



Secretariat

1 September 2017

English only

Secretary-General's bulletin

To: Members of the staff

From: The Secretary-General

Subject: **Staff Rules of the International Seabed Authority**

1. The Secretary-General, pursuant to staff regulations 12.2, 12.3 and 12.4 and staff rule 13.1, hereby promulgates the revised and consolidated text of the Staff Rules of the International Seabed Authority, with a view to implementing the Staff Regulations with amendments, respectively, to regulations 3.4, 3.5, 9.4 and appendix II, which were approved by the Assembly of the International Seabed Authority during the twenty-third session of the Authority.¹

2. It is recalled that the General Assembly of the United Nations approved the majority of the proposals made by the International Civil Service Commission on the common system compensation package and decided that those provisions should be implemented in phases from 2016 through 2018 (see General Assembly resolution 70/244). The changes in the new compensation package can be grouped into four areas: (a) salary and dependency allowances; (b) education grant as a dependency benefit; (c) relocation; and (d) mobility and hardship. Other benefits and entitlements, such as annual leave, sick leave, family visit travel, rest and recuperation framework and danger pay, remain unchanged.²

3. In line with the above-mentioned amendments to the Staff Regulations, changes are made, with respect to the compensation package, to staff rules 3.3, 3.4, 3.6, 3.12, 3.14, 3.15, 3.16, 4.9, 5.3, 6.2, 6.3, 7.1, 7.17, 7.18, 7.24, 9.1 and 9.5. A new staff rule 13.6 is added on the transitional measures and the original rule 13.6 is renumbered to rule 13.7.

4. In accordance with rule 13.6, these Rules shall have effect from 1 September 2017, subject to the provisions of staff regulations 12.3 and 12.4.

5. The present bulletin abolishes Secretary-General's bulletin ST/SGB/2011/1.

6. For the avoidance of doubt, attention is drawn to rule 13.2, which provides as follows:

In applying the Staff Rules of the Authority, and in the absence of any administrative instruction or directive issued by the Secretary-General for

¹ See ISBA/23/A/11.

² See ISBA/23/FC/2.



implementation of the Staff Rules of the Authority, the Secretary-General shall be guided by the administrative instructions, directives and practices of the United Nations to the extent that such administrative instruction, directives and practices relate to the implementation of Staff Rules of the Authority similar to those provisions contained in the United Nations Staff Rules.

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Staff Rules of the International Seabed Authority

Applicability

Staff rules 1.1 to 13.7 are applicable to all staff members appointed by the Secretary-General except staff members specifically engaged for conferences and other short-term services.

Chapter I

Duties, obligations and privileges

Rule 1.1

Status of staff

The declaration made by a staff member on appointment shall be placed in his or her official status file. A new declaration shall be made after a break in service that exceeds three months.

Rule 1.2

Basic rights and obligations of staff

General

(a) Disciplinary procedures set out in article X of the Staff Regulations and chapter X of the Staff Rules may be instituted against a staff member who fails to comply with his or her obligations and the standards of conduct set out in the United Nations Convention on the Law of the Sea (“the Convention”), the Staff Regulations and Staff Rules, the Financial Regulations and Rules, and all administrative issuances.

(b) Staff members shall follow the directions and instructions properly issued by the Secretary-General and by their supervisors.

(c) Staff members must comply with local laws and honour their private legal obligations, including, but not limited to, the obligation to honour orders of competent courts.

Specific instances of prohibited conduct

(d) Any form of discrimination or harassment, including sexual or gender harassment, as well as physical or verbal abuse at the workplace or in connection with work, is prohibited.

(e) Staff members shall not disrupt or otherwise interfere with any meeting or other official activity of the Authority, nor shall staff members threaten, intimidate or otherwise engage in any conduct intended, directly or indirectly, to interfere with the ability of other staff members to discharge their official duties.

(f) Staff members shall not intentionally misrepresent their functions, official title or the nature of their duties to Member States or to any entities or persons external to the Authority.

(g) Staff members shall not intentionally alter, destroy, falsify, misplace or render useless any official document, record or file entrusted to them by virtue of their functions, which document, record or file is intended to be kept as part of the records of the Authority.

(h) Staff members shall not seek to influence Member States, principal or subsidiary organs of the Authority or expert groups in order to obtain a change from a position or decision taken by the Secretary-General, including decisions relating to the financing of Secretariat programmes or units, or in order to secure support for improving their personal situation or the personal situation of other staff members, or for blocking or reversing unfavourable decisions regarding their status or their colleagues' status.

(i) Staff members shall neither offer nor promise any favour, gift, remuneration or any other personal benefit to another staff member or to any third party with a view to causing him or her to perform, fail to perform or delay the performance of any official act. Similarly, staff members shall neither seek nor

accept any favour, gift, remuneration or any other personal benefit from another staff member or from any third party in exchange for performing, failing to perform or delaying the performance of any official act.

Honours, gifts or remuneration

(j) Acceptance by staff members of any honour, decoration, favour, gift or remuneration from non-governmental sources requires the prior approval of the Secretary-General. Approval shall be granted only in exceptional cases and where such acceptance is not incompatible with the interests of the Authority and with the staff member's status as an international civil servant. However, staff members may occasionally accept, without prior approval, minor gifts of essentially nominal value, provided that all such gifts are promptly disclosed to the head of the office, who may direct that the gift be entrusted to the Authority or returned to the donor.

(k) The Secretary-General may authorize staff members to accept from a non-governmental source or a university academic awards, distinctions and tokens of a commemorative or honorary character, such as scrolls, certificates, trophies or other items of essentially nominal monetary value.

(l) Staff members, as part of their official functions, will be expected from time to time to attend governmental or other functions such as meals and diplomatic receptions. Such attendance is not considered receipt of a favour, gift or remuneration within the meaning of the Staff Regulations and Rules.

(m) The Secretary-General may, in exceptional cases, provided that this is in the interest of the Authority and not incompatible with the staff member's status, authorize a staff member to receive from a non-governmental source an honour, decoration, favour, gift or remuneration other than those referred to in staff rules 1.2 (j) to (k) above.

Conflict of interest

(n) A staff member who has occasion to deal in his or her official capacity with any matter involving a profit-making business or other concern in which he or she holds a financial interest, directly or indirectly, shall disclose the measure of that interest to the Secretary-General and, except as otherwise authorized by the Secretary-General, either dispose of that financial interest or formally excuse himself or herself from participating with regard to any involvement in that matter which gives rise to the conflict of interest situation. The Secretary-General shall establish procedures for the filing and utilization of financial disclosure statements.

Outside activities

(o) Staff members shall not, except in the normal course of official duties or with the prior approval of the Secretary-General, engage in any of the following acts, if such act relates to the purpose, activities or interests of the Authority:

- (i) Issue statements to the press, radio or other agencies of public information;
- (ii) Accept speaking engagements;
- (iii) Take part in film, theatre, radio or television productions;
- (iv) Submit articles, books or other material for publication, including electronic publication.

(p) Membership in a political party is permitted, provided that such membership does not entail action, or an obligation to take action, by the staff member contrary to staff regulation 1.2 (h). The payment of normal financial

contributions to a political party shall not be construed as an activity inconsistent with the principles set out in staff regulation 1.2 (h).

(q) The Secretary-General shall establish procedures whereby staff may seek in confidence clarification as to whether proposed outside activities would conflict with their status as international civil servants.

Travel and per diem for outside activities

(r) Staff members who are authorized by the Secretary-General to participate in activities organized by a Government, intergovernmental organization, non-governmental organization or other private source, may receive from the Government, intergovernmental organization, non-governmental organization or private source, accommodation and travel and subsistence allowance generally in line with those payable by the Authority. In such cases the travel subsistence allowance that may otherwise be payable by the Authority shall be reduced as envisaged by staff rule 7.14 (a).

Rule 1.3

Performance of staff

(a) Staff members shall be evaluated for their efficiency, competence and integrity through performance appraisal mechanisms that shall assess the staff member's compliance with the standards set out in the Staff Regulations and Rules for purposes of accountability.

(b) The Secretary-General shall seek to ensure that appropriate learning and development programmes are available for the benefit of staff.

(c) Performance reports shall be prepared regularly for all staff members in accordance with procedures promulgated by the Secretary-General.

Rule 1.4

Hours of work and official holidays

(a) The Secretary-General shall set the normal number of working hours per week. Exceptions may be made by the Secretary-General as the needs of the service may require. A staff member shall be required to work beyond the normal tour of duty whenever requested to do so.

(b) The number of official holidays shall be ten days in each year and shall be determined by the Secretary-General. When an official holiday falls on a non-working day, the preceding or following working day which is closest to the holiday shall be observed as an official holiday.

Rule 1.5

Inter-agency loans and other movements

(a) The Secretary-General may loan the services of a staff member to the United Nations, a specialized agency of the United Nations or other intergovernmental organization provided such loan in no way diminishes the right or entitlements of the staff member under his or her letter of appointment to the Authority. Interagency movements may also take place under other arrangements, i.e., secondment or transfer.

(b) Inter-agency loans, secondments and transfers are defined in and shall be governed by the inter organization agreement concerning transfer, secondment or loan of staff among the organizations applying the United Nations common system of salaries and allowances.

Chapter II

[Omitted]

Chapter III

Salaries and related allowances

Rule 3.1

Salary scales for General Service personnel

The salary scales and conditions of salary increments for staff members in the General Service category shall be those applicable to staff in the General Service category in the United Nations employed in the locality of the Authority.

Rule 3.2

Language allowance

(a) A staff member in the General Service category shall be paid a pensionable language allowance if he or she has demonstrated proficiency in any two official languages of the Authority, by passing a proficiency examination conducted by the United Nations. Staff members whose mother tongue is an official language of the Authority must pass the prescribed examination in another official language, which may be the language in which proficiency is required for their job, in which case the language proficiency examination in the mother tongue may be waived. Staff members whose mother tongue is not an official language must pass the examination in a language other than that in which proficiency is required for their job. A second language allowance shall be paid for proficiency demonstrated by passing the prescribed test in a third official language. No staff member shall be paid a pensionable language allowance for more than two official languages.

(b) Staff members in receipt of a language allowance may be required to undergo further tests at intervals of not less than five years in order to demonstrate their continued proficiency in the use of two or more official languages.

(c) The amount of the allowance shall be that applicable to staff in the General Service category in the United Nations employed in the locality of the Authority. The amount payable for a second language shall be half the amount payable for the first additional language.

(d) The language allowance shall be taken into account in determining United Nations Joint Staff Pension Fund, medical and group insurance contributions, overtime compensation, and payments and indemnities on separation.

Rule 3.3

Salary scales for Professional and higher categories

(a) The salary scales and the scales of post adjustment for staff members in the Professional and higher categories shall be those applicable to staff members in the Professional and higher categories in the United Nations.

(b) Subject to satisfactory service, salary increments within the levels shall be awarded on the first day of the month in which the qualifying period has been met, and annually thereafter, except that any increments above step VII of the Professional levels and step IV of the D-1 level shall be preceded by two years at the previous step. Subject to satisfactory service, salary increments at the D-2 level shall be awarded biennially.

Rule 3.4

Post adjustment

(a) Post adjustments shall be applied in accordance with paragraph (b) below in the case of staff members in the Professional and higher categories who are assigned to the Authority for one year or more.

(b) The amount of post adjustment for each level and step of the Professional and higher categories shall be determined by applying the multiplier of the post adjustment classification for the duty station, as determined from time to time by the International Civil Service Commission, to 1 per cent of the corresponding net base salary rates.

(c) When a staff member is assigned for less than one year, the Secretary-General shall decide at that time whether to apply the post adjustment and, if appropriate, to pay a settling-in grant under rule 7.17 and the mobility and hardship allowance under rule 3.15, or to authorize appropriate subsistence payments.

(d) A rental subsidy shall be paid under conditions established by the Secretary-General to staff members who are eligible to receive post adjustments.

Rule 3.5

Salary and wage increments

(a) Satisfactory service for the purpose of awarding a salary increment shall be defined, unless otherwise decided by the Secretary-General in any particular case, as satisfactory performance and conduct of staff members in their assignments as evaluated by their supervisors.

(b) Notwithstanding paragraph (a) of this rule, in the absence of exceptional circumstances, salary increments falling due within a month of the date on which a review of a probationary appointment is due shall be withheld until a permanent appointment has been granted or the probationary period extended. Salary increments granted under this paragraph shall become effective in accordance with the provisions of paragraph (c) below.

(c) Salary and wage increments shall be effective on the first day of the pay period in which the service requirements are completed, provided that the period of service may be shortened to meet the requirements of rule 3.6 and that such increments shall not be effective earlier than the first day of the pay period in which a staff member returns to pay status from a period of leave without pay. No increment shall be paid in the case of staff members whose services will cease during the month in which the increment would otherwise have been due.

(d) If a staff member with satisfactory service is changed to a lower salary level, the period of service since the last increment shall be credited towards the next increment within the lower level. If a staff member whose service has not been satisfactory is changed to a lower salary level, the staff member's eligibility for salary increment in the lower level will be based on satisfactory service in the lower level.

Rule 3.6

Salary policy in promotions

(a) On promotion, a staff member shall be placed at the lowest step in the level to which he or she has been promoted that provides an increase in net base salary equal to at least the amount that would have resulted from the granting of two steps at the lower level.

(b) If promotion is effective on the month in which an increment at the lower level is due, such increment will be included in the salary at the lower level, to which two steps will then be added to determine the staff member's salary on promotion in accordance with paragraph (a) above.

(c) The date of the first salary increment at the higher level 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 level will become due two years from the date of promotion.

(d) On promotion 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 level to which the staff member is promoted, the following emoluments shall also be taken into account:

(i) The net amount of any pensionable allowance that the staff member received at the lower level; and

(ii) The post adjustment that corresponds to the net base salary for the level and step in the Professional category to which the staff member is promoted.

