



ADMINISTRATIVE MANUAL
Part A

STAFF REGULATIONS

AND

RULES

OF THE

INTERNATIONAL BUREAU

OF WIPO

(January 1, 2017 edition)

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INTRODUCTION

Regulation 0.1

Scope and Purpose

- (a) The present Staff Regulations and Rules embody the fundamental conditions of service and the basic rights, duties and obligations of staff members of the International Bureau. They lay down the broad principles of human resources policy for recruitment and administration of the Secretariat.
- (b) These Staff Regulations and Rules shall apply solely to all individuals who are employed by the International Bureau under either a temporary appointment (as defined in Regulation 4.16), a fixed-term appointment (as defined in Regulation 4.17), a permanent appointment (as defined in Regulation 4.19) or a continuing appointment (as defined under Regulation 4.18) (hereinafter referred to as “staff members”).
- (c) Unless otherwise stated in the present Staff Regulations and Rules, the conditions of service, benefits, allowances and entitlements of holders of temporary appointments under Regulation 4.16 shall be the same as those of holders of fixed-term, permanent or continuing appointments under these Regulations and Rules.
- (d) As per paragraph (b) above, the present Staff Regulations and Rules shall not apply to interns, individuals employed on a daily basis for a total period not exceeding 30 days (“daily employees”), and all those individuals that the International Bureau may need to engage under appointments other than those listed in paragraph (b) above. The conditions of service of the persons identified in the present paragraph (d) shall be prescribed by the Director General.
- (e) The Director General shall decide, in each case, to which posts part-time employment may apply, and shall prescribe by specific rules the conditions applicable to staff members so employed, on a *pro rata* basis of their normal working week in relation to that of staff members in full-time employment.

Regulation 0.2

Abbreviations

- (a) “International Bureau” shall mean the Secretariat of the Organization as provided for in Article 9 of the Convention Establishing the World Intellectual Property Organization (WIPO).
- (b) “Coordination Committee” shall mean the body established in accordance with Article 8 of the Convention Establishing the World Intellectual Property Organization (WIPO).

Regulation 0.3

Currencies and Rate of Exchange¹

All amounts due to staff members shall be calculated and paid in the currency or currencies prescribed by the Director General. Rates of exchange for the conversion of currencies shall be those established by the United Nations.

¹ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

CHAPTER I**DUTIES, OBLIGATIONS AND PRIVILEGES****Regulation 1.1****Status of Staff Members**

The staff members of the International Bureau are international civil servants; their obligations are not national but exclusively international. By accepting appointment they pledge themselves to discharge their functions and regulate their conduct only with the interests of the International Bureau in view.

Regulation 1.2**Assignment of Staff Members**²

Staff members shall be assigned functions according to the needs of the International Bureau, due account being taken of their qualifications as much as possible. The Director General may second a staff member, with the latter's consent, for the performance of temporary duties outside the International Bureau; such secondment shall in no way affect the application of these Regulations with respect to the rights and obligations of the staff member concerned. This Regulation shall not apply to temporary staff members.

Regulation 1.3**Working Hours**

While staff members are always at the disposal of the International Bureau, the normal working week for staff members in full-time employment at Headquarters shall be 40 hours, not including time for meals. The said working week shall be a minimum of 20 hours for staff members in part-time employment. At other duty stations the number of working hours, not normally exceeding 40, shall be determined by the Director General, taking account of local conditions and the practices of other locally based organizations of the United Nations common system.

Rule 1.3.1 – Working Days³

- (a) Subject to paragraph (b), at Headquarters, every Monday, Tuesday, Wednesday, Thursday and Friday shall be a working day. At other duty stations, working days shall be established taking account of local conditions and the practices of other locally based organizations of the United Nations common system.
- (b) The number of official holidays at each duty station shall be 10 days in each calendar year. Official holidays shall be established taking account of local conditions and the practices of other locally based organizations of the United Nations common system.
- (c) Every staff member shall be present at work on every working day, except when leave is authorized.

² Amended with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014).

³ Amended with effect from January 1, 2016 (please refer to Information Circular No.30/2015).

