



## Secretariat

29 January 2020

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### 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 (see [ISBA/25/A/19](#), annex) 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 the amendments which were approved by the Assembly of the International Seabed Authority during the twenty-fifth session of the Authority (see [ISBA/25/A/13](#)).
2. In accordance with staff rule 13.5, these Rules shall have effect from 1 February 2020, subject to the provisions of staff regulations 12.3 and 12.4.
3. The present bulletin abolishes Secretary-General's bulletin [ISBA/ST/SGB/2017/7](#).
4. For the avoidance of doubt, attention is drawn to staff rule 13.3, which provides as follows:

The Secretary-General may promulgate administrative issuances for the purpose of 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 of the United Nations to the extent that such administrative instruction relates to the implementation of Staff Rules of the Authority similar to those provisions contained in the United Nations Staff Rules. Administrative instructions of the United Nations do not confer entitlements within the scope of the Staff Rules of the Authority.



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# Staff Rules of the International Seabed Authority

## Chapter I Duties, obligations and privileges

### Rule 1.1 Status of staff

The declaration made by a staff member on appointment, pursuant to staff regulation 1.1 (b), shall be placed in the staff member's 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) Staff members shall follow the directions and instructions properly issued by the Secretary-General and by their supervisors.

(b) 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.

(c) Disciplinary procedures may be instituted against staff members who fail to comply with their 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.

#### Specific instances of prohibited conduct

(d) Any form of discrimination or harassment, including sexual or gender harassment, as well as abuse in any form 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 official documents, records, files or data to which they have access, which are entrusted to them by virtue of their functions and which are 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 the Secretariat's activities, 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 that staff member or party 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 Government, a non-governmental source or a university or a related institution, 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 meetings, conferences, meals and diplomatic receptions. Such attendance is not considered receipt of a favour, gift or remuneration within the meaning of the Staff Regulations and Staff 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 paragraphs (j) and (k) above.

#### **Conflict of interest**

(n) Staff members whose personal interests interfere with the performance of their official duties and responsibilities or with the integrity, independence and impartiality required by their status as international civil servants shall disclose any such actual or possible interest to the Secretary-General and, except as otherwise authorized by the Secretary-General, formally excuse themselves from participating with regard to any involvement in that matter which gives rise to the conflict of interest situation.

(o) Pursuant to staff regulation 1.4 (c), the Secretary-General shall establish procedures for the filing and utilization of financial disclosure statements.

#### **Outside activities**

(p) 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) Issuing statements to the press, radio or other agencies of public information;
- (ii) Accepting speaking engagements;
- (iii) Taking part in film, theatre, radio or television productions;

(iv) Submitting articles, books or other material for publication, including electronic publication.

(q) 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).

(r) 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.

(s) Staff members who are authorized by the Secretary-General to participate in activities related to the work of the Authority which are organized by a Government, intergovernmental organization, non-governmental organization or other private source may receive from that organizing entity accommodation, travel and subsistence allowance generally in line with those payable by the Authority. In such cases the daily subsistence allowance that may otherwise be payable by the Authority shall be reduced as envisaged by staff rule 7.13 (a) on daily subsistence allowance.

### **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 Staff 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 appraisals shall be conducted regularly for all staff members in accordance with procedures promulgated by the Secretary-General.

### **Rule 1.4**

#### **Notification by staff members and obligation to supply information**

(a) Staff members shall be responsible for supplying the Secretary-General with relevant information for the purpose of determining their status under the Staff Regulations and Staff Rules as well as for the purpose of completing administrative arrangements in connection with their employment. Staff members shall be held personally accountable for the accuracy and completeness of the information they provide.

(b) Staff members shall promptly notify the Secretary-General, in writing, of any subsequent changes affecting their status under the Staff Regulations and Staff Rules.

(c) Staff members who intend to acquire permanent residence status in any country other than that of their nationality or who intend to change their nationality shall notify the Secretary-General of that intention before the change in residence status or the change in nationality becomes final.

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

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

**Rule 1.5**

**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 due to the staff member will be paid to the nominated beneficiary or beneficiaries of the staff member, subject to application of the Staff Regulations and 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 due to the staff member will, upon the staff member's death, be paid to the estate of the staff member.

**Rule 1.6**

**Financial responsibility**

Staff members may be required to reimburse the Authority either partially or in full for any financial loss suffered by the Authority as a result of their gross negligence or of their having violated any regulation, rule or administrative instruction.

**Rule 1.7**

**Proprietary rights**

All rights, including title, copyright and patent rights, in any work performed by staff members as part of their official duties shall be vested in the Authority.

## **Chapter II**

### **Classification of posts**

#### **Rule 2.1**

##### **Classification of posts**

(a) Posts shall be classified in categories and by level according to standards established by the International Civil Service Commission or by the Secretary-General, as applicable.

(b) Each post shall be assigned to a suitable level in either of the following categories: Professional and higher categories; and General Service and related categories, including but not limited to National Professional Officers.

## **Chapter III**

### **Salaries and allowances**

#### **Rule 3.1**

##### **Salary scales**

The Secretary-General shall publish the salary scales, pensionable remuneration and conditions of salary increments for all staff members as applicable to the relevant categories under the United Nations common system of salaries and allowances.

#### **Rule 3.2**

##### **Salary 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) Salary 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 staff rule 3.3 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.

(c) 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 3.3**

##### **Salary policy in promotions**

(a) On promotion, staff members shall be placed at the lowest step in the level to which they have 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 and related categories 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 and related categories exceeds that at the Professional level before promotion, established in accordance with paragraph (d) above, a personal transitional allowance in an amount sufficient to meet the requirements of paragraph (a) above will be paid until such time as it is overtaken by increases in net remuneration at the Professional level.

### **Rule 3.4**

#### **Pensionable remuneration**

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

(b) Where a promotion from the General Service and related categories 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 relevant provisions 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 3.5**

#### **Dependency allowances**

(a) Staff members in the Professional and higher categories shall be entitled to receive the following allowances, under conditions established by the Secretary-General:

(i) A dependent spouse allowance in the amount of 6 per cent of net base salary plus post adjustment;

(ii) A single parent allowance in respect of the first dependent child in the amount of 6 per cent of net base salary plus post adjustment;

(iii) Dependency allowances for a dependent child, for a child with a disability and for a secondary dependant at rates applicable under the United Nations common system of salaries and allowances, as follows:

a. An allowance for each dependent child, except that the allowance shall not be paid in respect of the first dependent child if the staff member receives a single parent allowance under subparagraph (a) (ii) above;

b. A special allowance for each child with a disability. However, if the staff member is entitled to the single parent allowance under subparagraph (a) (ii) above, the allowance in respect of a child with a disability shall be the same as the allowance for a dependent child;

c. Where there is no dependent spouse, a single annual allowance for a secondary dependant in respect of either a dependent parent or a dependent sibling.

(b) Staff members in the General Service and related categories shall be entitled to receive dependency allowances at rates and under conditions established by the Secretary-General, due regard being given to the circumstances in the locality in which the office is located.

(c) When both parents are staff members, only one may receive dependency allowances for dependent children under subparagraphs (a) (ii) and (iii) or (b) above. Both staff members may receive a secondary dependency allowance, if eligible.

(d) With a view to avoiding duplication of benefits and in order to achieve equality between those staff members who receive governmental grants in respect of dependent children and those staff members who do not, the Secretary-General shall prescribe conditions under which the amount of the governmental grants shall be deducted from the amount of child dependency allowances and/or single parent allowance paid by the Authority.