(e) Where the total net remuneration before promotion of a staff member in the General Service exceeds that at the Professional level before promotion, established in accordance with subparagraph (d) above, a personal transitional allowance in an amount sufficient to meet the requirements of subparagraph (a) will be paid until such time as it is overtaken by increases in net remuneration at the Professional level.

Rule 3.7

Special post allowance

(a) Staff members shall be expected to assume temporarily, as a normal part of their customary work and without extra compensation, the duties and responsibilities of higher level posts.

(b) Without prejudice to the principle that promotion under staff rule 4.12 shall be the normal means of recognizing increased responsibilities and demonstrated ability, a staff member who is called upon to assume the full duties and responsibilities of a post at a clearly recognizable higher level than his or her own for a temporary period exceeding three months may, in exceptional cases, be granted a non-pensionable special post allowance from the beginning of the fourth month of service at the higher level.

(c) When a staff member in the General Service category is required to serve in a higher level post in the Professional category, or when a staff member in any category is required to serve in a post which is classified more than one level above his or her level, the allowance may be paid from the date the staff member assumes the higher duties and responsibilities.

(d) The amount of the special post allowance shall be equivalent to the salary increase (including post adjustment and dependency allowances, if any) which the staff member would have received had the staff member been promoted to the next higher level.

Rule 3.8

Overtime and compensatory time off

(a) Staff members in the General Service category who are required to work in excess of the working week established for this purpose shall be given

compensatory time off or may receive additional payment in accordance with the following provisions:

- (i) Overtime means time worked in excess of the scheduled work day or in excess of the scheduled work week or time worked on official holidays, provided that such work has been authorized by the proper authority;
- (ii) The scheduled work day means the duration of the working hours in effect at the time on any day of the scheduled work week, less one hour for a meal;
- (iii) The scheduled work week consists of the five working days assigned to the staff member during seven consecutive calendar days;
- (iv) Compensation shall take the form of an equal amount of compensatory time off for overtime in excess of the scheduled work day up to a total of eight hours of work on the same day. Subject to the exigencies of the service, such compensatory time off may be given at any time during the four months following the month in which the overtime takes place;
- (v) Compensation shall take the form of payment at the straight time rate in respect of each hour in excess of 40 hours if it is ascertained that a staff member has accumulated more than 40 hours of compensatory time off which could not be authorized because of the exigencies of the service. The remaining entitlement to 40 hours of compensatory time off will be counted as part of the staff member's accumulated entitlement at the time of the next review;
- (vi) Compensation shall take the form of an additional payment for overtime in excess of a total of eight hours of work of any day of the scheduled work week, or when it takes place on the sixth or seventh day of the scheduled work week;
- (vii) Compensation for overtime shall take the form of an additional payment when it takes place on an official holiday, provided that the Secretary-General may require all staff members to work on a holiday that falls during a period of exigency. In that event, the Secretary-General shall set another working day to be observed as the holiday, and the holiday falling during the period of exigency shall be treated as a normal working day;
- (viii) a. The additional payment referred to in subparagraph (vi) above shall be made at the rate of one and one half times the aggregate of the staff member's base salary or wage and language allowance, if any, except that if the overtime takes place on a Sunday or on the seventh day of the scheduled work week, the rate of the additional payment shall be twice the aggregate. In the latter case, overtime which takes place on a Sunday will be subject to compensation at the straight or one and a half time rate, as appropriate;
b. The additional payment referred to in subparagraph (vii) above shall be made at the rate of twice the aggregate of the staff member's base salary or wage and language allowance, if any;
- (ix) Subject to the exigencies of service, compensatory time off may be granted, as appropriate, at a time and a half rate or at twice the normal rate in lieu of compensation by additional payment at the time and a half rate or at twice the normal rate under subparagraphs (vi) and (vii) above if the staff member so requests;
- (x) Compensation for overtime shall be reckoned to the nearest half hour; casual overtime of less than one half hour on any day during the scheduled work week shall be disregarded. A staff member who is required to work on

the sixth or seventh day of the week or on an official holiday shall receive no less than four hours of overtime compensation;

(xi) In the interests of the health of the staff and the efficiency of the service, supervisors shall not require a staff member to work more than 40 hours of overtime during any one month, except where unusual exigencies of the service so require.

(b) Should the exigencies of the service permit, and subject to the prior approval of the Secretary-General, occasional compensatory time off may be granted to staff members in the Professional category who have been required to work substantial or recurrent periods of overtime.

Rule 3.9

Salary advances

(a) Salary advances may be made to staff members under the following circumstances and conditions:

(i) Upon departure for extended official travel or for approved leave involving absence from duty for 17 or more calendar days, including the end-month pay day, in the amount that would fall due for payment during the anticipated pay period(s) occurring during the period of absence;

(ii) In cases where staff members have not received their regular pay cheque through no fault of their own, in the amount due;

(iii) Upon separation from service, where final settlement of pay accounts cannot be made at the time of departure, subject to the advance not exceeding 80 per cent of the estimated final net payments due;

(iv) In cases where new staff members arrive without sufficient funds, in such amount as the Secretary-General may deem appropriate.

(b) The Secretary-General 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 subparagraphs (a) (i), (ii) and (iii) above shall be liquidated at a constant rate as determined at the time the advance is authorized, in consecutive pay periods, commencing not later than the period following that in which the advance is made.

Rule 3.10

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 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 3.11
Pensionable remuneration

(a) The pensionable remuneration of a staff member shall, except as provided in paragraph (b) below, be in accordance with articles 1 (q) and 54 of the Regulations of the United Nations Joint Staff Pension Fund.

(b) Where a promotion from the General Service category to the Professional category would result in a reduction of the pensionable remuneration used for computing the final average remuneration, the level of pensionable remuneration reached prior to the promotion shall be maintained until it is surpassed by that applicable to the staff member's grade and step in the Professional category. Contributions payable in accordance with article 25 of the Regulations of the United Nations Joint Staff Pension Fund shall be based on either:

- (i) The pensionable remuneration of the staff member used to determine such contributions at the time of promotion; or
- (ii) The pensionable remuneration applicable to the staff member's grade and step in the Professional category, whichever is higher.

Rule 3.12
Staff assessment

An assessment at the same rates as those applicable to United Nations staff members shall be applied to the salaries and such other emoluments of staff members as are computed on the basis of salary, excluding post adjustment, provided that the Secretary-General may, where he or she deems it advisable, exempt from the assessment the salaries and emoluments of staff members engaged at locality rates.

Rule 3.13
Deductions and contributions

(a) There shall be deducted, each pay period, from the total payments due to each staff member:

- (i) Staff assessment;
- (ii) Contributions to the United Nations Joint Staff Pension Fund in accordance with article 25 of the Regulations of the United Nations Joint Staff Pension Fund and rule 3.11.

(b) Deductions from salaries, wages and other emoluments may also be made for the following purposes:

- (i) For contributions, other than to the United Nations Joint Staff Pension Fund, for which provision is made under these Rules;
- (ii) For indebtedness to the Authority;
- (iii) For indebtedness to third parties when any deduction for this purpose is authorized by the Secretary-General;
- (iv) For contributions to the Staff Committee established pursuant to staff regulation 8.1, provided that each staff member has the opportunity to withhold his or her consent to, or at any time to discontinue, such deduction, by notice to the Secretary-General.

Rule 3.14
Education grant

Definitions

- (a) For the purposes of this rule:
- (i) “Child” means a child of a staff member who is dependent on the staff member for main and continuing support;
 - (ii) “Disabled child” means a child who is unable, by reasons of physical or mental disability, to attend a normal educational institution and requires special teaching or training to prepare him or her for full integration into society or while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability;
 - (iii) “Home country” means the country of home leave of the staff member under rule 5.3. If both parents are eligible staff members, “home country” means the country of home leave of either parent;
 - (iv) “Duty station” means the country, or area within commuting distance, notwithstanding national boundaries, where the staff member is serving.

Eligibility

- (b) Subject to conditions established by the Secretary-General, a staff member shall be entitled to an education grant in respect of each child, provided:
- (i) The staff member is regarded as an international recruit under rule 4.7 and resides and serves outside his or her home country;
 - (ii) The child is in full-time attendance at a school, university or similar educational institution; and
 - (iii) The appointment or assignment of the staff member is for a minimum of one year or, if initially for a period of less than one year, is extended so that total continuous service is at least one year.
- (c) The Secretary-General may decide in each case whether the education grant shall extend to adopted children or stepchildren.

Duration

- (d) (i) The grant shall be payable up to the end of the school year in which the child completes four years of post-secondary studies or attains the first post-secondary degree, whichever comes first;
- (ii) The grant will not normally be payable beyond the school year in which the child reaches the age of 25 years. If the child’s education is interrupted for at least one school year by national service, illness or other compelling reasons, the period of eligibility shall be extended by the period of interruption.

Amount of the grant

- (e) The amount of the education grant per scholastic year for each child shall be based on tuition and enrolment-related expenses actually incurred, reimbursed under a global sliding scale, subject to a maximum grant determined by the Secretary-General. Where the child’s school attendance is outside the duty station, a flat sum, as determined by the Secretary-General, shall be granted for boarding-

related expenses. Capital assessment fees may be reimbursed at a per cent, and up to a maximum amount, determined by the Secretary-General.

(f) The amount of the grant to be paid when the staff member's period of service or the child's school attendance does not cover the full scholastic year shall be prorated under conditions defined by the Secretary-General. If a staff member in receipt of the education grant dies while in service at the beginning of the school year, the full entitlement for that particular school year shall be granted.

Travel

(g) A staff member to whom a flat sum is payable under paragraph (e) above in respect of his or her child's boarding-related expenses to attend an educational institution outside the duty station, shall be entitled to travel costs for the child of an outward and return journey each scholastic year between the educational institution and Kingston, under conditions established by the Secretary-General. Such travel costs may be paid twice in the year in which the staff member is not entitled to home leave. Such travel shall be by a route approved by the Secretary-General but not in an amount exceeding the cost of such a journey between the educational institution and Kingston. If travel to the duty station by the child is not possible, return travel by the staff member or spouse may be authorized in lieu of travel by the child, under conditions established by the Secretary-General.

Tuition in the mother tongue

(h) Tuition in the mother tongue may be reimbursed, subject to conditions established by the Secretary-General, where the staff member is obliged to pay tuition for the teaching of his or her mother tongue to a dependent child attending a local school in which the instruction is given in a language other than his or her own.

Special education grant for disabled children

(i) A special education grant for disabled children shall be available to staff members of all categories, regardless of whether or not they are serving in their home country, provided that they have an appointment of six months or longer or have completed six months of continuous service. The amounts to which a staff member is entitled under the grant are set out in appendix B to the Staff Rules of the United Nations.

Claims

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

Rule 3.15

Mobility and hardship allowance

General provisions

(a) As an incentive to mobility and to compensate for hardship, a non-pensionable allowance composed of two elements — mobility and hardship — shall be payable to staff members at rates applicable to staff members in the United Nations, under conditions set out in this rule and supplemented by the Secretary-General.

(b) Staff in the Professional category and above shall be eligible for payment of the allowance when they have been initially appointed under these Rules to the Authority, or reassigned from another duty station, under conditions which normally involve payment of the settling-in grant.

Mobility element

(c) The mobility incentive shall be payable provided that the staff member is eligible under paragraph (b) above and has served in the United Nations common system for a period of five consecutive years and that the assignment of the staff member to the Authority constitutes an assignment to a second or subsequent duty station.

(d) The mobility incentive may be adjusted under terms and conditions established by the Secretary-General.

Hardship element

(e) The hardship element of the allowance shall be payable to eligible staff members at the level of the hardship classification of Kingston for the duration of the staff member's assignment.

Rule 3.16**Dependency allowances**

(a) Staff members in the Professional category and above shall be entitled to receive dependency allowances for a dependent child, for a disabled child and for a secondary dependant at rates applicable to staff members in the United Nations as follows:

- (i) The staff member shall receive an allowance for each dependent child;
- (ii) The staff member shall receive a special allowance for each disabled child;
- (iii) Where there is no dependent spouse, a single annual allowance shall be paid for a secondary dependant in respect of either a dependent parent, a dependent brother or a dependent sister.

(b) When a staff member is married to another staff member or to a staff member of another organization of the United Nations common system and both are in the Professional category and above, only one may claim, for dependent children, under subparagraph (a) (i) and (ii) above, in which case the other may claim only under subparagraph (a) (iii) above, if otherwise entitled.

(c) With a view to avoiding duplication of benefits and in order to achieve equality between staff members who receive dependency benefits under applicable laws in the form of governmental grants and staff members who do not receive such dependency benefits, the Secretary-General shall prescribe conditions under which the dependency allowance for a child specified in subparagraph (a) (i) above shall be payable only to the extent that the dependency benefits enjoyed by the staff member or his or her spouse under applicable laws amount to less than such a dependency allowance and the dependency allowance payable shall be the approximate amount by which the governmental grant is less than the dependency allowance to which an eligible staff member is entitled. In no case shall the sum of the two payments be less than that amount.

(d) Staff members in the General Service category shall be entitled to receive dependency allowances at rates applicable to staff members in the United Nations serving in the locality of the Authority.

(e) Claims for dependency allowances shall be submitted in writing and supported by evidence satisfactory to the Secretary-General. A separate claim for dependency allowances shall be made each year. Staff members shall be responsible for reporting to the Secretary-General any change in the status of a dependant affecting the payment of this allowance.

(f) A dependency allowance shall be paid in respect of not more than one dependent parent, brother or sister, and such payment shall not be made when a payment is being made for a dependent spouse.

Rule 3.17

Definition of dependency

For the purposes of the Staff Regulations and Staff Rules:

(a) A dependent spouse shall be a spouse whose occupational earnings, if any, do not exceed the lowest entry level of the General Service gross salary scales in force on 1 January of the year concerned provided that, in the case of staff in the Professional category or above, the amount shall not be less than the equivalent of the lowest entry level at the base of the salary system.