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Rule 1.3.2 – Working Time

- (a) A staff member may opt to follow the fixed or flexible working time system, subject to the authorization procedure, which shall be prescribed in an Office Instruction.
- (b) Working time for any staff member following the flexible working time system shall, subject to the application of Rule 1.3.3 and the related procedures, be between 30 and 56 hours per week. In that system, the daily working time shall be a minimum of four and a half hours as provided for in Rule 1.3.3.
- (c) Working time for any staff member following the fixed working time system (Rule 1.3.4) shall be 40 hours per week, not including the lunch break. In that system, the daily working time shall be eight hours as provided for in Rule 1.3.4.
- (d) Independent of what is provided in paragraphs (a), (b) and (c), any staff member shall be present at work whenever requested on account of the exigencies of the service.
- (e) Any abuse of the procedures governing working time, as detailed in the Staff Regulations and Rules, or prescribed by the relevant Office Instructions, shall give rise to the application of the disciplinary measures provided for in Chapter X.

Rule 1.3.3 – Flexible Working Time

- (a) Any staff member following the flexible working time system shall be present at work on each working day:
- (1) during the four and a half hours of the two “core periods,” that is, from 9.15 to 11.45 and from 14.15 to 16.15, and
 - (2) a minimum of four and a half hours (with the exception of any authorized absence under Rule 1.3.5), but not before 7.00 and not after 20.00, and not during the lunch break. The lunch break shall be at least 30 minutes long.
- (b) The procedures for the use of the flexible working time system shall be prescribed in an Office Instruction.

Rule 1.3.4 – Fixed Working Time

Any staff member following a fixed schedule shall have a daily working time of eight hours excluding the lunch break, according to the schedule agreed upon with his or her supervisor. The schedule shall respect the “core hours” for fixed working time: 9.15 to 12.00, and 14.15 to 17.00. The lunch break shall be at least 30 minutes long.

Rule 1.3.5 – Authorized Absences

Absence from the office premises shall be authorized in the following cases, for which the conditions shall be prescribed in an Office Instruction:

- (a) absence on official business or authorized training;
- (b) absence for a medical appointment;
- (c) absence for exceptional and important reasons;
- (d) when leave is authorized.

Rule 1.3.6 – Unauthorized Absences⁴

- (a) An unauthorized absence shall be any absence from work when presence is required, and any absence in excess of the maximum time allowed for the absence for exceptional and important reasons under Rule 1.3.5(c).
- (b) An unauthorized absence may give rise to the initiation of a disciplinary procedure and to the application of disciplinary measures as provided for in Chapter X.

Rule 1.3.7 – Special Working Hours

- (a) If the exigencies of the service or the particular nature of a position so require, the Director General may prescribe special working hours for one or more staff members or the entire staff, for a definite or indefinite period.
- (b) Any special working hours shall be incorporated mutatis mutandis either in the provisions governing flexible working hours or in those governing fixed working hours.

Regulation 1.4**Instructions from External Sources**

In the performance of their duties with the International Bureau, staff members shall neither seek nor accept instructions or assistance from any government or from any other authority outside the International Bureau.

Regulation 1.5**Conduct**

- (a) Staff members shall conduct themselves at all times in a manner befitting their status as international civil servants. They shall not engage in any activity which is incompatible with the proper discharge of their duties with the International Bureau. They shall avoid any action, and in particular any public pronouncement, which may adversely reflect on the international civil service or which is incompatible with the integrity, independence and impartiality required by their status. While they are not expected to disregard their national sentiments or their political or religious convictions, they shall at all times act with the reserve and tact incumbent on them by reason of their international status.
- (b) Staff members shall exhibit respect for all cultures. They shall not discriminate against any individual or group of individuals or otherwise abuse the power and authority vested in them.
- (c) The Standards of Conduct for the International Civil Service, promulgated by the International Civil Service Commission (ICSC), shall apply to all staff members.⁵
- (d) Disciplinary procedures as set out in Chapter X of the Staff Regulations and Rules may be applied to a staff member who fails to comply with his or her obligations as detailed in this Regulation.

⁴ Amended with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014).

⁵ The revised Standards of Conduct for the International Civil Service have been adopted by the Sixty-Seventh (44th Ordinary) Session of the WIPO Coordination Committee, effective January 1, 2014.

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Rule 1.5.1 – Discrimination or Harassment

Any form of discrimination or harassment, including sexual or gender harassment, as well as physical or verbal abuse in the workplace or in connection with official functions, is prohibited.

Rule 1.5.2 – Use of Property and Assets

Staff members shall use the property and assets of the International Bureau only for official purposes and shall exercise reasonable care when utilizing such property and assets. Reasonable personal use of the International Bureau's property by staff members is permitted.