(e) Claims for dependency allowances shall be submitted in writing and supported by evidence satisfactory to the Secretary-General. Staff members shall be responsible for immediately reporting to the Secretary-General any change in their status or that of a dependant that may affect the payment of the respective dependency benefits.

(f) The dependency allowances shall be payable in accordance with the applicable rates for staff members of the United Nations common system of salaries and allowances.

### **Definition of dependency**

(g) For the purposes of the Staff Regulations and Staff Rules:

(i) A “dependent spouse” is a spouse whose 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 for the duty station in the country of the spouse’s place of work. In the case of staff in the Professional and higher categories, the entry level amount referenced shall not at any duty station be less than the equivalent of the lowest entry level at the base of the salary system (G-2, step I, for New York);

(ii) A “child” is any of the following children for whom the staff member provides main and continuing support:

a. A staff member’s natural or legally adopted child; or

b. A staff member’s stepchild who is residing with the staff member; or

c. A child who cannot be legally adopted, for whom the staff member has legal responsibility and who is residing with the staff member;

(iii) A “dependent child” is a child for whom the staff member provides main and continuing support and who meets one of the following criteria:

a. The child is under the age of 18 years;

b. The child is between the ages of 18 and 21 years and attends university or its equivalent full-time; the requirement of residing with the staff member does not apply in this case;

c. The child is of any age and has a disability, as medically determined by the Secretary-General as being permanent or for a period that is expected to be long term that prevents substantial gainful employment.

(h) Staff members claiming a child as a dependant must certify that they provide main and continuous support. This certificate must be supported by documentary evidence, under conditions established by the Secretary-General;

(i) A parent or a sibling of a staff member may be considered as a secondary dependant, under conditions established by the Secretary-General.

### **Rule 3.6**

#### **Post adjustment**

(a) Post adjustment is an amount paid to staff members serving in the Professional and higher categories to ensure equity in purchasing power across duty stations.

(b) While the salaries of staff members in the Professional and higher categories are normally subject to the post adjustment of their duty station during assignments for one year or more, alternative arrangements may be made by the Secretary-General under the following circumstances:

(i) When staff members are assigned to a duty station with a post adjustment that is different from that of their previous duty station, they may continue to receive for up to six months the post adjustment applicable to the previous duty station while at least one member of their immediate family (spouse and dependent children) remains at that duty station;

(ii) When staff members are assigned for three months or less to a United Nations field mission or for less than six months elsewhere, the Secretary-General shall decide whether to apply the post adjustment applicable to the duty station and to pay entitlements applicable when there is a change of official duty station or to authorize appropriate payments of the daily subsistence allowance.

### **Rule 3.7**

#### **Rental subsidy and deductions**

(a) The purpose of the rental subsidy is to ensure equal treatment of staff with regard to housing costs incurred when serving in various duty stations.

(b) Internationally recruited staff members may be paid a supplement to the post adjustment, if applicable, in the form of rental subsidy, under conditions established by the Secretary-General.

(c) Staff members who receive housing assistance, whether from the Authority or another entity, including a Government, either housing free of charge or housing with a rental cost substantially lower than the average rent used in calculating the post adjustment index for the duty station, shall normally be subject to rental deductions in accordance with staff rule 3.16.

### **Rule 3.8**

#### **Language allowance**

(a) Staff members in the General Service category holding a fixed-term or permanent appointment may be entitled to a pensionable language allowance, under rates and conditions established by the Secretary-General, provided that they have demonstrated proficiency in two or more official languages of the Authority, as follows:

(i) Staff members whose mother tongue is one of the official languages of the Authority must successfully pass the prescribed examination in any other official language, which may be the language in which proficiency is required for the purpose of their appointment;

(ii) Staff members whose mother tongue is not one of the official languages of the Authority must successfully pass the prescribed examination in any official language of the Authority other than the one in which proficiency is required for the purpose of their appointment. 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 already in receipt of a language allowance under paragraph (a) above shall be entitled to receive a second such pensionable allowance, equal to half of the amount of the first, provided that they have demonstrated proficiency by passing the prescribed examination in a third official language.

(c) 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 3.9**

#### **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 as defined in staff rule 3.5 (g) (ii) and (iii) on dependency allowances;

(ii) “Child with a disability” means a child who has been medically determined by the Secretary-General as being unable, by reasons of physical or mental disability, to attend a regular educational institution and requires special teaching or training to prepare for full integration into society or, while attending a regular educational institution, requires special teaching or training to assist in overcoming the disability;

(iii) “Home country” means the country of home leave of the staff member under staff rule 5.4 on home leave. 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, staff members shall be entitled to an education grant in respect of each child, provided:

(i) The staff members hold a fixed-term or permanent appointment;

(ii) The staff members are regarded as an international recruit under staff rule 4.5;

(iii) The staff members reside and serve outside their recognized home country; and

(iv) The child is in full-time attendance at a school, university or similar educational institution.

(c) The Secretary-General may decide in each case whether the education grant shall extend to adopted children or stepchildren who are not residing with the staff member.

### **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;

(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 mandatory 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. Capital assessment fees may be reimbursed at a percentage, and up to a maximum amount, determined by the Secretary-General.

(f) 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.

(g) 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 established 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**

(h) Staff members to whom a flat sum is payable under paragraph (f) above in respect of their child's boarding-related expenses to attend an educational institution outside the duty station shall be entitled to travel costs for the child of one outward and return journey each scholastic year between the educational institution and the duty station, 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 the duty station. 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**

(i) 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 the staff member's mother tongue to a dependent child attending a local school in which the instruction is given in a language other than the staff member's own.

### **Special education grant for children with a disability**

(j) A special education grant for children with a disability 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 shall be in accordance with the prevailing rates published by the United Nations.

### **Claims**

(k) Education grant claims shall be made in accordance with conditions established by the Secretary-General.

### **Rule 3.10**

#### **Temporary 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, staff members holding a fixed-term appointment who assume the full duties and responsibilities of a post at a clearly recognizable higher level than their own for a temporary period exceeding three months will be granted a non-pensionable temporary post allowance from the beginning of the fourth month of service at the higher level.

(c) When staff members in the General Service and related categories are required to serve in a higher-level post in the Professional category, or when staff members in any category are required to serve in a post which is classified more than one level above their own, the allowance may be paid from the date the staff members assume the higher duties and responsibilities.

(d) The amount of the temporary 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 3.11**

#### **Mobility incentive**

(a) The purpose of the mobility incentive is to encourage movement of staff to duty stations classified as A to E in accordance with the classification of duty stations established by the International Civil Service Commission.

(b) As an incentive to mobility, a non-pensionable mobility incentive may be payable to staff members in the professional and higher categories at rates applicable to staff members in the United Nations, under conditions set out in this rule and supplemented by the Secretary-General, provided that they:

- (i) Hold a fixed-term appointment; and
- (ii) Are on an assignment of one year or more to a duty station classified A to E by the International Civil Service Commission; and
- (iii) Have served for five consecutive years on a fixed-term or permanent appointment in the United Nations common system of salaries and allowances.

(c) Payment of the mobility incentive shall be discontinued after five continuous years at the same duty station, with a possible extension of up to two years on an exceptional basis at the discretion of the Secretary-General.

(d) The amount of the mobility incentive, if any, and the conditions under which it will be paid shall be determined taking into account the number of duty stations at which staff members have previously served for a period of one year or longer and the hardship classification of the new duty station to which staff members are assigned.

**Rule 3.12**  
**Hardship Allowance**

(a) The purpose of the hardship allowance is to compensate for the hardship experienced by staff serving in duty stations classified as B to E by the International Civil Service Commission.