(b) A “dependent child” shall be:

(i) A staff member’s natural or legally adopted child; or

(ii) A staff member’s stepchild, if residing with the staff member, under the age of 18 years or, if the child is in full time attendance at a school or university (or similar educational institution), under the age of 21 years, for whom the staff member provides main and continuing support. The Secretary-General shall establish special conditions under which other children, who fulfil the age, school attendance and support requirements indicated above, may be regarded as dependent children of a staff member. If a child over the age of 18 years is physically or mentally incapacitated for substantial gainful employment, either permanently or for a period expected to be of long duration, the requirements as to school attendance and age shall be waived.

(c) A staff member claiming a child as a dependant must certify that he or she provides main and continuous support. This certificate must be supported by documentary evidence satisfactory to the Secretary-General, if a child:

(i) Does not reside with the staff member;

(ii) Is married; or

(iii) Is regarded as a dependant under the special conditions referred to above.

(d) A secondary dependant shall be the 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 the brother or sister fulfils the same age and school attendance requirements established for a dependent child. If the brother or sister is physically or mentally incapacitated for substantial gainful employment, either permanently or for a period expected to be of long duration, the requirements as to school attendance and age shall be waived.

Chapter IV

Appointment and promotion

Rule 4.1

Letter of appointment

The letter of appointment granted to every staff member contains expressly or by reference all the terms and conditions of employment. All contractual entitlements of staff members are strictly limited to those contained expressly or by reference in their letters of appointment.

Rule 4.2

Effective date of appointment

The appointment of every staff member shall take effect from the date on which the staff member enters into official travel status to assume his or her duties or, if no official travel is involved, from the date on which the staff member starts to perform his or her duties.

Rule 4.3

Re-employment

(a) A former staff member who is re-employed shall be given a new appointment or, if re-employed within 12 months of separation from service or a longer period following retirement or disability under the Regulations of the Joint Staff Pension Fund, he or she may be reinstated in accordance with paragraph (c) below.

(b) If the former staff member is reinstated, it shall be so stipulated in his or her letter of appointment. If he or she is given a new appointment, its terms shall be fully applicable without regard to any period of former service, except as provided below:

(i) Former service may be considered when establishing the level on recruitment and the record of mobility of the staff member; and

(ii) When a staff member receives a new appointment in the United Nations common system less than twelve months after separation, the amount of any payment on account of termination indemnity, repatriation grant or commutation of accrued annual leave shall be adjusted so that the number of months, weeks or days of salary to be paid at the time of the separation after the new appointment, when added to the number of months, weeks or days paid for prior periods of service, does not exceed the total of months, weeks or days, that would have been paid had the service been continuous.

(c) On reinstatement the staff member's services shall be considered as having been continuous, and the staff member shall return to the Authority any moneys he or she received on account of separation, including termination indemnity under rule 9.4, repatriation grant under rule 9.5 and payment for accrued annual leave under rule 9.7. The interval between separation and reinstatement shall be charged, to the extent possible and necessary, to annual leave, with any further period charged to special leave without pay. The staff member's sick leave credit under rule 6.2 at the time of separation shall be re-established; the staff member's participation, if any, in the Joint Staff Pension Fund shall be governed by the Regulations of that Fund.

Rule 4.4

Notification by staff members and obligation to supply information

(a) Staff members shall be responsible on appointment for supplying the Secretary-General with whatever information may be required for the purpose of determining their status under the Staff Regulations and Staff Rules or of completing administrative arrangements in connection with their appointments.

(b) Staff members shall also be responsible for promptly notifying the Secretary-General, in writing, of any subsequent changes affecting their status under the Staff Regulations or Staff Rules.

(c) A staff member who intends to acquire permanent residence status in any country other than that of his or her nationality or who intends to change his or her nationality shall notify the Secretary-General of that intention before the change in residence status or in nationality becomes final.

(d) A staff member who is arrested, charged with an offence other than a minor traffic violation or summoned before a court as a defendant in a criminal proceeding, or convicted, fined or imprisoned for any offence other than a minor traffic violation shall immediately report the fact to the Secretary-General.

(e) A staff member may at any time be required by the Secretary-General to supply information concerning facts anterior to his or her appointment and relevant to his or her suitability, or concerning facts relevant to his or her integrity, conduct and service as a staff member.

Rule 4.5

Geographical distribution

Recruitment on as wide a geographical basis as possible, in accordance with the requirements of staff regulation 4.3 (a), shall not apply to posts in the General Service category.

Rule 4.6

Local recruitment

(a) Staff members who have been recruited to serve in posts classified in the General Service category shall be regarded as having been locally recruited unless:

- (i) They have been recruited from outside the area of the duty station;
- (ii) Their entitlement to one or more of the allowances or benefits indicated under rule 4.7 has been duly established by the Secretary-General; or
- (iii) The post for which the staff member has been recruited is one which, in the opinion of the Secretary-General, it would otherwise have been necessary to fill by recruitment from outside the area of the duty station.

(b) A staff member regarded as having been locally recruited shall not be eligible for the allowances or benefits indicated under rule 4.7.

(c) A staff member who is regarded as having been locally recruited in accordance with subparagraph (a) above, shall cease to be so regarded from the date on which the staff member is reclassified to the Professional category or reassigned to a post within the General Service category which, in the opinion of the Secretary-General, it would otherwise have been necessary to fill by recruitment from outside the area of the duty station.

Rule 4.7**International recruitment**

(a) Staff members other than those regarded under rule 4.6 as having been locally recruited shall be considered as having been internationally recruited. The allowances and benefits in general available to internationally recruited staff members include: payment of travel expenses upon initial appointment and on separation for themselves and their spouses and dependent children, removal of household effects, home leave, education grant and repatriation grant.

(b) A staff member who has changed his or her residential status in such a way that he or she may, in the opinion of the Secretary-General, be deemed to be a permanent resident of any country other than that of his or her nationality may lose entitlement to home leave, education grant, repatriation grant and payment of travel expenses upon separation for the staff member and his or her spouse and dependent children, and removal of household effects, based upon place of home leave, if the Secretary-General considers that the continuation of such entitlement would be contrary to the purposes for which the allowance or benefit was created.

Rule 4.8**Nationality**

(a) In the application of the Staff Regulations and Staff Rules, the Authority shall not recognize 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 Secretary-General, most closely associated.

Rule 4.9**Family relationship**

(a) An appointment shall not be granted to a person who bears any of the following relationships to a staff member: father, mother, son, daughter, brother or sister.

(b) The husband or wife of a staff member may be appointed provided that he or she is fully qualified for the post for which he or she is being considered and that the spouse is not given any preference by virtue of the relationship to the staff member.

(c) A staff member who bears to another staff member any of the relationships specified in (a) and (b) above:

(i) Shall not be assigned to serve in a post which is superior or subordinate in the line of authority to the staff member to whom he or she is related;

(ii) Shall disqualify himself or herself from participating in the process of reaching or reviewing an administrative decision affecting the status or entitlements of the staff member to whom he or she is related.

(d) The marriage of one staff member to another shall not affect the contractual status of either spouse, but their entitlements and other benefits shall be modified as provided in the relevant Staff Regulations and Staff Rules. The same modifications shall apply in the case of a staff member whose spouse is a staff member of another organization participating in the United Nations common system. Where both husband and wife are staff members and maintain separate households because they are assigned to different duty stations, the Secretary-

General may decide to maintain such separate entitlements and benefits, provided that this is not inconsistent with any staff regulation or other decision of the General Assembly of the United Nations applicable to staff members of the United Nations.

Rule 4.10

Temporary appointments

On recruitment, staff members may be granted one of the following types of temporary appointments: probationary appointment or fixed-term appointment.

(a) Probationary appointment:

(i) The probationary appointment may be granted to persons under the age of 50 years who are recruited for career service. The period of probationary service under such an appointment shall normally be two years. In exceptional circumstances, it may be reduced or extended for not more than one additional year. At the end of the probationary service, the holder of a probationary appointment shall either be granted a permanent appointment or be separated from the service;

(ii) Without prejudice to the provisions of subparagraph (b) (ii) below, the Secretary-General may, in appropriate cases, reduce or waive the required period of probationary service following an equivalent period of continuous service on fixed-term appointment.

(b) Fixed-term appointments:

(i) The fixed-term appointment, having an expiration date specified in the letter of appointment, may be granted for a period not exceeding five years to persons recruited for service of a specific duration, including persons temporarily seconded by national Governments or institutions for service with the Authority;

(ii) A fixed-term appointment does not carry any expectancy of renewal or of conversion to any other type of appointment;

(iii) Notwithstanding subparagraph (ii) above, upon completion of five years of continuous service on fixed-term appointments, a staff member who has fully met the criteria of staff regulation 4.3, and who is under the age of 53 years, will be given every reasonable consideration for a permanent appointment, taking into account all the interests of the Authority.

Rule 4.11

Permanent appointments

(a) The permanent appointment may be granted, in accordance with the needs of the Authority, to staff members who, by their qualifications, performance and conduct, have fully demonstrated their suitability as international civil servants and have shown that they meet the high standards of efficiency, competence and integrity, provided that:

(i) They have completed the period of probationary service required by rule 4.10 (a) (i); or

(ii) The period of probationary service has been waived in accordance with rule 4.10 (a) (ii); or

(iii) They have completed five years of continuous service under fixed-term appointments and have been favourably considered under the terms of rule 4.10 (b) (iii).

(b) Recommendations proposing the grant of permanent appointments on the ground that a staff member whose probationary period has been either completed or waived under the terms of rule 4.10 (a) (ii) or (b) (iii) has met the requirements of this rule may be made to the Secretary-General by the head of the substantive office or department concerned. Any such recommendation shall also be reported to the Appointment and Promotion Board.

Rule 4.12

Appointment and Promotion Board

(a) (i) An Appointment and Promotion Board shall be established by the Secretary-General to give advice on the appointment and promotion of staff members.

(ii) Subject to the criteria set out in article 167, paragraph 2, of the United Nations Convention on the Law of the Sea and to the provisions of staff regulations 4.3 (a) and 4.8, the Appointment and Promotion Board shall, in filling vacancies, give due regard to applications by staff members already employed by the Authority or by other international organizations within the United Nations common system.

Composition and procedures of the Appointment and Promotion Board

(b) (i) The Appointment and Promotion Board shall consist of three members and three alternates at the level of P-3 and above. The Chief of the Office of Administration and Management, or his or her representative, shall serve ex officio as a non-voting member of the Board. The other members and alternates shall be appointed by the Secretary-General after consultation with the Staff Committee. Such members and alternates shall be appointed for fixed periods, normally of one year, subject to renewal.

(ii) The Board shall elect its chairman and establish its own procedures.

Functions of the Appointment and Promotion Board

(c) The function of the Appointment and Promotion Board shall be to make recommendations to the Secretary-General in respect of the following:

(i) Appointment: proposed probationary appointments and other proposed appointments of a probable duration of one year or more;

(ii) Review:

a. The suitability for permanent appointment of staff members whose eligibility is established under the terms of rule 4.11 (a) (i). With respect to holders of probationary appointments, recommendations of the Board may include extension of the probationary period for one additional year or separation from service;

b. The review of proposals for the termination of permanent appointments for unsatisfactory services under regulation 9.1 (a) in accordance with the special procedures established for that purpose by the Secretary-General;

(iii) Promotion:

a. The selection of staff members qualified for promotion;

b. Minimum periods of service in the grade, as a normal requirement for consideration for promotion, shall be established by the Secretary-General.

Rule 4.13

Medical examination

(a) Staff members may be required from time to time to undergo a medical examination in order to ensure that they are free from any ailment likely to impair the health of others. The examination shall be made by a physician designated by the Authority.

(b) Staff members may also be required to undergo such medical examination and receive such inoculations as may be required before they go on or after they return from mission service.

Chapter V

Annual and special leave

Rule 5.1

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 5.2 (c). No leave shall accrue while a staff member is receiving compensation equivalent to salary and allowances under rule 6.4.

(b) (i) Annual leave may be taken in units of days and half days;

(ii) Leave may be taken only when authorized. If a staff member is absent from work without authorization, payment of salary and allowances shall cease for the period of unauthorized absence. However, if, in the opinion of the Secretary-General, the absence was caused by reasons beyond the staff member's control, and the staff member has accrued annual leave, the absence will be charged to that leave;

(iii) 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 Secretary-General. The personal circumstances and preferences of the individual staff member shall, as far as possible, be considered.

(c) Annual leave may be accumulated, provided that not more than 12 weeks of such leave shall be carried forward beyond 1 January of any year.

(d) 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 5.2

Special leave

(a) (i) Special leave may be granted at the request of a staff member for advanced study or research in the interest of the Authority, in cases of extended illness, for child care or for other important reasons for such period as the Secretary-General may prescribe. In exceptional cases, the Secretary-General may, at his initiative, place a staff member on special leave with full pay if he considers such leave to be in the interest of the Authority.

(ii) Special leave is normally without pay. In exceptional circumstances, special leave with full or partial pay may be granted.

(iii) Subject to conditions established by the Secretary-General, family leave may be granted as follows:

a. As special leave with full pay in the case of adoption of a child;

b. As special leave without pay for a period of up to two years for a staff member who is the mother or father of a newly born or adopted child, with a possibility of extension for up to an additional two years in exceptional circumstances. The right of a staff member to be reabsorbed after the end of such special leave without pay shall be fully protected;

c. As special leave without pay for a reasonable period, including necessary travel time, upon the death of a member of the immediate family of the staff member, or in case of serious family emergency.

(iv) Special leave shall not be authorized for governmental service in a political office, in a diplomatic or other representational post or for the purpose of performing any functions that are incompatible with the staff member's continuing status as an international civil servant. In exceptional circumstances, special leave without pay may be granted to a staff member who is requested by his or her Government to render temporary services involving functions of a technical nature.

(b) A staff member who has completed one year of satisfactory probationary service or who has a permanent appointment and who is called upon to serve in the armed forces of the State of which the staff member is a national, whether for training or active duty, may be granted special leave without pay for the duration of such military service, in accordance with terms and conditions set forth in appendix A to these Rules.

