996 | 259,889 | 264,796 | 269,703 | 274,599 | 279,510 | 284,411 | 289,315 | 294,214 | 299,119 |
| D-2 | 267,212 | 272,793 | 278,377 | 283,965 | 289,555 | 295,140 | 300,723 | 306,307 | 311,892 | 317,475 | | | |
| ASG | 326,546 | | | | | | | | | | | | |
| USG | 351,729 | | | | | | | | | | | | |

Pensionable remuneration associated with pay protection points for staff beyond the maximum salaries on the unified salary scale
(in United States dollars)
Effective 1 February 2022

| Level | PP1 | PP2 |
|--------------|------------|------------|
| P-1 | 119,297 | |
| P-2 | 151,001 | |
| P-3 | 188,478 | 192,169 |
| P-4 | 223,940 | 227,967 |

* * *

ANNEX F

EDUCATION GRANT ENTITLEMENTS

**Admissible expenses
(Effective from scholastic year in progress 1 January 2022)**

| <p>Admissible expenses shall include tuition, tuition in the mother tongue and enrolment-related fees. Capital assessment fees shall be reimbursed outside the education grant scheme, under conditions established by the IMO. Admissible expenses actually incurred shall be reimbursed at the rates indicated in the sliding scale below:</p> | |
|--|---|
| <i>Admissible expenses (United States dollars)</i> | <i>Reimbursement percentage rate</i> |
| 0-13,224 | 86 |
| 13,225-19,836 | 81 |
| 19,837-26,448 | 76 |
| 26,449-33,060 | 71 |
| 33,061-39,672 | 66 |
| 39,673-46,284 | 61 |
| 46,285 and above | – |