(b) Staff in the Professional and higher categories who are appointed or reassigned to a new duty station may be paid a non-pensionable hardship allowance.

(c) The amount of this allowance, if any, and the conditions under which it will be paid shall be determined in accordance with the classification of duty stations established by the International Civil Service Commission.

**Rule 3.13**  
**Salary advances**

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

- (i) In cases where new staff members arrive without sufficient funds, in such amount as the Secretary-General may deem appropriate;
- (ii) In exceptional and compelling circumstances, and if the request of the staff member is supported by a detailed justification in writing.

(b) Salary advances shall be recovered 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 3.14**  
**Retroactivity of payments**

(a) The Authority shall make retroactive payments:

- (i) In cases where staff members have not received their regular pay, through no fault of their own, in the amount due; and
- (ii) Upon separation from service, where final settlement of pay accounts cannot be made at the time of departure, subject to the payment not exceeding 80 per cent of the estimated final net payments due.

(b) In cases where staff members have not claimed an allowance, grant or any payment to which they are entitled, the Authority will make payment in the amount due retroactively upon receipt of the staff members' written claim and under conditions established by the Secretary-General.

**Rule 3.15**  
**Staff assessment**

An assessment at the same rates as those applicable to staff members of the United Nations common system of salaries and allowances 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 the Secretary-General deems it advisable, exempt from the assessment the salaries and emoluments of staff members engaged at locality rates.

**Rule 3.16**  
**Deductions and contributions**

(a) Staff assessment shall be deducted, each pay period, from the total payments due to each staff member.

(b) Contributions of staff members who are participating in the United Nations Joint Staff Pension Fund shall be deducted, each pay period, from the total payments due to them.

(c) Deductions from salaries and other emoluments may also be made for:

(i) Contributions, other than to the United Nations Joint Staff Pension Fund, for which provision is made under the present Rules;

(ii) Indebtedness to the Authority;

(iii) Indebtedness to other third parties when any deduction for this purpose is authorized by the Secretary-General;

(iv) Contributions to the Staff Committee established pursuant to staff regulation 8.1, provided that staff members have the opportunity to withhold their consent to, or at any time to discontinue, such deduction, by notice to the Secretary-General;

(v) Facilities and service fees applied for use of the premises or services of the Authority.

## **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 letter of appointment.

#### **Rule 4.2**

##### **Effective date of appointment**

The effective date of appointment shall be the date on which the staff members enter into official travel status to assume their duties or, if no official travel is involved, the date on which they report for duty.

#### **Rule 4.3**

##### **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 4.4**

##### **Staff in posts subject to local recruitment**

(a) All staff in the General Service and related categories shall be recruited in the country, irrespective of their nationality and of the length of time they may have been in the country. The allowances and benefits available to staff members in the General Service and related categories shall be published by the Secretary-General for each duty station.

(b) National Professional Officers should be of the nationality of the country where the office concerned is located.

(c) A staff member subject to local recruitment under this rule shall not be eligible for the allowances or benefits indicated under staff rule 4.5 (a) on international recruitment.

#### **Rule 4.5**

##### **Staff in posts subject to international recruitment**

(a) Staff members other than those regarded under staff rule 4.4 as having been locally recruited shall be considered as having been internationally recruited. They may receive payment of the allowances and benefits available to internationally recruited staff members as provided for under the Staff Regulations and Staff Rules, subject to:

- (i) Their type of appointment;
- (ii) The duration of their appointment;
- (iii) Their official duty station;

- (iv) Their place of recruitment;
- (v) Their recognized place of home leave; and
- (vi) Their recognized nationality.

(b) Staff recruited locally at a duty station for posts in the Professional and higher categories at that specific duty station are considered internationally recruited but would generally not be entitled to some or all of the allowances and benefits available to internationally recruited staff members as determined by the Secretary-General.

(c) Staff members who have changed their residential status in such a way that they may, in the opinion of the Secretary-General, be deemed to be permanent residents of any country other than that of their nationality may lose entitlement to home leave, education grant, repatriation grant and payment of travel expenses upon separation for the staff members and their spouse and dependent children, and relocation shipment, 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. Conditions governing entitlement to benefits for internationally recruited staff in the light of residential status shall be set by the Secretary-General as applicable to each duty station.

#### **Rule 4.6** **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 and related categories.

#### **Rule 4.7** **Family relationship**

(a) An appointment shall not be granted to a person who is the parent, child or sibling of a staff member.

(b) Spouses of staff members may be appointed provided that they are fully qualified for the post for which they are being considered and that the spouse is not given any preference by virtue of the relationship to the staff member.

(c) Staff members who are the spouse, parent, grandparent, child, grandchild, sibling, aunt, uncle, nephew, niece or cousin of another staff member:

- (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 they are related;
- (ii) Shall disqualify themselves from participating in the process of reaching or reviewing an administrative decision affecting the status or entitlements of the staff member to whom they are 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 of salaries and allowances. Where both spouses 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 applicable to staff members of the Authority.

**Rule 4.8****Change of official duty station**

(a) A change of official duty station shall take place when a staff member is assigned from one duty station to another for a period exceeding six months or when a staff member is transferred for an indefinite period.

(b) Assignment of a staff member to another official duty station for a conference shall not constitute a change of official duty station within the meaning of the Staff Rules.

**Rule 4.9****Inter-organization movements**

(a) Inter-organization movements 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.

(b) The Secretary-General may allow staff members to serve in the United Nations, a specialized agency of the United Nations or other intergovernmental organization, provided that such movement in no way diminishes the right or entitlements of the staff members under their letter of appointment with the Authority.

**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 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 staff rule 4.10 (a) (i); or
- (ii) The period of probationary service has been waived in accordance with staff 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 staff rule 4.10 (b) (iii).

(b) Recommendations proposing the granting of permanent appointments on the ground that a staff member whose probationary period has been either completed or waived under the terms of staff 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) The Appointment and Promotion Board was 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 Convention 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 of salaries and allowances.

**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 Director of the Office of Administrative Services, or an authorized representative of the Director of the Office of Administrative Service, 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 Chair and establish its own procedures.

### **Function 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 staff 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**

#### **Reinstatement**

(a) A former staff member who held a fixed-term appointment and who is granted a fixed-term appointment within 12 months of separation from service may be reinstated if the Secretary-General considers that such reinstatement would be in the interest of the Authority.

(b) 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 received on account of separation, including termination indemnity under staff rule 9.8, repatriation grant under staff rule 9.9 and payment for accrued annual leave under staff rule 9.10. The interval between separation and reinstatement shall be charged, to the extent possible, to annual leave, with any further period charged to special leave without pay. The staff member's sick leave credit under staff 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 the Fund.

(c) If the former staff member is reinstated, it shall be so stipulated in the letter of appointment.

(d) A former staff member who held a temporary appointment and who is granted a temporary or fixed-term appointment shall not be reinstated regardless of the duration of separation from service.

(e) A former staff member who held a fixed-term and who is granted a temporary appointment shall not be reinstated regardless of the duration of separation from service.

**Rule 4.14**  
**Re-employment**

(a) A former staff member who is granted a new appointment and is not reinstated under staff rule 4.13 shall be considered as re-employed.

(b) The terms of the new appointment shall be fully applicable without regard to any period of former service or to any payments made during any period of former service. When a staff member is re-employed under the present rule, the service shall not be considered as continuous between the prior and new appointments, except that former service may be considered when establishing the level on recruitment and the record of mobility of the staff member.