(c) The Secretary-General may authorize special leave without pay for pension purposes to protect the pension benefits of staff who are within two years of achieving age 55 years and 25 years of contributory service, or who are over that age and within two years of 25 years of contributory service.

(d) Staff members shall not accrue service credits towards sick, annual and home leave, salary increment, seniority, termination indemnity and repatriation grant during periods of special leave with partial pay or without pay. Periods of less than one full month of such leave shall not affect the ordinary rates of accrual. Continuity of service shall not be considered broken by periods of special leave.

Rule 5.3

Home leave

(a) Internationally recruited staff members who are not excluded from home leave under rule 4.7 (b) and who are residing and serving outside their home country and who are otherwise eligible, shall be entitled to home leave once in 24 months to visit their home country at the Authority's expense for the purpose of spending in that country a reasonable 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 be eligible for home leave providing the following conditions are met:

(i) The staff member continues to reside in a country other than that of which he or she is a national;

(ii) The staff member's service is expected by the Secretary-General to continue:

a. At least six months beyond the date of return from the home leave;
and

b. In the case of the first home leave, at least six months beyond the date on which the staff member will have completed two years of qualifying service;

(iii) In the case of home leave following the return from family visit travel under rule 7.1 (b), a staff member shall be eligible if normally not less than nine months of continuous service have elapsed since departure on the family visit travel.

(c) Staff members whose eligibility under paragraph (b) above is established at the time of their appointment shall begin to accrue service credit towards home

leave from that date. Staff members who become eligible for home leave subsequent to appointment shall begin to accrue such service credit from the effective date of their becoming eligible.

(d) 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 or 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 the home country. In exceptional circumstances, a change in the place in the country of home leave may be authorized, under conditions established by the Secretary-General;

(ii) A staff member who has served with another public international organization immediately preceding his or her appointment shall have the place of home leave determined as though his or her entire previous service with the other international organization had been with the Authority;

(iii) The Secretary-General, in exceptional and compelling circumstances, may authorize:

a. A country other than the country of nationality as the home country, for the purposes of this rule. A staff member requesting such authorization will be required to satisfy the Secretary-General that the staff member maintained normal residence in such other country for a prolonged period preceding his or her appointment, that the staff member continues to have close family and personal ties in that country and that the staff member's taking home leave there would not be inconsistent with the purposes and intent of staff regulation 5.2;

b. Travel in a particular home leave year to a country other than the home country, subject to conditions established by the Secretary-General. In such a case, the travel expenses borne by the Authority shall not exceed the cost of travel to the home country.

(e) (i) Except in the case of staff members serving on probationary appointment, a staff member's first home leave shall fall due upon completion of 24 months of qualifying service. A staff member appointed on a probationary basis shall not be entitled to the first home leave until he or she has been granted a permanent appointment or an extension of probationary period; however, if the Secretary-General considers that it will not be possible for such a decision to be made within six months after completion of two years' service, he or she may be granted home leave subject to the other conditions of this rule.

(ii) Home leave may be taken, subject to the exigencies of the service and to the provisions in subparagraph (i) above in respect of probationary appointment, any time after the completion of 24 months of qualifying service.

(f) A staff member may be granted advanced home leave, provided that normally not less than 12 months of qualifying service have been completed or that normally not less than 12 months of qualifying service have elapsed since the date of return from his or her last home leave. The granting of advanced home leave shall not advance the eligibility for, or the due date of, the next home leave. The granting of advanced home leave shall be subject to the conditions for the entitlement being subsequently met. If these conditions are not met, the staff member will be required to reimburse the costs paid by the Authority for the advanced travel.

(g) If a staff member delays taking his or her home leave beyond the 12-month period after which it falls due, such delayed leave may be taken without altering the time of his or her next and succeeding home leave entitlements, provided that normally not less than 12 months of qualifying service elapse between the date of the staff member's return from the delayed home leave and the date of his or her next home leave departure.

(h) 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 or her family.

(i) Subject to the conditions specified in chapter VII 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 family members for the outward and return journeys between the official duty station and the place of home leave.

(j) Travel of eligible family members 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 family members from travelling together.

(k) If both husband and wife are staff members who are eligible for home leave, and taking into account rule 4.9 (d), each staff member shall have the choice either of exercising his or her own home leave entitlement or of accompanying the spouse. A staff member who chooses to accompany his or her spouse shall be granted travel time appropriate to the travel involved. Dependent children whose parents are staff members, each of whom is entitled to home leave, may accompany either parent. The frequency of travel shall not exceed the established periodicity of the home leave both with regard to staff members and to their dependent children, if any.

(l) A staff member travelling on home leave shall be required to spend no less than seven days, exclusive of travel time, in his or her home country. The Secretary-General may request a staff member, on his or her return from home leave, to furnish satisfactory evidence that this requirement has been fully met.

Chapter VI

Social security

Rule 6.1

Participation in the Pension Fund

Staff members whose appointments are for six months or longer or who complete six months of service under shorter appointments without an interruption of more than 30 days shall become participants in the United Nations Joint Staff Pension Fund, provided that participation is not excluded by their letters of appointment.

Rule 6.2

Sick leave

(a) Staff members who are unable to perform their duties by reason of illness or injury or whose attendance at work is prevented by public health requirements will be granted sick leave. All sick leave must be approved on behalf of, and under conditions established by, the Secretary-General.

Maximum entitlement

(b) A staff member's maximum entitlement to sick leave shall be determined by the nature and duration of his or her appointment in accordance with the following provisions:

- (i) A staff member who holds a fixed-term appointment of less than one year shall be granted sick leave at the rate of two working days per month of contractual service;
- (ii) A staff member who holds a probationary appointment or a fixed-term appointment of one year or longer but less than three years shall be granted sick leave of up to 3 months on full salary and 3 months on half salary in any period of 12 consecutive months;
- (iii) A staff member who holds a permanent appointment or a fixed-term appointment for three years or who has completed three years of continuous service shall be granted sick leave of up to nine months on full salary and nine months on half salary in any period of four consecutive years.

Uncertified sick leave

(c) A staff member may take uncertified sick leave for up to seven working days in a calendar year, when incapacitated for the performance of his or her duties by illness or injury. Part or all of this entitlement may be used to attend to family related emergencies.

Certified sick leave

(d) Sick leave taken by a staff member in excess of the limits set in paragraph (c) above requires approval in accordance with conditions established by the Secretary-General. When those conditions are not met, the absence shall be treated as unauthorized in accordance with rule 5.1 (b) (ii).

Sickness during annual leave

(e) When sickness of more than five consecutive working days in any seven-day period occurs while a staff member is on annual leave, including home leave, sick leave may be approved subject to appropriate medical certification.

Obligations of staff members

(f) Staff members shall inform their supervisors as soon as possible of absences due to illness or injury. They shall promptly submit any medical certificate or medical report required under conditions to be specified by the Secretary-General.

(g) A staff member may be required at any time to submit a medical report as to his or her condition or to undergo a medical examination by a duly qualified medical practitioner in conformity with United Nations medical standards. When, in the opinion of the Secretary-General, 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 medical practitioner. The staff member shall comply promptly with any direction or request under this rule.

(h) A staff member shall immediately notify the Secretary-General of any case of contagious disease occurring in his or her household or of any quarantine order affecting the household. In such a case, or in the case of any other condition which may affect the health of others, the Secretary-General shall decide whether the staff member should be excused from attendance at the office. If so, the staff member shall receive full salary and other emoluments for the period of authorized absence.

(i) A staff member shall not, while on sick leave, leave the duty station without the prior approval of the Secretary-General.

Review of decisions relating to sick leave

(j) Where further sick leave is refused or the unused portion of sick leave is withdrawn because the Secretary-General is satisfied that the staff member is able to return to duty and the staff member disputes the decision, the matter shall be referred, at his or her request, to an independent practitioner acceptable to both the Secretary-General and the staff member or to a medical board.

(k) The medical board shall be composed of:

(i) A medical practitioner selected by the staff member;

(ii) A medical practitioner designated by the Secretary-General; and

(iii) A third medical practitioner, who shall be selected by agreement between the other two members.

Rule 6.3

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 no earlier than six weeks and no later than two weeks prior to the anticipated date of birth upon production of a certificate from a duly qualified medical practitioner or midwife indicating 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 Secretary-General, 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;

(ii) The leave may be taken either continuously or in separate periods during the year following the birth of the child, provided it is completed during that year;

(iii) The staff member shall receive paternity leave with full pay for the entire duration of his absence.

(c) Sick leave shall not normally be granted for maternity cases except where complications arise.

(d) Annual leave shall accrue during the period of maternity or paternity leave.

Rule 6.4

Compensation for death, injury or illness attributable to service

Staff members shall be entitled to compensation in the event of death, injury or illness attributable to the performance of official duties on behalf of the Authority, in accordance with the rules set forth in appendix D to the Staff Rules of the United Nations, which rules shall be applicable, *mutatis mutandis*, to the Authority.

Rule 6.5

Compensation for loss or damage to personal effects attributable to service

Staff members shall be entitled, within the limits and under terms and conditions established by the Secretary-General, 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 Authority.

Rule 6.6

Medical insurance

Staff members may be required to participate in a medical insurance scheme under conditions established by the Secretary-General.

Chapter VII

Travel and removal expenses

Rule 7.1

Official travel of staff members

(a) Subject to the conditions laid down in these Rules, the Authority shall pay the travel expenses of a staff member under the following circumstances:

- (i) On initial appointment, provided the staff member is considered to have been internationally recruited under rule 4.7;
- (ii) When required to travel on official business;
- (iii) On home leave, in accordance with the provisions of rule 5.3;
- (iv) On family visit, in accordance with the provisions of paragraph (b) below;
- (v) On separation from service, as defined by article IX of the Staff Regulations and chapter IX of the Staff Rules and in accordance with the provisions of paragraph (c) below;
- (vi) On travel authorized for medical, safety or security reasons or in other appropriate cases, when, in the opinion of the Secretary-General, there are compelling reasons for paying such expenses.

(b) (i) Under subparagraph (a) (iv) above and subject to conditions established by the Secretary-General, the Authority shall pay the travel expenses of a staff member for the purpose of visiting his or her eligible family members at the place of recruitment or the place of home leave when, during the preceding 12 months, no eligible family member has been present at the duty station after travel on the Authority's expense, except on education grant travel. Family visit travel may be paid in respect of staff members who are considered as having been internationally recruited under rule 4.7, provided that they serve and reside outside their home country and their service with the Authority is expected to continue for at least six months beyond the date of return from the family visit travel.

(ii) Family visit travel may be granted once every year in which the staff member's home leave does not fall due as follows:

a. Upon completion of 12 months of qualifying service at the duty station after the initial appointment; or

b. Not less than nine months of continuous service has elapsed since the return from home leave travel.

(iii) Should a staff member wish to visit his or her eligible family members residing at any other place, the travel expenses borne by the Authority shall not exceed the maximum amount that would have been payable on the basis of travel to the place of home leave or place of recruitment.

(c) Under subparagraph (a) (v) above, the Authority shall pay the travel expenses of a staff member to the place of recruitment or, if the staff member had a probationary appointment or 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 purpose of home leave under rule 5.3. Should a staff member, on separation, wish to go to any other place, the travel expenses borne by the Authority shall not exceed the maximum amount that would have been payable on the basis of return transportation to the place of recruitment or home leave.

Rule 7.2
Official travel of family members

(a) Subject to the conditions laid down in these Rules, the Authority shall pay the travel expenses of a staff member's eligible family members under the following circumstances:

- (i) On the initial appointment of a staff member who is considered to have been internationally recruited, under the provisions of rule 4.7, provided the appointment is for a period of one year or longer or is a probationary appointment and provided the staff member's services are expected by the Secretary-General to continue for more than six months beyond the date on which travel of his or her family members 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 Secretary-General to continue for more than six months beyond the date on which travel of his or her family members commences;
- (iii) On home leave, in accordance with the provisions of rule 5.3;
- (iv) On separation of a staff member from service, provided the staff member's appointment was for a period of one year or longer or the staff member 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;
- (vi) On travel authorized for medical or security reasons or in other appropriate cases, when, in the opinion of the Secretary-General, there are compelling reasons for paying such expenses;
- (vii) On travel of the spouse to the duty station, in lieu of the staff member's family visit travel under rule 7.1 (a) (iv), subject to the same conditions as specified in rule 7.1 (b).

(b) Under subparagraphs (a) (i) and (ii) above, the Authority shall pay the travel expenses of a staff member's eligible family members either from the place of recruitment or from the place of home leave. Should a staff member wish to bring any eligible family member to the official duty station from any other place, the travel expenses borne by the Authority 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 subparagraph (a) (iv) above, the Authority shall pay the travel expenses of a staff member's eligible family members from the official duty station to the place to which the staff member is entitled to be returned in accordance with the provisions of rule 7.1. Where both husband and wife are staff members and either or both are entitled to the payment of travel expenses on separation from service, and taking into account rule 4.9 (d), travel expenses shall be paid for each only upon their own separation from service. Where both spouses are entitled to return travel expenses, each staff member shall have the choice either of exercising his or her own entitlement or of accompanying the other spouse, provided that in no case shall such expenses be paid for a staff member while he or she remains in the service of the Authority.

Rule 7.3

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 travel on home leave or family visit shall not be entitled to payment of return travel expenses for himself or herself and family members unless, in the opinion of the Secretary-General, there are compelling reasons for authorizing such payment.

(b) Entitlement to return travel expenses shall cease if travel has not commenced within two years after the date of separation. However, in accordance with rule 4.9 (d), where both husband and wife are staff members and the spouse who separates first is entitled to return travel expenses, his or her entitlement shall not cease until two years after the date, of separation of the other spouse.

Rule 7.4

Eligible family members

(a) Eligible family members, for the purposes of official travel, shall be deemed to comprise a spouse and those children recognized as dependent under rule 3.16 (b). In addition, those children in respect of whom an education grant is payable, even though they are no longer recognized as dependent under staff rule 3.16 (b), shall be eligible for education grant travel.