Rule 1.5.3 – Intellectual Property Rights ⁶

All intellectual property rights including but not limited to patent rights, trademark rights, industrial design rights, the economic rights of copyright and any other rights relating to any protectable subject matter created by a staff member as part of his or her official duties or in the course of his or her employment, shall belong to WIPO.

Regulation 1.6

Activities and Interests outside the International Bureau ⁷

- (a) Staff Members:
- (1) shall not engage, without the prior authorization of the Director General, in a continuous or intermittent manner, in any occupation or employment, remunerated or not, outside the International Bureau;
 - (2) may be authorized by the Director General to engage in an outside occupation or employment, whether remunerated or not, if such occupation or employment:
 - (i) is not incompatible with the proper discharge of their duties with the International Bureau and does not conflict with the staff member's official functions or their status as an international civil servant;
 - (ii) is not in conflict with the interests of the International Bureau; and
 - (iii) is permitted by domestic law at the duty station or where the occupation or employment occurs.
- (b) Apart from their duties with the International Bureau, staff members shall not engage in any activity, or have any financial interest whatever, in any enterprise dealing with intellectual property. They shall not accept any benefits, gratuities or favors from firms or private individuals dealing with intellectual property or having commercial relations with the International Bureau.
- (c) A staff member shall not be associated with the management of, or hold a financial interest directly or indirectly in, any business or other concern, if it is possible for the staff member, business or other concern to benefit from such association or financial interest by reason of the staff member's position with the International Bureau.

⁶ Rule added as an amendment with effect from January 1, 2016 (please refer to Information Circular No. 30/2015).

⁷ Amended with effect from January 1, 2014 (please refer to Office Instruction No. 43/2013).

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(d) If, in the course of their duties, staff members are involved with a matter involving a business or other concern in which their spouse or a dependent family member holds a financial interest, they shall inform the Director General of the extent of that interest. If staff members have knowledge that a non-dependent child, parent or sibling holds a financial interest in such a business or other concern, they shall also inform the Director General of that interest.

(e) The ownership of shares in a company shall not be held to constitute a financial interest within the meaning of paragraph (d), above, unless such ownership gives the staff member, or the staff member's spouse or dependent family member, or non-dependent child, parent or sibling, any form of control over the company's activities.

(f) Staff members shall not, except in the normal course of official duties or with the prior authorization of the Director General, engage in any one of the following activities if they relate to the objectives, activities or interests of the International Bureau:

- (1) make statements to the press, radio or other information media;
- (2) accept public speaking engagements;
- (3) take part in film, theater, radio or television productions;
- (4) submit articles, books or other material for publication;
- (5) be a member of an association or non-governmental organization dealing with intellectual property;
- (6) provide professional services to third parties.

(g) All staff members at the level of D-1 and above, as well as other designated categories, shall be required to file a declaration in a designated form and disclosing designated types of interests for themselves, their spouses and designated family members. Such declarations shall be filed upon appointment and at designated intervals. Such declarations shall remain confidential.

(h) Authorizations which the Director General may grant under the provisions of this Regulation may be made subject to such conditions as he or she deems appropriate, including, where necessary, the requirement to file a declaration as prescribed in paragraph (g), above.

(i) The Director General shall prescribe procedures for requests for authorization and for the filing of disclosure declarations under this Regulation.

Regulation 1.7

Communication of Information⁸

(a) Staff members shall exercise the utmost discretion in all matters relating to official business. Except in the course of their official duties or with the permission of the Director General, they shall not communicate to any person any information known to them by reason of their official position which has not been made public. They shall not at any time use such information to their own advantage. These obligations do not cease upon separation from the International Bureau.

(b) A staff member who in good faith reports information concerning the possible existence of wrongdoing in the International Bureau regarding administrative, personnel and other similar matters shall be able to do so anonymously. The International Bureau shall enact provisions for

⁸ Amended with effect from January 1, 2016 (please refer to Information Circular No. 30/2015).

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protection from retaliatory action such as by way of adverse administrative decision or verbal harassment.

(c) Such a report shall be made through any of the following established channels: to a hierarchical supervisor, the Office of the Director General, the Director of the Internal Oversight Division or the chair of the Coordination Committee, who shall preserve the anonymity of the reporting staff member. Provisions for the reporting of wrongdoing shall be enacted by the International Bureau.