**Rule 4.15**  
**Medical examination**

(a) Staff members may be required from time to time to satisfy the Secretary-General, by medical examination, that they are free from any ailment likely to impair the health of others. The examination shall be made as required by the United Nations Medical Director or a Medical Officer designated by the United Nations Medical Director.

(b) Staff members may also be required to undergo such medical examinations and receive such inoculations as may be required by the United Nations Medical Director or a Medical Officer designated by the United Nations Medical Director before going on or after returning from mission service.

## **Chapter V**

### **Attendance and leave**

#### **Rule 5.1**

##### **Hours of work**

(a) The Secretary-General shall set the normal number of working hours per week for each duty station.

##### **Overtime and compensatory time off**

(b) A staff member in the General Service category who is required to work in excess of the established working week shall be given compensatory time off or may receive payment for overtime, under conditions established by the Secretary-General.

(c) Should the exigencies of service permit, and under conditions established by the Secretary-General, occasional compensatory time off may be granted to staff members serving in the National Professional Officer and Professional and higher categories who have been required to work substantial or recurrent periods of overtime.

#### **Rule 5.2**

##### **Official holidays**

The number of official holidays at each duty station shall be 10 days in each calendar year. 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 5.3**

##### **Annual leave**

(a) Subject to the provisions of staff rule 5.5 (c):

(i) Staff members who hold an initial appointment of less than one year shall accrue one and a half days per month of annual leave while in full pay status and may accumulate and carry forward up to 18 working days of annual leave by the first day of the next annual leave cycle as established by the Secretary-General;

(ii) Staff members who hold an initial appointment of one year or more shall accrue two and a half days per month of annual leave while in full pay status and may accumulate and carry forward up to 60 working days of annual leave by the first day of the next annual leave cycle as established by the Secretary-General;

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

(c) All arrangements related to leave shall be subject to the exigencies of 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.

(d) If a staff member is absent from work without authorization, payment of salary and allowances shall cease for the period of unauthorized absence. However, depending on the circumstances, including if the absence was caused by reasons beyond the staff member's control, the Secretary-General may decide to charge the absence to accrued annual leave or a combination of accrued annual leave and special leave without pay;

(e) A staff member may, in exceptional circumstances, be granted advance annual leave up to a maximum of 10 working days, provided that the staff member's service is expected to continue for a sufficient period to accrue the advanced leave.

#### **Rule 5.4**

##### **Home leave**

(a) Eligible internationally recruited staff members, as defined under staff rule 4.5, shall be entitled to periodic travel to their home country at the Authority's expense, under conditions established by the Secretary-General.

(b) Staff members who reside in their home country while in service with the Authority or whose duty station is in their home country shall not be eligible for home leave.

(c) Leave taken for this purpose will be charged against the staff member's accrued annual leave.

(d) The home country shall be the country of the staff member's recognized nationality.

(e) Staff members who have served with another public international organization immediately preceding their appointment shall have the place of home leave determined as though their entire previous service with the other international organization had been with the Authority.

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

(i) A country other than the country of nationality as the home country;

(ii) A one-time permanent change of home country if it is consistent with the intent and purpose of home leave;

(iii) A permanent change in the place of home leave within the home country.

(g) Staff members shall be eligible for home leave providing the following conditions are met:

(i) The staff members continue to reside in a country other than that of which they are nationals;

(ii) The staff members' 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 staff rule 7.2 (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.

(h) Staff members whose eligibility under paragraph (g) 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 their appointment shall begin to accrue such service credit from the effective date of their becoming eligible.

(i) When home leave travel to a country other than the home country is authorized by the Secretary-General, the travel expenses borne by the Authority shall not exceed the cost of travel to the home country.

(j) (i) Except in the case of staff members serving on probationary appointment, the first home leave shall fall due upon completion of 24 months of qualifying service. Staff members appointed on a probationary basis shall not be entitled to the first home leave until they have 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, staff members may be granted home leave subject to the other conditions of this rule;

(ii) Home leave may be taken, subject to the exigencies of 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.

(k) Staff members may be granted advance 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 their last home leave. The granting of advance home leave shall not advance the eligibility for, or the due date of, the next home leave. The granting of advance home leave shall be subject to the conditions for the entitlement being subsequently met. If these conditions are not met, the staff members will be required to reimburse the costs paid by the Authority for the advanced travel.

(l) If staff members delay taking their home leave beyond the 12-month period after which it falls due, such delayed leave may be taken without altering the time of their next and succeeding home leave entitlements, provided that normally not less than 12 months of qualifying service elapse between the date of return from the delayed home leave and the date of the next home leave departure.

(m) The Secretary-General may require staff members to take their home leave in conjunction with travel on official business or change of official duty station. Due regard will be paid to the interests of the staff members and their families.

(n) Subject to the conditions specified in chapter VII of these Rules, staff members shall be entitled to claim, in respect of authorized travel on home leave, travel time and expenses for themselves and eligible family members for the outward and return journeys between the official duty station and the place of home leave. Staff members may also claim travel time in respect of authorized travel on home leave.

(o) 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 service or other special circumstances prevent the staff member and the family members from travelling together.

(p) If both spouses are staff members eligible for home leave, each staff member shall have the choice of either exercising the home leave entitlement or accompanying the spouse. Dependent children whose parents are both staff members 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.

(q) Staff members travelling on home leave shall be required to spend no less than seven days, exclusive of travel time, in their home country. The Secretary-General may request staff members, on their return from home leave, to furnish satisfactory evidence that this requirement has been fully met.

## **Rule 5.5**

### **Special leave**

(a) (i) Special leave may be granted at the request of a staff member holding a fixed-term appointment for advanced study or research in the interest of the Authority, in cases of extended illness, for childcare or for other important reasons for such period as the Secretary-General may prescribe.

(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 parent 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) In exceptional cases, the staff member may, at the initiative of the Secretary-General, be placed on special leave with full or partial pay or without pay if such leave is considered to be in the interest of the Authority.

(b) 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 staff members who are requested by their Government to render temporary services involving functions of a technical nature.

(c) The Secretary-General may authorize special leave without pay for pension purposes to protect the pension benefits of staff members who are within 2 years of reaching the applicable qualifying age for an early retirement benefit under the applicable provisions of the Regulations of the United Nations Joint Staff Pension Fund and 25 years of contributory service, or who are over that age and within 2 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.

(e) Continuity of service shall not be considered broken by periods of special leave with or without pay.

(f) Payment of salary and allowances and computation of service credit accrual shall be adjusted during periods of special leave with partial pay or without pay, under conditions established by the Secretary-General.

(g) 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.

## **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 reasons related to their health may be granted certified or uncertified sick leave.

(b) All sick leave must be approved under conditions established by the Secretary-General. Sick leave shall be treated as:

(i) Certified sick leave upon approval of a medical certificate or medical report; or

(ii) Uncertified sick leave:

a. If staff members do not provide a medical certificate or medical report, or if the medical certificate or medical report is not approved; or

b. If staff members are unable to perform their duties by reason of a family emergency.

##### **Maximum entitlement**

(c) The maximum overall entitlement to certified and uncertified sick leave, including for family emergencies, shall be determined in accordance with the following provisions:

(i) Staff members who hold an initial appointment of less than one year shall accrue sick leave on full salary at the rate of two working days per month of contractual service;

(ii) Staff members who hold an initial appointment of one year or longer but less than three years and who have completed less than three years of continuous service shall be entitled to sick leave of up to 65 working days on full salary and 65 working days on half salary in any period of 12 consecutive months;

(iii) Staff members who hold a permanent appointment or a fixed-term appointment for three years or who have completed three years of continuous service shall be entitled to sick leave of up to 195 working days on full salary and 195 working days on half salary in any period of four consecutive years.