(b) The Secretary-General may authorize payment of the travel expenses of a child for one trip either to the staff member's duty station or to his or 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.

(c) Notwithstanding rule 7.2 (a) (iv), the Secretary-General may also authorize payment of the travel expenses for repatriation purposes of a former spouse.

Rule 7.5

Authority for travel

Before travel is undertaken it shall be authorized in writing. 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 or she has the proper authorization before commencing travel.

Rule 7.6

Travel expenses

(a) Travel expenses that shall be paid or reimbursed by the Authority under the relevant provisions of these Rules include:

- (i) Transportation expenses (i.e., 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 7.7

Route, mode and standard of transportation

(a) Official travel shall, in all instances, be by a route, mode and standard of transportation approved in advance by the Secretary-General.

(b) Travel expenses 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 7.8

Route and mode of travel

(a) The normal route for all official travel shall be the most direct and economical route. An alternative route may be approved when, in the opinion of the Secretary-General, it is in the best interest of the Authority.

(b) The normal mode of transportation for all official travel shall be by air. An alternative mode of transportation may be approved when, in the opinion of the Secretary-General, its use is in the best interest of the Authority.

(c) If a staff member or family member travels by a more economical mode of transportation than the approved mode, the Authority shall pay only for the mode of transportation actually used.

Rule 7.9

Standard of accommodation

(a) For all official travel by air, staff members and their eligible family members shall be provided with economy class transportation in accordance with the least costly airfare structure regularly available or its equivalent. However, under conditions established by the Secretary-General, accommodation immediately below first class may be granted. In exceptional cases, the Secretary-General may allow first class travel.

(b) The air travel accommodation under paragraph (a) above shall be provided at the most economical rate appropriate. Children under 2 years of age travelling by air shall be provided with a ticket giving entitlement to a seat.

(c) For all official travel by sea approved under paragraph (b) of rule 7.8, staff members and their family members shall be provided with the standard of accommodation which is, in the opinion of the Secretary-General, appropriate to the circumstances of the case.

(d) For all official travel by train approved under paragraph (b) of rule 7.8, staff members and their family members shall be provided with regular first class or equivalent accommodation, including sleeper and other facilities, as appropriate.

(e) A higher standard of accommodation may be approved when, in the opinion of the Secretary-General, special circumstances warrant it.

(f) If a staff member or family member travels by more economical accommodations than the approved standard, the Authority shall only pay for accommodations actually used at the rate paid by the traveller.

Rule 7.10

Travel by automobile

(a) Staff members who are authorized to travel by automobile shall be reimbursed by the Authority at rates and under conditions established by the Secretary-General on the basis of operating costs in the area in which the travel is undertaken and an appropriate minimum distance for the calculation of the daily subsistence allowance.

(b) Reimbursement for travel within a radius of 35 miles of the official duty station shall be based on actual mileage, and for travel beyond a 35 mile radius, on the mileage as shown on official road guides. Commutation between residence and place of business shall not be reimbursable.

(c) The mileage rate established by the Secretary-General shall be payable to only one of two or more persons travelling together on the same trip and in the same automobile.

(d) The total of mileage rate reimbursement and travel subsistence allowance which a staff member may claim in respect of a particular journey shall be limited to the maximum travel expenses to which he or she would have been entitled had the staff member and eligible family members travelled by the most economical route.

Rule 7.11

Purchase of tickets

(a) Unless the staff member concerned is specifically authorized to make other arrangements, all tickets for transportation involving official travel of staff members and eligible family members shall be purchased by the Authority in advance of the actual travel or, where circumstances so require, shall be secured by the staff member.

(b) When a staff member requests a standard of accommodation in excess of his or her entitlement under rule 7.9 or is authorized to travel, for reasons of personal preference or convenience, by other than the approved route or mode of transportation as provided for under rule 7.8, the staff member shall be required to reimburse the Authority for any additional costs thus incurred before the Authority provides him or her with the necessary tickets.

Rule 7.12

Terminal expenses

(a) For all official travel to or from the duty station, a staff member may claim reimbursement of terminal expenses incurred for each required trip by means of public conveyance between the airport or other point of arrival or departure and the hotel or other place of dwelling in respect of himself or herself and in respect of each family member authorized to travel at the Authority's expense, at rates and under conditions established by the Secretary-General. No expenses shall be reimbursable in respect of an intermediate stop that:

- (i) Is not authorized;
- (ii) Does not involve leaving the terminal; or
- (iii) Is exclusively for the purpose of making an onward connection.

(b) Terminal expenses shall be deemed to include all expenditures for transportation between the airport or other point of arrival or departure and the hotel or other place of dwelling, including transfer of accompanied baggage and other incidental charges, except the costs provided for under rule 7.16 (iii).

Rule 7.13
Expenses while in transit

(a) A staff member and his or her eligible family members authorized to travel by sea shall be entitled to a fixed amount to cover transit expenses equivalent to the amount of travel subsistence allowances that would have been payable in respect of the travel if the travel had been by air.

(b) When the authorized mode of transportation is other than by sea, full travel subsistence allowance shall be payable for the time spent in transit, subject to the conditions laid down in rules 7.14 to 7.17, and provided that, in the case of travel other than on official business, a maximum of three days' travel time shall be allowed in respect of any specific journey.

Rule 7.14
Travel subsistence allowance

(a) Except as provided in rule 7.13 (a) and in paragraph (h) below, a staff member authorized to travel at the Authority's expense shall receive an appropriate daily subsistence allowance in accordance with the schedule of rates established from time to time by the International Civil Service Commission. Such rates shall be subject to rule 7.15 and to reductions in cases where lodging or meals are provided free of charge by the Authority, by a Government or by a related institution.

(b) The Secretary-General may, in exceptional and compelling circumstances, authorize a reasonable increase in the travel subsistence allowance to be paid to a staff member who is required to accompany a senior official and whose official duties while in travel status require that his or her additional living expenses be established at a rate substantially higher than that contemplated in setting the allowance rate for his or her level.

(c) Travel subsistence allowance shall be deemed to comprise the total contribution of the Authority towards such charges as meals, lodging, gratuities and other payments made "for personal services rendered. Except as provided in rule 7.17, any expenditures incurred in excess of the allowance shall be borne by the staff member.

(d) Except as provided in rule 7.13 (a) and in paragraph (h) below, when the spouse or dependent children of a staff member are authorized to travel at the Authority's expense, the staff member shall be paid an additional travel subsistence allowance in respect of each of them at half the rate applicable to the staff member.

(e) Except for leave taken at a rate not exceeding one and a half days for each completed month on which a staff member is in travel status on official business, travel subsistence allowance shall not be paid in respect of any period of annual or special leave. It shall not, in any event, be paid in respect of leave taken at the conclusion of active duty on an assignment but prior to the staff member's return to his or her official duty station.

(f) The travel subsistence allowance shall continue to be paid during periods of sick leave while in travel status, except that, if the traveller is hospitalized, only one third of the appropriate daily rate shall be paid.

(g) The appropriate travel subsistence allowance shall be paid for any days on which a staff member is required to perform official duties in connection with travel on home leave.

(h) No travel subsistence allowance shall be payable in respect of travel on home leave, family visit or education grant, provided that the allowance may be

paid for stopovers actually made on such travel under conditions established by the Secretary-General. Where travel at the Authority's expense is authorized for medical, security or other reasons under rule 7.1 (a) (vi) or 7.2 (a) (vii), an appropriate amount of subsistence allowance may be paid at the discretion of the Secretary-General.

(i) In the event of staff members being assigned to conferences or for other extended periods of duty away from their official duty station, the Secretary-General may establish a special rate of subsistence allowance.

Rule 7.15

Computation of the travel subsistence allowance

(a) Except during travel by sea, subsistence allowance shall be paid to a staff member, at the rates and under the conditions prescribed in rule 7.14 for each calendar day or fraction thereof involving an overnight stay away from his or her residence, during which the staff member or his or her family members are in official travel status, provided that for a journey of 24 hours or longer a full day's allowance at the appropriate rate shall be paid for the day on which travel is begun and that no allowance shall be paid for the day on which travel is ended. Where travel does not involve an overnight stay away from the residence, no allowance shall be paid for a journey of less than 10 hours, and 40 per cent of the allowance shall be paid for a journey of 10 hours or more.

(b) Where travel is by sea, a full day's allowance at the appropriate rate shall be paid for the day of arrival at the port of disembarkation, provided the traveller remains in official travel status for more than 12 hours thereafter. No allowance shall be paid for the day on which embarkation takes place.

(c) If more than one rate should apply during the course of any one day or if the traveller completes his or her travel on the same day as he or she commenced it, the rate applicable for the area of destination shall be paid for that day, except that for the fast leg of a return travel on official business the allowance shall be paid at the rate applicable to the last authorized place where the staff member spent the night.

(d) When it is necessary, for the purpose of computing the amount of travel subsistence allowance payable, to specify the "hour of departure" and the "hour of arrival", these shall be considered as the time when the train, vessel or airplane used by the traveller actually leaves or arrives at its regular terminal.

Rule 7.16

Miscellaneous travel expenses

Necessary additional expenses incurred by a staff member in connection with the transaction of official business or in the performance of authorized travel shall be reimbursed by the Authority after completion of travel, provided the necessity and nature of the expenses are satisfactorily explained and supported by proper receipts, which shall normally be required for any expenditures in excess of \$20. Such expenses, for which advance authorization shall be obtained to the extent practicable, shall normally be limited to:

- (i) Local transportation other than that provided for under rule 7.12;
- (ii) Telephone and other forms of communication required for official business;
- (iii) Space, equipment and services required for official use;

- (iv) Transportation or storage of authorized baggage or property used for conducting official business.

Rule 7.17**Settling-in grant**

(a) A staff member who travels at the Authority's expense to report for duty upon initial appointment expected to be of at least one year's duration shall be paid a settling-in grant, subject to the conditions set forth below.

(b) The amount of the settling-in grant shall be equivalent to:

(i) Thirty days of subsistence allowance at the applicable daily rate for the duty station as established from time to time by the International Civil Service Commission;

(ii) Thirty days of subsistence allowance at half such daily rate in respect of each family member for whom travel expenses have been paid by the Authority under rules 7.2 (a), (i) or (ii).

The above-mentioned amounts shall be calculated on the basis of the rate prevailing on the date of arrival of the staff member or of the staff member's family member, as appropriate.

Where an assignment of less than one year, in respect of which daily subsistence has been paid for six months or more under rule 3.4 (c), is extended to one year or more, the provisions of (i) above do not apply and only the lump sum portion under paragraph (d) will be paid.

(c) Under conditions established by the Secretary-General, the limit of 30 days provided in paragraph (b) above may be extended to a maximum of 90 days. The amount of the grant during the extended period shall be up to 60 per cent of the appropriate prevailing rate.

(d) In addition to any amount of grant paid under paragraph (b) above, a lump sum calculated on the basis of one month of the staff member's net base salary and, where appropriate, post adjustment, may be paid under conditions established by the Secretary-General. The lump sum shall be payable at the rate of one month's net base salary and post adjustment if the assignment is for less than three years and two months net base salary and post adjustment if the assignment is for three years or more. If an assignment for less than three years is extended to three years or more, the staff member shall be paid at that time a second one-month lump sum.

(e) Where both husband and wife are staff members who are travelling at the Authority's expense to report for duty upon initial appointment, and taking into account rule 4.9 (d), the daily subsistence allowance portion of the assignment shall be paid to each in respect of himself or herself. If they have a dependent child or children, the settling-in grant in respect of such child or children shall be paid to the staff member on whom the child is recognized to be dependent.

(f) If both husband and wife would otherwise qualify for the lump sum portion of the grant, such lump sum shall be paid only to the spouse whose lump sum portion yields the higher amount.

(g) In cases where the staff member has not completed the period of service in respect of which the settling-in grant has been paid, the grant shall be adjusted proportionately and recovery made under conditions established by the Secretary-General who, in exceptional circumstances, may decide to waive recovery.

(h) The Secretary-General may, in appropriate cases, authorize payment of all or part of the settling-in grant where the Authority has not been required to pay

travel expenses upon the appointment of a staff member regarded as internationally recruited under rule 4.7.

Rule 7.18

Excess baggage and unaccompanied shipment

Excess baggage

(a) For the purpose of these rules, “excess baggage” shall mean baggage in excess of accompanied baggage carried without extra charge by transportation companies.

(b) Staff members travelling by air shall be entitled to reimbursement of the cost of excess baggage for themselves and their eligible family members to the extent of the difference between their free baggage allowance and the free baggage allowance in first class air travel, subject to conditions established by the Secretary-General.

General provisions on unaccompanied shipments

(c) For the purpose of these rules, “personal effects and household goods” shall mean effects and goods normally required for personal or household use, excluding animals.

(d) Unaccompanied shipments shall normally be made in one consignment, and shall be reimbursed on the basis of the maximum entitlement provided under this rule for transportation by the most economical means, as determined by the Secretary-General, between the places of departure and destination of the authorized travel of the staff member or his or her family members.

(e) Normal costs of packing, crating and lift vans, cartage, unpacking and uncrating shall be reimbursed for the unaccompanied shipments authorized under this rule. Costs for the servicing, dismantling, installing or special packing of personal effects and household goods shall not be reimbursed. Storage and demurrage charges shall not be reimbursed unless, in the opinion of the Secretary-General, they are directly incidental to the transportation of the consignment.

(f) The weight or volume of unaccompanied shipments of personal effects and household goods for which expenses are borne by the Authority under this rule shall include packing but exclude crating and lift vans.

Unaccompanied shipment on home leave, family visit or education grant travel

(g) When the authorized travel is by air or by land, charges for unaccompanied shipment of personal effects or household goods relating to travel on home leave, family visit or education grant may be reimbursed up to a maximum of:

(i) 50 kilograms, or 0.31 cubic metres, by the most economical means, per person and in respect of each journey, except as provided in subparagraph (ii) below. At the request of the staff member, this entitlement may be converted to 20 additional kilograms of accompanied excess baggage per person;

(ii) 200 kilograms, or 1.24 cubic metres, by the most economical means, for travel on education grant in regard to the first outward journey to, and the final return journey from, an educational institution.