(d) Within the limits set out in paragraph (c) above, staff members may be granted uncertified sick leave for up to seven working days in a calendar year. Used uncertified sick leave days shall be deducted from staff members' maximum overall entitlement, specified in paragraph (c) above.

##### **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 medical certification by the Medical Director of the

United Nations or a Medical Officer designated by the United Nations Medical Director.

### **Obligations of staff members**

(f) Staff members shall inform their supervisors as soon as possible of absences due to reasons related to their health, under conditions established by the Secretary-General.

(g) Staff members may be required at any time to submit a medical report as to their condition or to undergo a medical examination at any time.

(h) Staff members may be required not to attend their workplace for reasons related to their health and to seek treatment from a duly qualified medical practitioner. In such cases, the certification requirements set out in subparagraph (b) (i) above shall be deemed satisfied.

(i) Staff members shall not leave the duty station without the prior approval of the Secretary-General while on sick leave.

### **Utilization of sick leave for specialized treatment outside the duty station**

(j) A staff member who wishes to avail of sick leave outside of the authorized duty station for specialized treatment not available at the duty station may be required to obtain prior approval of the Medical Director of the United Nations or a Medical Officer designated by the United Nations Medical Director for certification.

## **Rule 6.3**

### **Parental leave**

(a) Staff members shall be entitled to parental leave with full payment upon the birth or adoption of a child, under conditions established by the Secretary-General, as follows:

(i) Staff members who give birth to a child shall be entitled to a total of 16 weeks, subject to a minimum of 10 weeks for post-delivery leave;

(ii) Staff members other than those referred to in subparagraph (i) above may be entitled to 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 may be granted for a total period of up to eight weeks.

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

(c) Annual leave shall accrue during the period of parental 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.

**Rule 6.7**

**Review of medical decisions or recommendations**

(a) Where a staff member disputes a medical decision or recommendation, the matter shall be referred, at the staff member's request, to an independent practitioner acceptable to both the Secretary-General and the staff member or to a medical board.

(b) 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.

(c) The cost of the independent practitioner or the medical board mentioned in paragraphs (a) and (b) above shall be borne by the Authority or by the staff member, or by both, under conditions established by the Secretary-General.

## **Chapter VII**

### **Travel and relocation expenses**

#### **Rule 7.1**

##### **Authorization to 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. Staff members shall be responsible for ascertaining that they have the proper authorization before commencing travel.

#### **Rule 7.2**

##### **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 that the staff member is considered to have been internationally recruited under staff rule 4.5;
- (ii) When required to travel on official business;
- (iii) On home leave, in accordance with the provisions of staff rule 5.4;
- (iv) On family visit travel, in accordance with the provisions of paragraph (b) below;
- (v) On education grant travel, in accordance with the provision of staff rule 3.9 (h);
- (vi) On separation from service, as defined by article IX of the Staff Regulations and chapter IX of the Staff Rules, except in cases of abandonment of post, and in accordance with the provisions of paragraph (c) below;
- (vii) 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.

##### **Family visit travel**

(b) (i) Under subparagraph (a) (iv) above and subject to conditions established by the Secretary-General, the Authority shall pay the travel expenses of staff members for the purpose of visiting their 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 staff rule 4.5 and hold an initial appointment of one year or longer, 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 staff members wish to visit their 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.

#### **Travel upon separation**

(c) Under subparagraph (a) (vi) above, the Authority shall pay the travel expenses of staff members to the place of recruitment or, for staff members who had an appointment for a period of two years or longer or had completed not less than two years of continuous service, to the place recognized as their home for the purpose of home leave under staff rule 5.4. 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 7.3**

##### **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 staff members who are considered to have been internationally recruited, under the provisions of staff rule 4.5, provided that the initial appointment is for a period of one year or longer and provided that the staff members' services are expected by the Secretary-General to continue for more than six months beyond the date on which travel of their family members commences;

(ii) Following completion by the staff members of not less than one year of continuous service, provided that their services are expected by the Secretary-General to continue for more than six months beyond the date on which travel of their family members commences;

(iii) On home leave, in accordance with the provisions of staff rule 5.4;

(iv) On separation of staff members from service, provided that the staff members had completed continuous service of the period stipulated in their letter of initial appointment;

(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 staff rule 7.2 (a) (iv), subject to the same conditions as specified in staff rule 7.2 (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 staff rule 7.2. Where both spouses are staff members and either or both are entitled to the payment of travel expenses on separation from service, and taking into account staff rule 4.7 (d), travel expenses shall be paid for each only upon their own separation from service. Where both spouses are entitled to return travel expenses, they shall have the choice either of exercising their own entitlement or of accompanying their spouse, provided that in no case shall such expenses be paid for a staff member who remains in the service of the Authority.

#### **Rule 7.4**

##### **Loss of entitlement to return transportation**

(a) Staff members who resign before completing continuous service of the period stipulated in their letter of initial appointment or within six months following the date of their return from travel on home leave or family visit shall not be entitled to payment of return travel expenses for themselves and their eligible 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 staff rule 4.7 (d), where both spouses are staff members, the return travel entitlement of the spouse who separates first shall not cease until two years after the date of separation of the other spouse.

#### **Rule 7.5**

##### **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 staff rule 3.5 (g). 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 3.5 (g), shall be eligible for education grant travel.

(b) The Secretary-General may authorize payment of the travel expenses of a child for one trip to either the staff member's duty station or 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 or similar educational institution, when the attendance at the university or similar educational institution commenced during the period of recognized dependency status.

(c) Notwithstanding staff rule 7.3 (a) (iv), the Secretary-General may also authorize payment of the travel expenses for repatriation purposes of a former spouse of a staff member.

#### **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) Daily subsistence allowance;

(iv) Miscellaneous expenses.

(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**

**Dates, mode and route of travel and standard of transportation**

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

(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) 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.

(d) In the case of a deviation for personal convenience, annual leave shall be deducted for absence on working days at the official duty station of the staff member falling outside of the official business travel period. Time spent travelling according to the approved itinerary shall be counted as travel time and not as annual leave.

**Rule 7.8**

**Dates, mode and route of travel**

(a) The official departure date is normally the day on which travel must start to allow the traveller to arrive at the place of official business before the commencement of duties. The official return date is normally the day after duties on official business have ended.

(b) 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. However, a choice by the staff member of a more economical itinerary within the official travel dates shall not be considered a deviation for personal convenience.

(c) The normal route for all official travel shall be the most economical route available, provided that the total additional travel time required for the whole journey does not exceed by four hours or more the total travel time via the most direct route available. An alternative route may be approved when the Secretary-General determines that it is in the best interest of the Authority.

**Rule 7.9**

**Standard of accommodation of travel**

(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 staff rule 7.7, 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 staff rule 7.7, 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 the entitlement under staff 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 staff rule 7.8, the staff member shall be required to reimburse the Authority for any additional costs thus incurred before the Authority provides the staff member with the necessary tickets.

#### **Rule 7.12**

##### **Terminal expenses**

(a) For all official travel, staff members and their eligible family members, where applicable, are entitled to payment of terminal expenses at rates and under conditions established by the Secretary-General. Terminal expenses shall be deemed

to cover all expenditures for transportation and related incidental charges between the airport or other point of arrival or departure and the hotel or other place of dwelling.

(b) No expenses shall be reimbursed nor terminal expenses paid 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.

### **Rule 7.13**

#### **Daily subsistence allowance**

(a) Except as provided 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 staff rule 7.14 and to reductions in cases where lodging or meals are provided free of charge by the Authority, by a Government or by other organizations or private sources.