Additional shipment entitlements for internationally recruited staff

(h) Internationally recruited staff members shall be entitled to the following additional shipment entitlements, under conditions established by the Secretary-General:

- (i) An additional shipment entitlement once a year to the duty station, by the most direct and economical means, of up to 50 kilograms, or 0.31 cubic metres, in respect of the staff member and each eligible family member for whom the Authority has paid travel costs to the duty station;
- (ii) An additional 50 kilogram shipment to the duty station in connection with the birth or adoption of an infant.

Unaccompanied shipments for staff appointed for less than one year

(i) On travel on appointment for staff appointed or assigned for less than one year, or on separation from service of staff appointed for less than one year, charges for shipment of personal effects and household goods by the most economical means may be reimbursed up to a maximum of 100 kilograms, or 0.62 cubic metres. Where the appointment or assignment is extended for a total period of one year or longer, the staff member shall be paid expenses for an additional shipment of personal effects and household goods up to the maximum entitlement established in paragraph (j) below.

Unaccompanied shipments for staff appointed or assigned for one year or longer

(j) On travel of appointment or assignment for one year or longer, on transfer to another duty station, or on separation from service of a staff member appointed for one year or longer, charges for shipment of personal effects and household goods by the most economical means may be reimbursed up to a maximum of:

- (i) 1,000 kilograms, or 6.23 cubic metres, for the staff member;
- (ii) 500 kilograms, or 3.11 cubic metres, for the first family member;
- (iii) 300 kilograms, or 1.87 cubic metres, for each additional family member authorized to travel at the expense of the Authority.

Conversion of surface shipment to unaccompanied shipment by air

(k) When the most economical means of shipment is by surface, the entitlement may be converted to unaccompanied shipment by air under conditions established by the Secretary-General.

Rule 7.19**Insurance**

(a) Staff members shall not be reimbursed for the cost of personal accident insurance or of insurance of accompanied personal baggage. However, compensation may be paid, under arrangements in force under rule 6.5, in respect of loss and damage to such baggage determined to be directly attributable to the performance of official duties on behalf of the Authority.

(b) In the case of shipments authorized under rule 7.18, except on home leave, family visit or education grant travel, and of shipment and storage of personal effects and household goods under rule 7.24, insurance coverage will be provided by the Authority up to a maximum established by the Secretary-General.

(c) The Authority shall not be responsible for loss of or damage to unaccompanied shipments.

Rule 7.20

Travel advances

(a) Staff members authorized to travel shall provide themselves with sufficient funds for all current expenses by securing an advance of funds if necessary. A reasonable advance of funds against the estimated reimbursable travel expenses may be made to a staff member or his or her family members for expenses authorized under these Rules. An advance of funds shall be considered reasonable if not more than 80 per cent of the estimated reimbursable expenses. If, in the course of travel, the staff member has earned in subsistence allowance an amount equal to the amount advanced, the staff member may be advanced the balance of the estimated reimbursable expenses.

(b) However, in those cases where a staff member is authorized to travel in accordance with staff rule 7.1 (a) (ii), an advance of funds at the rate of 100 per cent of the estimated travel subsistence allowance payable in accordance with staff rule 7.14 may be made.

Rule 7.21

Illness or accident during travel

The Authority shall pay or reimburse reasonable hospital and medical expenses, insofar 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 7.22

Reimbursement of travel expenses

The Secretary-General may reject any claim for payment or reimbursement of travel or removal expenses which are incurred by a staff member in contravention of any provision of these Rules.

Rule 7.23

Transportation of decedents

Upon the death of a staff member or of his or her spouse or dependent child, the Authority shall pay the expenses of transportation of the body from the official duty station or, in the event of death having occurred while in travel status, from the place of death, to a place to which the deceased was entitled to return transportation under rules 7.1 and 7.2. These expenses shall include reasonable costs for preparation of the body. If local interment is elected, reasonable expenses incurred for the interment may be reimbursed.

Rule 7.24

Removal costs

Eligibility for payment of removal costs

(a) An entitlement to payment of removal costs of personal effects and household goods, as defined in staff rule 7.18 (c), shall arise with respect to internationally recruited staff members, under the following circumstances, and in accordance with conditions established by the Secretary-General:

(i) On initial appointment for a period of two years or longer;

(ii) 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; and

a. Had been granted removal to Kingston; or

b. Had been recruited in Kingston and is repatriated to the place of home leave or other location, in accordance with rule 7.1 (c).

Maximum entitlements

(b) Payment by the Authority of removal costs shall be on the basis of the following:

(i) A standard 20-foot container, including packing but excluding crating and lift vans, for a staff member without a spouse or dependent child, and a standard 40-foot container for a staff member with a spouse or dependent child residing at the official duty station. Higher maxima may be authorized if the staff member presents convincing evidence that his or her normal and necessary personal effects and household goods to be removed exceed those limits;

(ii) The normal costs of packing, crating and lift vans, cartage, unpacking and uncrating shall be reimbursed. Storage and demurrage charges shall not be reimbursed unless, in the opinion of the Secretary-General, they are directly incidental to the transportation of the consignment;

(iii) Transportation of personal effects and household goods shall be by the most economical means, as determined by the Secretary-General;

(iv) In addition to the removal expenses under this rule, the cost of transporting a privately owned automobile may be partially reimbursed under conditions established by the Secretary-General.

(c) Payment of removal expenses shall be on the basis of shipment from and to the following destinations:

(i) On appointment, from the place of recruitment or the place recognized as the staff member's home for purposes of home leave under rule 5.3, to the official duty station;

(ii) Upon separation from service, from the official duty station to any one place to which the staff member is entitled to be returned in accordance with the provisions of rule 7.1;

(iii) Payment of removal expenses from or to a place other than those specified may be authorized under terms and conditions defined by the Secretary-General. No expenses shall be paid for removing a staff member's personal effects and household goods from one residence to another at the same duty station.

Adjustments to entitlements

(d) Where both husband and wife are staff members and each is entitled to removal of personal effects and household goods under this rule or to unaccompanied shipment under rule 7.18, and taking into account rule 4.9 (d), the maximum entitlement to removal at Authority expense for both spouses shall be that provided for a staff member with a spouse or dependent child residing at the official duty station.

(e) In cases where, for reasons not attributable to the Authority, the staff member has not completed the period of service in respect of which removal costs

have been paid, these costs may be adjusted proportionately and recovery made under conditions established by the Secretary-General.

Rule 7.25

Loss of entitlement to unaccompanied shipment or 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 7.24 above.

(b) Entitlement to removal expenses under rule 7.24 (a) (i) and (ii) shall normally cease if removal has not commenced within two years after the date on which the staff member became entitled to removal expenses or if the staff member services are not expected to continue for more than six months beyond the proposed date of arrival of the personal effects and household goods.

(c) Upon separation from service, entitlement to unaccompanied shipment expenses under rule 7.18 (i) or removal expenses under rule 7.24 shall cease if the shipment or removal has not commenced within two years after the date of separation. However, in accordance with rule 4.9 (d), where both husband and wife are staff members and the spouse who separates first is entitled to unaccompanied shipment or removal expenses, his or her entitlement shall not cease until two years after the date of separation of the other spouse.

Chapter VIII

Staff relations

Rule 8.1

Staff Committee

(a) The Secretary-General shall establish and maintain continuous contact and communication with the staff in order to ensure the effective participation of the staff in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of life and other personnel policies.

(b) A Staff Committee shall be established and shall be entitled to make proposals to the Secretary-General and to be consulted on issues relating to staff welfare, including conditions of work, general conditions of life and other personnel policies. It shall consist of three members elected biennially by the staff.

(c) General administrative instructions or directives on questions within the scope of paragraph (b) shall be transmitted in advance, unless emergency situations make this impracticable, to the Staff Committee for consideration and comment before being placed in effect.

(d) The Secretary-General shall afford facilities for meeting of the Staff Committee and shall allow members of the Staff Committee sufficient time for the performance of their functions, during office hours.

(e) In accordance with the principle of freedom of association, staff members may form and join associations, unions or other groupings. However, formal contact and communication on the matters referred to in paragraph (b) shall be conducted through the Staff Committee, which shall be the sole and exclusive representative body for such purpose.

Chapter IX

Separation from service

Rule 9.1

Special Advisory Board, definition of termination, and abolition of posts and reduction of staff

Special Advisory Board

(a) The Special Advisory Board under staff regulation 9.1 (b) shall be composed of a chairman and two members appointed by the Secretary-General in consultation with the Staff Committee.

Definition of termination

(b) A termination within the meaning of the Staff Regulations is a separation from service initiated by the Secretary-General, other than retirement, death or summary dismissal for serious misconduct. Abandonment of post is a separation initiated by the staff member other than by way of resignation and is not considered a termination initiated by the Secretary-General within the meaning of staff regulation 9.1 (a). Retirement under article 28 of the Regulations of the United Nations Joint Staff Pension Fund shall not be regarded as a termination within the meaning of the Staff Regulations and Staff Rules.

Abolition of posts and reduction of staff

(c) If the necessities of the service require abolition of a post or reduction of the staff and subject to the availability of suitable posts in which their services can be effectively utilized, staff members with permanent appointments shall be retained in preference to those on all other types of appointment.

Rule 9.2

Resignation

(a) A resignation, within the meaning of the Staff Regulations, is a separation initiated by a staff member.

(b) Unless otherwise specified in their letters of appointment, three months' written notice of resignation shall be given by staff members having permanent appointments and 30 days' written notice of resignation by those having temporary appointments. The Secretary-General may accept resignations on shorter notice.

(c) The Secretary-General may require the resignation to be submitted in person in order to be acceptable.

Rule 9.3

Notice of termination

(a) A staff member whose permanent appointment is to be terminated shall be given not less than three months' written notice of such termination.

(b) A staff member whose temporary appointment is to be terminated shall be given not less than 30 days' written notice of such termination or such notice as may otherwise be stipulated in his or her letter of appointment.

(c) In lieu of these notice periods, the Secretary-General may authorize compensation equivalent to salary, applicable post adjustment and allowances which the staff member would have received had the date of termination been at the end of the notice period at the rate in effect on the last day of service.

Rule 9.4**Termination indemnity**

(a) Payment of termination indemnity under staff regulation 9.2 and appendix I to the Staff Regulations shall be calculated:

(i) For staff in the Professional and higher categories, on the basis of the staff member's gross salary less staff assessment in accordance with the schedule of rates applicable to United Nations staff members;

(ii) For staff in the General Service and related categories, on the basis of the staff member's gross salary, including language allowance, if any.

(b) Length of service shall be deemed to comprise the total period of a staff member's full-time continuous service with the Authority, regardless of types of appointment. Continuity of such service shall not be considered as broken by periods of special leave. However, service credits shall not accrue during periods of special leave with partial pay or without pay of one full month or more.

(c) Termination indemnity shall not be paid to any staff member who, upon separation from service, will receive a retirement benefit under article 28 of the Regulations of the United Nations Joint Staff Pension Fund or compensation for total disability under rule 6.4.

(d) Upon application of a staff member who is to be separated as a result of an agreed termination of appointment or because of abolition of post or reduction in staff and who is within two years of age 55 years and 25 years of contributory service in the United Nations Joint Staff Pension Fund, or who is over that age and within two years of 25 years of contributory service, the Secretary-General may place such staff member on special leave without pay for pension purposes pursuant to staff rule 5.2 (c) under conditions to be established by the Secretary-General. Such special leave shall commence from the date on which the separation would otherwise have taken effect for a period of up to two years, for the sole purpose of enabling the staff member to remain a participant in the United Nations Joint Staff Pension Fund during this period.

(e) The Authority will, on written request of the staff member prior to being placed on special leave pursuant to the preceding paragraph, pay the pension contribution of the Authority and/or the staff member during this period of special leave. The total amount of these contributions will be deducted from the termination indemnity otherwise payable.

(f) A staff member selecting the option of special leave described in paragraph (d) of this rule shall sign an undertaking acknowledging that his or her status on special leave is solely for pension purposes and that his or her entitlements and those of any dependants to all other emoluments and benefits under the Staff Regulations and Staff Rules is determined finally as of the date of commencement of such special leave.

Rule 9.5**Repatriation grant****Purpose**

(a) The purpose of repatriation grant provided by staff regulation 9.5 is to facilitate relocation of expatriate staff members to a country other than the country of the duty station, provided they meet the conditions contained in appendix II to the Staff Regulations and in this rule.

Definitions

(b) The following definitions shall be used in ascertaining whether the conditions contained in appendix II to the Staff Regulations and this rule are met:

- (i) “Country of nationality” shall mean the country of nationality recognized by the Secretary-General;
- (ii) “Dependent child” shall mean a child recognized as dependant under rule 3.17 (b) at the time of the staff member’s separation from service;
- (iii) “Home country” shall mean the country of home leave entitlement under rule 5.3 or such other country as the Secretary-General may determine;
- (iv) “Obligation to repatriate” shall mean the obligation to return a staff member and his or her spouse and dependent children, upon separation, at the expense of the Authority, to a place outside the country of his or her duty station;
- (v) “Qualifying service” shall mean five years or more of continuing service and residence away from the home country and the country of nationality of a staff member, or country where the staff member has acquired permanent resident status.

Eligibility

(c) Staff members who are internationally recruited shall be eligible for payment of the repatriation grant in accordance with appendix II to the Staff Regulations if they meet the following conditions:

- (i) The Authority had the obligation to repatriate the staff member upon separation after qualifying service of five years or longer;
- (ii) The staff member resided outside his or her country of nationality while serving at the duty station;
- (iii) The staff member has not been summarily dismissed or separated from service on grounds of abandonment of post.
- (d) No repatriation grant shall be paid to:
 - (i) A staff member locally recruited under rule 4.6;
 - (ii) A staff member who has permanent resident status in the country of the duty station at the time of separation.