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

(c) Daily 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 staff rule 7.16, any expenditures incurred in excess of the allowance shall be borne by the staff member.

(d) Except as provided 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 daily 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, daily 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 the official duty station.

(f) The daily 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 daily 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 daily 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 staff rule 7.2 (a) (vii) or 7.3 (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 7.14**

##### **Computation of the daily subsistence allowance**

(a) Except during travel by sea, daily subsistence allowance shall be paid to staff members at the rates and under the conditions prescribed in staff rule 7.13 for each calendar day or fraction thereof involving an overnight stay away from their residence, during which the staff members or their 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 that 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 travellers complete their travel on the same day as they 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 daily 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 7.15**

##### **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 that 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 \$40. Such expenses, for which advance authorization shall be obtained to the extent practicable, shall normally be limited to:

- (a) Local transportation other than that provided for under staff rule 7.12;
- (b) Telephone and other forms of communication, including Internet and data charges, required for official business;
- (c) Space, equipment and services required for official use;
- (d) Transportation or storage of authorized baggage or property used for conducting official business.

**Rule 7.16**  
**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 consists of two portions:

(i) The daily subsistence allowance portion, payable in an amount equivalent to 30 days of daily subsistence allowance at the applicable daily rate for the duty station as established from time to time by the International Civil Service Commission in respect of staff members, and 30 days of daily subsistence allowance at half such daily rate in respect of each family member for whom travel expenses have been paid by the Authority under staff rules 7.3 (a) (i) or (ii). However, a child born or adopted or spouse recognized after the time of initial appointment shall not give rise to payment of daily subsistence allowance, regardless of whether the Authority provides travel to the duty station;

(ii) The lump-sum portion, 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.

(c) The amounts of the daily subsistence allowance 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.

(d) Staff members holding an initial appointment of less than one year and who travel at the Authority's expense pursuant to staff rule 7.2 (a) (i) above shall be paid only the daily subsistence allowance portion of the settling-in grant, as specified in subparagraph (b) (i) above, for themselves only, and shall not be entitled to the lump-sum portion of the grant.

(e) 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.

(f) Where both spouses are staff members who are travelling at the Authority's expense to report for duty upon initial appointment, and taking into account staff rule 4.7 (d), the daily subsistence allowance portion of the settling-in grant shall be paid to each in respect of the staff member. 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.

(g) If both spouses 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.

(h) 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.

(i) 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 staff rule 4.5.

**Rule 7.17****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 related expenses 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 members or their family members. A lump-sum amount may be paid in lieu of the unaccompanied shipment, under conditions established by the Secretary-General.

(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 staff in posts subject to international recruitment**

(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 entitled to an additional shipment of personal effects and household goods up to the maximum entitlement, as established as relocation shipment under staff rule 7.22.

**Conversion of surface shipment to unaccompanied shipment by air**

(j) 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 7.18**

**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 staff 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 staff rule 7.17, except those relating to home leave, family visit or education grant travel, and of shipment and storage of personal effects and household goods under staff rule 7.22 (e), insurance coverage will be provided by the Authority up to a maximum established by the Secretary-General. However, the Authority shall not be responsible for loss of or damage to unaccompanied shipments.

**Rule 7.19**

**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 staff members or their 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 7.2 (a) (ii), an advance of funds at the rate of 100 per cent of the terminal expenses and daily subsistence allowance payable under staff rules 7.12 and 7.13 respectively may be made on the basis of an estimate and certification.

#### **Rule 7.20**

##### **Illness or injury during travel on official business**

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 on official travel.

#### **Rule 7.21**

##### **Reimbursement of travel expenses**

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

#### **Rule 7.22**

##### **Relocation shipment**

##### **Eligibility**

(a) An entitlement to relocation shipment for full removal of personal effects and household goods shall arise with respect to internationally recruited staff members holding an initial appointment of one year or longer, under the following circumstances and in accordance with conditions established by the Secretary-General:

- (i) On initial appointment, provided that the staff member is expected to serve for a period of at least one year or longer;
- (ii) On change of duty station, provided that the staff member is expected to serve at the new duty station for a period of at least one year or longer;
- (iii) Upon separation from service, provided that the staff member had an appointment for a period of at least one year or longer and had completed continuous service of the period stipulated in their letter of initial appointment.

##### **Maximum entitlements**

(b) Payment by the Authority of relocation shipment 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 maximums may be authorized if the staff member presents convincing evidence that their normal and necessary personal effects and household goods to be relocated 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 relocation expenses under this rule, the cost of transporting a privately owned automobile may be partially reimbursed, under conditions established by the Secretary-General.

(c) Relocation shipment 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 purpose of home leave under staff rule 5.4 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 staff rule 7.2;

(iii) Relocation shipment from or to a place other than those specified may be authorized, under conditions established by the Secretary-General.

(d) No entitlement to relocation shipment shall arise for removal of a staff member's personal effects and household goods within the same duty station.

#### **Storage of personal effects and household goods**

(e) When staff members entitled to relocation shipment are assigned to a new duty station without an entitlement to relocation shipment or from a duty station to which they had an entitlement to relocation shipment under paragraph (a) above or would have had such entitlement on appointment from outside the duty station, the Authority shall pay the costs of storage of personal effects and household goods, subject to conditions established by the Secretary-General and provided that the staff member is expected to return to the same duty station within five years.

#### **Lump sum in lieu of relocation shipment**

(f) A lump-sum amount may be paid in lieu of the relocation shipment, under conditions established by the Secretary-General.

#### **Adjustments to entitlements**

(g) Where both spouses are staff members and each is entitled to relocation shipment under this rule or to unaccompanied shipment under staff rule 7.17, and taking into account staff rule 4.7 (d), the maximum entitlement to relocation shipment for both spouses shall be that provided for a staff member with a spouse or dependent child residing at the official duty station.

(h) In cases where, for reasons not attributable to the Authority, the staff member has not completed the period of service in respect of which the Authority has paid relocation shipment or a lump sum in lieu of relocation shipment, these costs may be adjusted proportionately and recovery made, under conditions established by the Secretary-General.

**Rule 7.23****Loss of entitlement to unaccompanied shipment or relocation shipment**

(a) A staff member who resigns before completing continuous service of the period stipulated in the letter of initial appointment shall not normally be entitled to payment of relocation shipment under staff rule 7.22.

(b) Entitlement to relocation shipment under staff rule 7.22 (a) shall normally cease if the relocation shipment has not commenced within two years of the date on which the staff member became entitled to relocation shipment. In addition, the staff member's services must be 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 staff rule 7.17 (i) or relocation shipment under staff rule 7.22 shall cease if the shipment has not commenced within two years of the date of separation. However, in accordance with staff rule 4.7 (d), where both spouses are staff members and the spouse who separates first is entitled to relocation shipment, eligibility for the entitlement shall not cease until two years after the date of separation of the other spouse.

**Rule 7.24****Transportation of decedents**

Upon the death of a staff member or of a staff member's 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 staff rules 7.2 and 7.3. 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.

## **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**

##### **Definition of separation**

Any of the following shall constitute separation from service:

- (i) Resignation;
- (ii) Abandonment of post;
- (iii) Expiration of appointment;
- (iv) Retirement;
- (v) Termination of appointment;
- (vi) Death.

#### **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.

(d) A staff member will be expected to perform assigned duties during the period of notice of resignation, except when the resignation takes effect upon the completion of parental leave or following sick or special leave.