Evidence of relocation

(e) Payment of the repatriation grant after separation of an eligible staff member shall require prior submission of documentary evidence satisfactory to the Secretary-General that the former staff member has relocated away from the country of the duty station.

Amount and computation of the grant

(f) The amount of repatriation grant for eligible staff members shall be computed on the basis of appendix II to the Staff Regulations and in accordance with terms and conditions established by the Secretary-General for determining the length of qualifying service for repatriation grant purposes.

Years of qualifying service	Staff member with neither a spouse nor 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 gross salary, less staff assessment, where applicable		
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

(g) When both husband and wife are staff members and each is entitled to payment of a repatriation grant on separation from service, the amount of the grant paid to each shall be calculated in accordance with terms and conditions established by the Secretary-General.

Time limitation for submission of the claim

(h) Entitlement to the repatriation grant shall cease if no claim has been submitted within two years after the effective date of separation. However, when both husband and wife are staff members and the spouse who separates first is entitled to repatriation grant, the claim for payment of the grant by the spouse shall be considered receivable if made within two years of the date of separation of the other spouse.

Payment in case of death of eligible staff member

(i) 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 Authority is obligated to repatriate. If there are one or more such survivors, payment shall be made under terms and conditions established by the Secretary-General.

Rule 9.6

Expiration of fixed-term appointments

(a) A temporary appointment for a fixed term shall expire automatically and without prior notice on the expiration date specified in the letter of appointment.

(b) 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 Staff Rules.

Rule 9.7

Commutation of accrued annual leave

If, upon separation from service, a staff member has accrued annual leave, the staff member shall be paid a sum of money in commutation of the period of such accrued leave up to a maximum of 60 working days. The payment shall be calculated:

- (i) For staff in the Professional and higher categories, on the basis of the staff member's net base salary plus post adjustment;
- (ii) For staff in the General Service, on the basis of the staff member's pensionable remuneration, including language allowance, if any, less staff assessment applied to the gross salary alone.

Rule 9.8

Restitution of advance annual and sick leave

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

Rule 9.9

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 rule 9.2 or such other date as the Secretary-General accepts. Staff members will be expected to perform their duties during the period of notice of 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;
- (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 Secretary-General for retirement;
- (v) In the case of summary dismissal, the date shall be the date of dismissal;
- (vi) In the case of death, 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:

<i>Completed years of service (as defined in staff rule 9.4)</i>	<i>Months of salary</i>
3 or less	3
4	4
5	5
6	6
7	7
8	8
9 or more	9

Payment related to the period of extension beyond the date of death may be made in a lump sum as soon as the pay accounts and related matters can be closed. Such payment shall be made only to the surviving spouse and dependent children. For staff in the Professional and higher categories, the payment shall be calculated on the basis of the staff member's gross salary less staff assessment. For staff in the General Service, the payment shall be calculated on the basis of the staff member's pensionable remuneration, including language allowance, if any, less staff assessment applied to the gross salary alone. All other entitlements and accrual of benefits shall cease as of the date of death except as provided by staff rule 3.14 (e) for payment of education grant when the staff member dies while in service after the beginning of the school year.

(b) When an internationally recruited staff member has an entitlement to return travel under rule 7.1 (a) (v), this shall not affect the determination of the last day for pay purposes in accordance with the provisions of paragraph (a) above. In the case of resignation, expiration of fixed-term appointment, termination or retirement, the staff member shall be paid, on separation, an additional amount for days of authorized travel estimated on the basis of uninterrupted travel by an approved route and mode from the duty station to the place of entitlement to return travel. Such amount shall be calculated as is done for commutation of accrued annual leave under staff rule 9.7.

Rule 9.10
Certification of service

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

Chapter X

Disciplinary measures and procedures

Rule 10.1

Misconduct

(a) Failure by a staff member to comply with his or her obligations under the Convention, the Staff Regulations and Staff Rules or other relevant administrative issuances, or to observe the standards of conduct expected of an international civil servant, may amount to unsatisfactory conduct within the meaning of staff regulation 10.2, leading to the institution of disciplinary proceedings and the imposition of disciplinary measures for misconduct.

(b) Where the staff member's failure to comply with his or her obligations or to observe the standards of conduct expected of an international civil servant is determined by the Secretary-General to constitute misconduct, such staff member may be required to reimburse the Authority either partially or in full for any financial loss suffered by the Authority as a result of his or her actions, if such actions are determined to be wilful, reckless or grossly negligent.

(c) The decision to launch an investigation into allegations of misconduct, to institute a disciplinary process and to impose a disciplinary measure shall be within the discretionary authority of the Secretary-General.

Rule 10.2

Suspension during investigation and disciplinary proceedings

(a) If a charge of misconduct is made against a staff member and the Secretary-General so decides, the staff member may be suspended from duty during investigation and pending completion of disciplinary proceedings for a period which should normally not exceed three months. Such suspension shall be with pay unless, in exceptional circumstances, the Secretary-General decides that suspension without pay is appropriate. The suspension shall be without prejudice to the rights of the staff member and shall not constitute a disciplinary measure.

(b) A staff member suspended pursuant to paragraph (a) shall be given a written statement of the reason for the suspension and its probable duration.

(c) If a suspension pursuant to paragraph (a) is without pay and the charge of misconduct is subsequently not sustained, any salary withheld shall be restored.

Rule 10.3

Disciplinary measures

(a) Disciplinary measures may take one or more of the following forms:

(i) Written censure by the Secretary-General;

(ii) Loss of one or more steps in grade;

(iii) Deferment, for a specified period, of eligibility for within-grade increment;

(iv) Suspension without pay for a specified period;

(v) Fine;

(vi) Demotion;

(vii) Separation from service, with or without notice or compensation in lieu thereof, notwithstanding rule 9.3;

(viii) Summary dismissal.

(b) The following measures shall not be considered to be disciplinary measures, within the meaning of this rule:

- (i) Reprimand, written or oral, by a supervisory official;
- (ii) Recovery of moneys owed to the Authority;
- (iii) Suspension pursuant to rule 10.2.

Rule 10.4

Due process

(a) No disciplinary proceedings may be instituted against a staff member unless he or she has been formally notified, in writing, of the allegations against him or her, as well as of the right to seek the assistance of counsel in his or her defence at his or her own expense, and has been given a reasonable opportunity to respond to those allegations.

(b) Any disciplinary measure imposed on a staff member shall be proportionate to the nature and gravity of his or her misconduct;

(c) No staff member shall be subject to disciplinary measures until the matter has been referred to a Joint Disciplinary Committee for advice as to what measures, if any, are appropriate, except that no such advice shall be required:

- (i) If referral to the Joint Disciplinary Committee is waived by mutual agreement of the staff member concerned and the Secretary-General;
- (ii) If the matter is referred to conciliation in accordance with chapter XII of the Staff Rules by mutual agreement of the staff member concerned and the Secretary-General and the proceedings result in a successful conciliation;
- (iii) In respect of summary dismissal imposed by the Secretary-General in cases where the seriousness of the misconduct warrants immediate separation from service.

(d) In cases of summary dismissal imposed without prior submission of the case to a Joint Disciplinary Committee in accordance with subparagraphs (c) (i) and (iii), the staff member or former staff member concerned may, within two months of having received written notification of the measure, request that the measure be reviewed by such a Committee. A request shall not have the effect of suspending the measure. After the advice of the Committee has been received, the Secretary-General shall decide as soon as possible what action to take in respect thereof. An appeal in respect of such a decision may not be submitted to the Joint Appeals Board.

(e) An appeal in respect of a disciplinary measure considered by a Joint Disciplinary Committee pursuant to either paragraph (c) or (d) or in respect of financial responsibility for gross negligence pursuant to rule 10.5 shall be submitted directly to the United Nations Appeals Tribunal.

Rule 10.5

Joint Disciplinary Committee

(a) The Secretary-General shall, when required, establish a Joint Disciplinary Committee which shall advise the Secretary-General on request in disciplinary matters.

(b) The Joint Disciplinary Committee shall be composed of:

- (i) A chairman appointed by the Secretary-General after consultation with the Staff Committee;

(ii) One member appointed by the Secretary-General;

(iii) One member elected by the staff.

(c) The chairman and members of the Joint Disciplinary Committee shall be appointed or elected for two years, shall be eligible for reappointment or re-election and shall remain in office until their successors are appointed or elected or as long as they are staff members of the Authority.

(d) The chairman may be removed from the Joint Disciplinary Committee by the Secretary-General after consultation with the Staff Committee. The member appointed by the Secretary-General may be removed by him or her. The member elected by the staff may be recalled by a majority vote of the staff, taken at the initiative of the Staff Committee.

(e) At the request of either party, the chairman or any other member may be disqualified from consideration of a specific case, if, in the opinion of the chairman or the vice-chairman, the action is warranted by the relation of that member of the Joint Disciplinary Committee to the staff member whose case is to be considered or by any possible conflict of interest. The chairman or vice-chairman may also excuse any member at that member's request from the consideration of a specific case.

(f) The Joint Disciplinary Committee shall also be available to advise the Secretary-General at his request in matters pertaining to financial responsibility for gross negligence. In such a case, the level of any member of the panel who is also a staff member shall be at least the same as the level of the staff member whose financial responsibility may be engaged.

Rule 10.6

Joint Disciplinary Committee procedure

(a) In considering a case, the Joint Disciplinary Committee shall act with maximum dispatch and shall make every effort to provide its advice in a written report to the Secretary-General and to the staff member concerned within four weeks after the case has been submitted to it.

(b) Proceedings before a Joint Disciplinary Committee shall normally be limited to the original written presentation of the case, together with brief statements and rebuttals, which may be made orally or in writing, in one of the working languages of the Authority, but without delay. If the Committee considers that it requires the testimony of the staff member concerned or of other witnesses, it may, at its sole discretion, obtain such testimony by written deposition, by personal appearance before the Committee, before one of its members or before another staff member acting as a special master, or by telephone or other means of communication. The report of the Joint Disciplinary Committee shall be considered as constituting a formal record of the proceedings, including submissions, statements, rebuttals and depositions. The report shall include a summary of the reasons, fact and law as well as all recommendations that the Committee considers appropriate. Votes on the recommendations shall be recorded and any member of the Committee may have his or her dissenting opinion included in the report.

(c) The Joint Disciplinary Committee shall adopt its own rules of procedure, which shall be consistent with these Staff Rules and with any applicable administrative instructions, as well as with the requirements of due process.

(d) The Joint Disciplinary Committee shall permit a staff member to arrange to have his or her case presented before it by counsel, at his or her own expense.

(e) A representative of the Office of Legal Affairs shall participate in an advisory capacity in the deliberations of the Joint Disciplinary Committee on an

ex officio basis when the advice of the Committee has been requested in a matter pertaining to financial responsibility for gross negligence.

Rule 10.7

Ad hoc tribunal under article 168, paragraph 3, of the Convention

Violation of the obligations of a staff member set forth in article 168, paragraph 2, of the Convention shall, on the request of a State party to the Convention affected by such violation, or natural or juridical person sponsored by a State party, as provided in article 153, paragraph 2 (b), of the Convention and affected by such violation, be submitted by the Authority against the staff member concerned to an ad hoc tribunal of three qualified persons appointed by the Secretary-General of the United Nations. The party affected shall have the right to take part in the proceedings and to be represented by counsel, at his or her own expense. If the tribunal so recommends, the Secretary-General shall dismiss the staff member concerned.

Chapter XI

Joint appeals board

Rule 11.1

Establishment

(a) There is hereby established a Joint Appeals Board to consider and advise the Secretary-General regarding appeals filed under the terms of staff regulation 11.1.

(b) The Joint Appeals Board shall be composed of:

(i) A Chairman appointed by the Secretary-General after consultation with the Staff Committee;

(ii) Members appointed by the Secretary-General;

(iii) An equal number of members elected by the staff.

The number of members shall be determined by the Secretary-General after consultation with the Staff Committee.

(c) The Chairman and members of the Joint Appeals Board shall be appointed or elected for two years, shall be eligible for reappointment or re-election and shall remain in office until their successors are appointed or elected.

(d) The Chairman may be removed from the Joint Appeals Board by the Secretary-General after consultation with the Staff Committee. A member appointed by the Secretary-General may be removed by him or her. A member elected by the staff may be recalled by a majority vote of the staff, taken at the initiative of the Staff Committee.

(e) The Joint Appeals Board shall establish its own rules of procedure.

Rule 11.2

Appeals

(a) A staff member wishing to appeal an administrative decision pursuant to staff regulation 11.1 shall, as a first step, address a letter to the Secretary-General requesting that the administrative decision be reviewed; such letter must be sent within two months from the date the staff member received notification of the decision in writing.

(i) If the Secretary-General replies to the staff member's letter, he or she may appeal against the answer within one month of the receipt of such reply;

(ii) If the Secretary-General does not reply to the letter within one month, the staff member may appeal against the original administrative decision within one month of the expiration of the time limit specified in this subparagraph for the Secretary-General's reply.

(b) At any time after a request for review has been submitted, but before a panel of the Joint Appeals Board has been constituted to hear an appeal, conciliation may be sought on the issues involved at the initiative of the Secretary-General, the staff member or the Chairman of the Joint Appeals Board. The conciliation procedure shall be as set out in chapter XII of the Staff Rules. This procedure is without prejudice to the right of the staff member to pursue an appeal under the provisions of this rule if the issues cannot be resolved through conciliation.

(c) Neither a request for administrative review under paragraph (a) above nor the filing of an appeal under paragraph (d) below shall have the effect of suspending action on the contested decision.