#### **Rule 9.3**

##### **Abandonment of post**

Abandonment of post is a separation initiated by the staff member other than by way of resignation.

#### **Rule 9.4**

##### **Expiration of fixed-term appointments**

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

#### **Rule 9.5**

##### **Retirement**

(a) Staff members shall separate on retirement on or after reaching their normal retirement age as provided in Staff Regulation 9.4 (a), but no later than 65 years of age, which is the mandatory age of separation.

(b) Staff members who separate from service on or after reaching the normal retirement age may be eligible for retirement benefits as provided for under the applicable provisions of the Regulations of the United Nations Joint Staff Pension Fund.

**Rule 9.6**  
**Termination**

**Definitions**

(a) A termination within the meaning of the Staff Regulations and Staff Rules is a separation from service initiated by the Secretary-General, in accordance with the terms of the appointment or on the grounds set out in staff regulation 9.1 on termination of appointment.

(b) Separation as a result of resignation, abandonment of post, expiration of appointment, retirement or death shall not be regarded as a termination within the meaning of the Staff Rules.

**Termination for 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.

**Termination for health reasons**

(d) The appointment of staff members who have not attained the normal age of retirement as defined under the applicable provisions of the Regulations of the United Nations Joint Staff Pension Fund but whose physical or mental condition or extended illness has rendered them incapacitated for further service may be terminated after exhaustion of any sick leave entitlement.

**Termination for unsatisfactory service**

(e) The appointment of a staff member may be terminated for unsatisfactory service, under conditions established by the Secretary-General.

**Termination for disciplinary reasons**

(f) The appointment of a staff member may be terminated for disciplinary reasons in accordance with staff rule 10.2 (a) (viii) and (ix).

**Special Advisory Board**

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

**Rule 9.7**  
**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 their letter of appointment.

(c) In lieu of these notice periods, the Secretary-General may authorize compensation equivalent to salary, applicable post adjustment and allowances corresponding to the relevant notice period at the rate in effect on the last day of service.

(d) No termination notice or compensation in lieu thereof shall be given in case of dismissal.

**Rule 9.8**  
**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 staff members of the United Nations common system of salaries and allowances;

(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 within the United Nations common system of salaries and allowances regardless of types of appointment. Continuity of such service shall not be considered as broken by periods of special leave. However, service credits may be adjusted during periods of special leave with partial pay or without pay, under conditions established by the Secretary-General.

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

**Special leave for pension purposes upon termination**

(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, the Secretary-General may place the staff member on special leave without pay for pension purposes pursuant to staff rule 5.5 (c), under conditions to be established by the Secretary-General, if the staff member is:

(i) Within 2 years of reaching the applicable qualifying age for an early retirement benefit under the applicable provisions of the Regulations of the United Nations Joint Staff Pension Fund and 25 years of contributory service in the United Nations Joint Staff Pension Fund; or

(ii) Over the applicable qualifying age for an early retirement benefit under the applicable provisions of the Regulations of the United Nations Joint Staff Pension Fund and within 2 years of 25 years of contributory service in the United Nations Joint Staff Pension Fund.

(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) Staff members who have been placed on special leave as described in paragraph (d) above shall sign an undertaking acknowledging that their status on special leave is solely for pension purposes and that their entitlements and those in respect of any dependants to all other emoluments and benefits under the Staff Regulations and Staff Rules are determined as final as at the date of commencement of such special leave.

**Rule 9.9**  
**Repatriation grant**

**Purpose**

(a) The purpose of repatriation grant provided by staff regulation 9.5 is to assist the re-establishment of expatriate staff members in a country other than the country of the last duty station, provided that 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 staff rule 3.5 (g) (iii) at the time of the staff member’s separation from service;
- (iii) “Home country” shall mean the country of home leave entitlement under staff rule 5.4 or such other country as the Secretary-General may determine;
- (iv) “Obligation to repatriate” shall mean the obligation to return a staff member and eligible family members, upon separation, at the expense of the Authority, to a place outside the country of the last duty station;
- (v) “Qualifying service” shall mean five years or more of continuing service on a fixed-term appointment 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 considered internationally recruited pursuant to staff rule 4.5 shall be eligible for payment of the repatriation grant in accordance with appendix II to the Staff Regulations provided that they meet the following conditions:

- (i) The Authority has the obligation to repatriate them upon separation after qualifying service, as defined in (b) (v) above of the present rule;
- (ii) The staff members resided outside their home country and recognized country of nationality while serving at the last duty station;
- (iii) The staff members have not been dismissed or separated from service on grounds of abandonment of post;
- (iv) The staff members do not have permanent resident status in the country of the duty station at the time of separation.

**Payment of the repatriation grant**

(d) 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 last duty station.

**Amount and computation of the grant**

(e) 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.

(f) When both spouses 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**

(g) 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 spouses 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**

(h) 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 9.10**

##### **Commutation of accrued annual leave**

If, upon separation from service, staff members have accrued annual leave, they 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 gross salary less staff assessment plus post adjustment;
- (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, less staff assessment.

#### **Rule 9.11**

##### **Restitution of advance annual and sick leave**

Upon separation, staff members who have taken advance annual or sick leave beyond that which they have subsequently accrued shall make restitution for such advance leave by means of a refund or an offset against any payment due to them from the Authority, equivalent to the remuneration received, including allowances and other payments, in respect of the advance leave period. This requirement may be waived if in the opinion of the Secretary-General there are exceptional or compelling reasons for doing so.

#### **Rule 9.12**

##### **Grant upon death**

(a) A grant shall be payable upon the death of a staff member to the surviving spouse and dependent children provided that the staff member, at the time of death, held an appointment of one year or longer or had completed at least one year of service. The grant shall be payable under conditions established by the Secretary-General and in accordance with the schedule shown in the table below.

<i>Completed years of service (as defined in staff rule 9.8 (b))</i>	<i>Months of salary</i>
3 or less	3
4	4
5	5
6	6
7	7
8	8
9 or more	9

(b) The grant shall be calculated as shown in the table below.

<i>Staff category</i>	<i>Calculation of the grant</i>
Professional and higher categories	Gross salary less staff assessment
General Service and related categories	Gross salary less staff assessment, plus language allowance, if any

### **Rule 9.13**

#### **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 table below:

<i>Reason for separation</i>	<i>Last day for pay purposes</i>
Resignation	The date of expiration of the notice period under staff rule 9.2 or such other date as the Secretary-General accepts
Abandonment of post	The date of the decision by the Secretary-General that the post has been abandoned by the staff member or the date of expiration of the appointment specified in the letter of appointment, whichever is earlier
Expiration of fixed-term or temporary appointment	The date of expiration of the appointment specified in the letter of appointment
Retirement	The effective date of retirement
Termination	The date specified in the notice of termination
Dismissal	The date the staff member is notified in writing of the dismissal decision
Death	The date of death, except for payment of grant upon death and education grant in accordance with staff rules 9.12 and 3.9 (g), respectively

(b) When an internationally recruited staff member has an entitlement to return travel under staff rule 7.2 (a) (vi), 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, mode and standard of travel 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 9.10.

**Rule 9.14**  
**Certification of service**

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

## **Chapter X**

### **Disciplinary measures and procedures**

#### **Rule 10.1**

##### **Misconduct**

(a) Failure by a staff member to comply with the 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 misconduct within the meaning of staff regulation 10.2, and may lead to the institution of disciplinary proceedings and the imposition of disciplinary measures for misconduct.

(b) Where the staff member's failure to comply with the 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 the staff member's conduct, if such conduct is determined to be wilful, reckless or grossly negligent.

(c) The decision to investigate 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**

##### **Disciplinary measures**

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

(i) Written censure;

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

(iii) Deferment, for a specified period, of eligibility for salary increment;

(iv) Suspension without pay for a specified period;

(v) Fine;

(vi) Deferment, for a specified period, of eligibility for consideration for promotion;

(vii) Demotion with deferment, for a specified period, of eligibility for consideration of promotion;

(viii) Separation from service, with notice or compensation in lieu of notice, notwithstanding staff rule 9.7 on notice of termination, and with or without termination indemnity pursuant to paragraph (c) of annex I to the Staff Regulations;

(ix) Dismissal.

(b) Measures other than those listed under paragraph (a) above shall not be considered disciplinary measures. These include, but are not limited to, the following administrative measures:

(i) Written or oral reprimand;

(ii) Recovery of moneys owed to the Authority;

(iii) Administrative leave with full pay or without pay pending investigation and the disciplinary process pursuant to staff rule 10.4;

(iv) Withholding or deferment of grade increment on the grounds of performance within the meaning of staff rule 3.2.

(c) A staff member shall be provided with the opportunity to comment on the facts and circumstances prior to the issuance of a written or oral reprimand pursuant to subparagraph (b) (i) above.

### **Rule 10.3**

#### **Due process**

(a) No disciplinary proceedings may be instituted against a staff member unless the staff member has been formally notified, in writing, of the allegations of misconduct, as well as of the right to seek the assistance of counsel in the staff member's defence at the staff member's 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 the staff member's 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 dismissal imposed by the Secretary-General in cases where the seriousness of the misconduct warrants immediate separation from service.

(d) In cases of dismissal imposed without prior submission of the case to a Joint Disciplinary Committee in accordance with subparagraphs (c) (i) and (iii) above, 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) above or in respect of financial responsibility for gross negligence pursuant to staff rule 10.5 shall be submitted directly to the United Nations Appeals Tribunal.

### **Rule 10.4**

#### **Administrative leave pending investigation and the disciplinary process**

(a) A staff member may be placed on administrative leave, under conditions established by the Secretary-General, at any time after an allegation of misconduct and pending the completion of a disciplinary process. Administrative leave may continue until the completion of the disciplinary process.

(b) A staff member placed on administrative leave pursuant to paragraph (a) above shall be given a written statement of the reason(s) for such leave and its probable duration.

(c) Administrative leave shall be with full pay except when the Secretary-General decides that exceptional circumstances exist which warrant the placement of a staff member on administrative leave without pay.

(d) Placement on administrative leave shall be without prejudice to the rights of the staff member and shall not constitute a disciplinary measure. If administrative leave is without pay and the staff member's conduct at issue does not lead to the imposition of the disciplinary measure of dismissal or separation from service, any pay withheld shall be restored without delay.

(e) A staff member who has been placed on administrative leave may challenge the decision to place the staff member on such leave in accordance with chapter XI of the Staff Rules.

#### **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 Chair 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 Chair 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 Chair 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 the Secretary-General. 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 Chair or any other member may be disqualified from consideration of a specific case if, in the opinion of the Chair, 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 Chair or Vice-Chair 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, if so requested, 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 the dissenting opinion of any member of the Committee may be 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 the case presented before it by counsel, at the staff member's 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 the party's 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 Chair 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 Chair 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 Chair 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 the Secretary-General. 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, the staff member 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 Chair 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 Chair of the Joint Appeals Board shall constitute a panel of the Board, composed as follows:

a. A panel Chair, which shall be either the Chair 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 Chair of the Board may, at the request of either party, disqualify the panel Chair or either member if, in the opinion of the Chair, such action is warranted to ensure impartiality. The Chair of the Board may also excuse the panel Chair or either member from serving on the panel;

(iv) Subject to the principles set out in subparagraphs (i) to (iii), the Chair 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 a representative designated by the Secretary-General, 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 the appeal presented to the panel by counsel on behalf of the staff member, at the staff member's 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 the dissenting opinion of any member of the panel may be included in the report, at the request of the panel member.
- (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 the staff member 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 the Secretary-General.

### **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 staff 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 the Secretary-General. 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 the staff member's expense in the presentation of the 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 10.3 (c) (ii) or 11.2 (b), the Chair of the Joint Appeals Board shall, as soon as practicable, either consider the matter 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 a representative of the Secretary-General, 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 Chair 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**

##### **Applicability**

(a) The Staff Rules of the Authority are applicable to all staff members appointed by the Secretary-General.

(b) Pursuant to staff regulation 4.2, in accepting appointment, the staff member agrees to accept the terms and conditions contained in the Staff Regulations and Staff Rules and changes which may duly be made in such regulations and rules from time to time. Transitional measures, if any, are subject to terms and conditions established by the Secretary-General.

#### **Rule 13.2**

##### **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 13.3**

##### **Application and interpretation of Staff Rules**

The Secretary-General may promulgate administrative issuances for the purpose of 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 of the United Nations to the extent that such administrative instruction relates to the implementation of Staff Rules of the Authority similar to those provisions contained in the United Nations Staff Rules. Administrative instructions of the United Nations do not confer entitlements within the scope of the Staff Rules of the Authority.

#### **Rule 13.4**

##### **Transitional measures**

##### **Salary scales**

(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 October 2017 shall be maintained as a pay protection measure until such time as the staff member is promoted or separated from service.

(b) 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.

### **Dependency allowances**

(c) 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 30 September 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 October 2017.

(d) While in receipt of the transitional allowance, no concurrent payment of the dependent child allowance under staff rule 3.5 (a) (iii) shall be paid in respect of that child, except where the child qualified for a special dependency allowance for a child with a disability under staff rule 3.5 (a) (iii) b.

(e) 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 3.5 (a) (iii), at which time the dependent child allowance shall be payable instead.

(f) 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.

### **Non-removal allowance**

(g) A staff member in receipt of non-removal allowance on 30 September 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.

### **Acquired right to normal retirement age**

(h) Staff members with a pension participation start or restart date prior to 1 January 2014 have an acquired right to their normal retirement age as defined under staff rule 9.5 on retirement.

(i) Staff members who wish to exercise their acquired right, as described in paragraph (h) above, and separate from service at their normal age of retirement or any time thereafter before the age of 65 shall give written notice of three months if holding a continuing appointment, or 30 calendar days if holding a fixed-term appointment. The Secretary-General may, however, accept shorter notice.

(g) The mandatory age of separation of a staff member who reaches the age of 60 or 62 on or prior to 31 December 2017 shall not be reset to 65, including if that staff member is exceptionally retained in service beyond the mandatory age of separation of 60 or 62, as applicable, beyond 1 January 2018.

### **Repatriation grant**

(k) A staff member who was eligible for a repatriation grant under staff rule 9.5 on repatriation grant in effect on 30 September 2017, but who is no longer eligible for such grant under the present staff rule 9.9, shall be paid a repatriation grant in accordance with the schedule set out in annex II to the Staff Regulations in effect on 30 September 2017 for the number of years of qualifying service accrued as at 30 September 2017.

**Rule 13.5****Effective date and authentic texts of rules**

Except as otherwise indicated ([ISBA/ST/IC/2017/11](#), para. 7) and subject always to the provisions of staff regulations 12.1 to 12.6, staff rules 1.1 to 13.4, as published in the present bulletin, shall be effective on 1 February 2020. 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 staff rule 9.6 (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 90 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 staff 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 appendix D to the Staff Rules of the United Nations, as revised from time to time, which is applicable to the Authority mutatis mutandis in accordance with staff rule 6.4.

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