- (i) However, the staff member concerned may request a suspension of action on such decision by writing to the Joint Appeals Board under paragraph (d) below. The request shall set forth the relevant facts and indicate how implementation would directly and irreparably injure the staff member's rights;
- (ii) Upon receipt of such a request, a panel of the Board shall be promptly constituted and shall act expeditiously. If, after considering the views of both parties, the panel determines that the decision has not been implemented and that its implementation would result in irreparable injury to the appellant, it may recommend to the Secretary-General the suspension of action on that decision:
- a. Until the time limits specified in subparagraph (a) (i) or (ii) have passed without an appeal having been filed; or
 - b. If an appeal is filed, until a decision on the appeal is taken;
- (iii) The Secretary-General's decision on such a recommendation is not subject to appeal.
- (d) An appeal pursuant to paragraph (a) or a request for suspension of action pursuant to paragraph (c) above shall be filed with the Joint Appeals Board which shall forthwith submit a copy of the appeal or the request to the Secretary-General.
- (e) (i) For the consideration of each appeal, the Chairman of the Joint Appeals Board shall constitute a panel of the Board, composed as follows:
- a. A panel chairperson, which shall be either the Chairman or one of the members of the Board;
 - b. A member selected from among those appointed by the Secretary-General;
 - c. A member selected from among those elected by the staff;
- (ii) No person who has assisted the Secretary-General in a conciliation procedure referred to in paragraph (b) shall serve on a panel established to consider an appeal relating to the same case;
- (iii) Before a panel undertakes consideration of an appeal, the parties shall be notified of the proposed composition thereof. The Chairman of the Board may, at the request of either party, disqualify the panel chairperson or either member if, in the opinion of the Chairman, such action is warranted to ensure impartiality. He or she may also excuse the panel chairperson or either member from serving on the panel;
- (iv) Subject to the principles set out in subparagraphs (i) to (iii), the Chairman of the Board shall fill any vacancies arising on the panel.
- (f) An appeal shall not be receivable unless the time limits specified in paragraph (a) above have been met or have been waived, in exceptional circumstances, by the panel constituted for the appeal.
- (g) The Secretary-General, or his designated representative, shall submit a written reply within one month following the date of receipt of the appeal.
- (h) Proceedings before a panel shall normally be limited to the original written presentation of the case, together with brief statements and rebuttals, which may be made orally or in writing, in one of the working languages of the Secretariat.
- (i) A staff member may arrange to have his or her appeal presented to the panel on his or her behalf by counsel, at his or her own expense.

(j) Where the competence of the Joint Appeals Board is in doubt, the panel constituted for the appeal shall decide.

(k) In the case of termination or other action on grounds of inefficiency or relative efficiency, the panel shall not consider the substantive question of efficiency but only evidence that the decision was motivated by prejudice or by some other extraneous factor.

(l) The panel shall have authority to call members of the Secretariat who may be able to provide information concerning the issues before it and shall have access to all documents pertinent to the case.

(m) In considering an appeal, the panel shall act with the maximum dispatch consistent with a fair review of the issues before it.

(n) Within 14 days of the date on which the consideration of an appeal has been completed, the panel shall, by majority vote, adopt and submit a report to the Secretary-General. The report shall be considered as constituting a record of the proceedings in the appeal and shall include a summary of the reasons, fact and law as well as all recommendations that the panel considers appropriate. Votes on the recommendations shall be recorded, and any member of the panel may have his or her dissenting opinion included in the report.

(o) The final decision on the appeal will normally be taken by the Secretary-General within 14 days after the panel has forwarded its report, and shall be communicated to the staff member, together with a copy of the panel's report.

(p) To enable staff members to exercise their right to make application to the United Nations Appeals Tribunal, the Joint Appeals Board shall, at the request of the staff member, communicate to him or her the report of the panel if the Secretary-General has not made a decision on the report within a period of 14 days after the date on which the report was submitted to him or her.

Rule 11.3

United Nations Appeals Tribunal

Jurisdiction

(a) In accordance with article 2 of the Agreement between the United Nations and the Authority on acceptance of jurisdiction of the United Nations Appeals Tribunal, the United Nations Appeals Tribunal shall have jurisdiction over an appeal against

(i) An administrative decision that is alleged to be in non-compliance with the terms of appointment or the contract of employment and that has been submitted to a panel of the Joint Appeals Board in accordance with rule 11.2;

(ii) An administrative decision where the Secretary-General and the applicant have agreed to submit the application directly to the United Nations Appeals Tribunal;

(iii) An appeal against an administrative decision imposing a disciplinary measure;

(iv) An appeal against a decision of the Standing Committee acting on behalf of the United Nations Joint Staff Pension Board, alleging non-observance of the regulations of the United Nations Joint Staff Pension Fund.

Receivability

(b) An appeal may be filed by either party within 90 calendar days of the receipt of the decision by the Secretary-General based on the report of a panel of the Joint Appeals Board, or within 90 calendar days of the receipt of the report of a panel of the Joint Appeals Board if the Secretary-General has not made a decision on the report within a period of 14 days after the date on which the report was submitted to him or her. An appeal shall not be receivable by the United Nations Appeals Tribunal unless the deadline has been met or has been waived or suspended by the Appeals Tribunal.

Suspensive effect

(c) The filing of an appeal with the United Nations Appeals Tribunal shall have the effect of suspending the execution of the decision that is contested.

Legal assistance

(d) A staff member shall have the assistance of counsel at his or her expense in the presentation of his or her case before the United Nations Appeals Tribunal.

Competence

(e) The competence of the United Nations Appeals Tribunal, as set forth in its statute, includes the authority:

- (i) To decide, at its own initiative or at the request of either party, that exceptional circumstances require the proceedings to be closed;
- (ii) To order an interim measure to provide temporary relief to either party to prevent irreparable harm and to maintain consistency with the decision taken at the first instance level.

Chapter XII Conciliation

Rule 12.1 Conciliation

(a) Where a request for conciliation is made under staff rules 10.4 (c) (ii) or 11.2 (b), the Chairman of the Joint Appeals Board shall, as soon as practicable, either consider the matter himself or herself in accordance with this rule or shall refer the matter for that purpose to a member of the Joint Appeals Board.

(b) The person so appointed shall hear the staff member and the Secretary-General, or his representative, without other persons present and endeavour to settle the matter by way of conciliation. Conciliation proceedings shall not operate to modify or suspend the application of any of the time limits referred to in staff rule 11.2, unless either the Chairman of the Joint Appeals Board or, if already constituted, the panel constituted to hear the appeal, decides to waive any such time limit.

(c) In the event of a successful conciliation, the agreement of the parties shall be recorded in a minute.

(d) In the event of failure to achieve a conciliation, a report shall be drawn up summarizing the procedure followed, the arguments of the parties and the recommendations made during the proceedings. That report shall be transmitted to the Secretary-General and to the staff member.

Chapter XIII

General provisions

Rule 13.1

Amendment of, and exceptions to, Staff Rules

(a) Subject to staff regulations 12.1 to 12.6, these Rules may be amended by the Secretary-General in a manner consistent with the Staff Regulations.

(b) Exceptions to the Staff Rules may be made by the Secretary-General, provided that such exception is not inconsistent with any staff regulation or other decision of the Assembly and provided further that it is agreed to by the staff member directly affected and is, in the opinion of the Secretary-General, not prejudicial to the interests of any other staff member or group of staff members.

Rule 13.2

Application and interpretation of Staff Rules

In applying the Staff Rules of the Authority, and in the absence of any administrative instruction or directive issued by the Secretary-General for implementation of the Staff Rules of the Authority, the Secretary-General shall be guided by the administrative instructions, directives and practices of the United Nations to the extent that such administrative instruction, directives and practices relate to the implementation of Staff Rules of the Authority similar to those provisions contained in the United Nations Staff Rules.

Rule 13.3

Financial responsibility

Any staff member may be required to reimburse the Authority either partially or in full for any financial loss suffered by the Authority as a result of the staff member's gross negligence or of his or her having violated any regulation, rule or administrative instruction.

Rule 13.4

Staff member's beneficiaries

(a) At the time of appointment, each staff member shall nominate a beneficiary or beneficiaries in writing in a form prescribed by the Secretary-General. It shall be the responsibility of the staff member to notify the Secretary-General of any revocations or changes of beneficiaries.

(b) In the event of the death of a staff member, all amounts standing to the staff member's credit will be paid to his or her nominated beneficiary or beneficiaries, subject to application of the Staff Rules and of the Regulations of the United Nations Joint Staff Pension Fund. Such payment shall afford the Authority a complete release from all further liability in respect of any sum so paid.

(c) If a nominated beneficiary does not survive, or if a designation of beneficiary has not been made or has been revoked, the amount standing to the credit of a staff member will, upon the staff member's death, be paid to his or her estate.

Rule 13.5

Proprietary rights

All rights, including title, copyright and patent rights, in any work performed by a staff member of his or her official duties shall be vested in the Authority.

Rule 13.6**Transitional measures**

(a) The salary levels of staff members in the Professional and higher categories that were higher than those at the maximum step of their grade upon conversion to the unified salary scale on 1 September 2017 shall be maintained as a pay protection measure until such time as the staff member is promoted or separated from service. Such salaries shall be adjusted for any consolidation of post adjustment to base salaries as approved by the General Assembly of the United Nations. Pensionable remuneration at those steps shall be maintained and shall be adjusted corresponding to those salaries when the pensionable remuneration scale is adjusted.

(b) A staff member in the Professional and higher categories, who is not in receipt of the single parent allowance but was in receipt of the dependent rate of salary in respect of a first dependent child as at 31 August 2017, 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, effective 1 September 2017. While in receipt of the transitional allowance, no concurrent payment of the dependent child allowance under staff rule 3.16 (a) shall be paid in respect of that child, except where the child qualified for a special dependency allowance for a disabled child under staff rule 3.16 (a) (ii). 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 3.6 (a), at which time the dependent child allowance shall be payable instead. The transitional allowance shall be discontinued earlier if the first dependent child in respect of whom the transitional allowance is payable is no longer recognized as a dependent child.

(c) A staff member in receipt of non-removal allowance on 31 August 2017 shall continue to receive payment of the allowance for up to five years at the same duty station or until the staff member moves to another duty station, whichever is earlier.

(d) A staff member who was eligible for a repatriation grant under staff rule 9.5 in effect on 31 August 2017, but who is no longer eligible for such grant under the present staff rule 9.5, shall be paid a repatriation grant in accordance with the schedule set out in staff rule 9.5 (f), which reflects annex IV to the Staff Regulations of the United Nations in effect on 31 August 2017 for the number of years of qualifying service accrued as at 31 August 2017.

Rule 13.7**Effective date and authentic texts of rules**

Except as otherwise indicated and subject always to the provisions of staff regulations 12.1 to 12.6, the chapeau and rules 1.1 to 13.6, as published in the present edition, shall be effective 1 September 2017. The English and French texts of these Rules are equally authoritative.

Appendix A

Arrangements relating to military service

1. In accordance with article 8, paragraph 2 (d) of the Protocol on the Privileges and Immunities of the International Seabed Authority, staff members who are nationals of those Member States which have ratified or acceded to that Protocol shall be “immune from national service obligations” in the armed services of the country of their nationality “provided that, in relation to States of which they are national, such immunity shall be confined to officials of the Authority whose names have, by reason of their duties, been placed upon a list compiled by the Secretary-General and approved by the State concerned; should other officials of the Authority be called up for national service, the State concerned shall, at the request of the Secretary-General, grant such temporary deferments in the call-up of such officials as may be necessary to avoid interruption in the continuation of essential work”.
2. Any requests to Governments which have not ratified or acceded to the Protocol to defer or exempt staff members from military service by reason of their employment with the Authority shall be made by the Secretary-General and not by the staff member concerned.
3. Staff members who have completed one year of satisfactory probationary service or who have a permanent appointment may, if called by a Member Government for military service, whether for training or active duty, be placed on special leave without pay for the duration of their required military service. Other staff members, if called for military service, shall be separated from the Authority according to the terms of their appointments.
4. A staff member called for military service who is placed on special leave without pay shall have the terms of appointment maintained as they were on the last day of service before the staff member went on leave without pay. The staff member’s re-employment in the Authority shall be guaranteed, subject only to the normal rules governing necessary reductions in force or abolition of posts.
5. In the interpretation of rule 9.1 (c), the period of special leave without pay for military service shall be counted for the purpose of establishing seniority.
6. A staff member on special leave without pay for military service shall be required to advise the Secretary-General within ninety days after release from military service, if the staff member wishes to be restored to active duty with the Authority. The staff member shall also be required to submit a certificate of completion of military service.
7. If a staff member, after the period of required military service, elects to continue such service or if the staff member fails to obtain a certified release therefrom, the Secretary-General will determine, on the merits of the particular case, whether further special leave without pay will be granted and whether re-employment rights shall be maintained.
8. If the staff member’s absence on special leave without pay appears likely to last six months or more, the Authority will pay, if so requested, for transporting the staff member’s spouse and dependent children to the staff member’s place of entitlement and for their return travel after the staff member’s return to active duty with the Authority, provided that the expenses involved will be counted as travel expenses related to the next home leave entitlement of the staff member.

9. The Authority shall not continue its contribution to the United Nations Joint Staff Pension Fund on behalf of the staff member during the staff member's absence on special leave without pay for military service.

10. The provisions of rule 6.4 relating to illness, accident or death attributable to the performance of official duties on behalf of the Authority shall not be applicable during periods of military service.

11. The Secretary-General may, if the circumstances of the military service appear to warrant it, credit the staff member's period on special leave without pay for military service in fixing the salary step upon the staff member's return to active duty with the Authority.

12. The Secretary-General may apply such of the foregoing provisions as are appropriate in the case of a staff member who, with the advance approval of the Secretary-General, volunteers for military service or requests a waiver of immunity under article 8, paragraph 2 (d), of the Protocol on the Privileges and Immunities of the International Seabed Authority.

Appendix B

Rules governing compensation in the event of death, injury or illness attributable to the performance of official duties on behalf of the Authority

See United Nations Secretary-General's bulletin ST/SGB/Staff Rules/Appendix D/Rev.1 and Amend.1 (applicable to the Authority mutatis mutandis in accordance with rule 6.4).