(d) Protection by the International Bureau against retaliation will be extended to staff members provided that the staff member has made the report through established internal channels, unless there is an exceptional and demonstrable reason indicating that the use of established internal channels carries the risk of aggravation of the wrongdoing (including the failure to act on the report in a reasonable time or concealment of the wrongdoing), threatens the preservation of the staff member's anonymity or there is a justifiable apprehension of retaliation.

(e) Reports, statements or claims which are intentionally and knowingly false or misleading or made with reckless disregard for accuracy of the information shall be regarded as serious misconduct.

(f) Paragraphs (b), (c), (d) and (e) above shall be applied without prejudice to the staff member's obligations prescribed in paragraph (a) above and Rule 1.7.1 below.

Rule 1.7.1 – Confidential Documents, Information or Material

Where, by virtue of the provisions of any international agreement administered by the International Bureau, the International Bureau is entrusted with the task of maintaining the confidential nature of any document, information or material of any kind, the Director General may issue special instructions specifying the duties of staff members with respect to the custody of and access to such documents, information or material, and the means of identifying staff members authorized to handle the said materials. All confidential materials shall be placed under the exclusive control of staff members designated by the Director General, shall be used only within the International Bureau and shall not be made accessible to any non-designated WIPO employees, persons or authority outside the International Bureau.

Regulation 1.8

Honors and Gifts

(a) No staff member shall accept any honor, decoration, favor, gift or remuneration from any source external to the International Bureau, without first obtaining the approval of the Director General. Approval shall be granted only where such honor, decoration, favor, gift or remuneration is not incompatible with the staff member's status as an international civil servant. The Director General shall prescribe guidelines for the interpretation of the present Regulation through an Office Instruction.

(b) Where the Director General is involved, the approval shall be granted by the Coordination Committee.

(c) Staff members shall neither offer nor promise any favor, gift, remuneration, or any other personal benefit to another staff member or to any third party with an intent to cause him or her to perform, fail to perform, or delay the performance of any official act. Similarly, staff members shall neither seek nor accept any favor, 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.

Regulation 1.9**Political Activities**

Staff members may not engage in any political activity which is incompatible with or might reflect upon the independence and impartiality required by their status as international civil servants.

Rule 1.9.1 – Membership of a Political Party

(a) Notwithstanding their obligations to the International Bureau, staff members' membership of a political party shall be permitted, provided that such membership does not entail action, or an obligation to take action, by the staff member contrary to Regulation 1.9. The payment of normal financial contributions to a political party shall not be construed as an activity inconsistent with the principles set out in Regulation 1.9. "Normal financial contribution" shall be defined as consistent with the laws of the country in which the political party is based.

(b) The Director General may establish procedures whereby staff may seek in confidence a clarification as to whether a proposed political activity would conflict with their status as international civil servants.

Regulation 1.10**Privileges and Immunities**

(a) Staff members in Geneva shall enjoy the privileges and immunities specified in the Headquarters Agreement and those provided for in any agreement concluded to that end between the Republic and Canton of Geneva and the Director General.

(b) Staff members in New York shall enjoy the privileges and immunities specified in any United States law and regulation relating to international organizations, and, to the extent applicable, the privileges and immunities specified in the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations.

(c) Staff members, where applicable, shall enjoy the privileges and immunities specified in the 1947 Convention on the Privileges and Immunities of the Specialized Agencies.

(d) These privileges and immunities shall be conferred in the interests of the International Bureau. They shall not provide staff members with an excuse for not meeting their private obligations or complying with laws and police regulations. In all cases where these privileges and immunities are involved, the staff member concerned shall immediately inform the Director General, who shall decide whether or not they should be waived.

Regulation 1.11**Oath or Declaration**

(a) On taking up their duties staff members shall make and sign the following oath or declaration:

"I solemnly swear (alternatively: undertake, affirm, promise) to exercise in all loyalty, discretion and conscience the functions entrusted to me as a staff member of the International Bureau, to discharge these functions and to regulate my conduct only with the interest of the International Bureau in view, and in accordance with the Standards of Conduct for the International Civil Service,

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without seeking or accepting instructions or assistance from any Government or other authority outside the International Bureau in regard to the accomplishment of my duties.”

(b) The oath shall be taken (or the declaration made) in the presence of the Director General or his or her authorized representative; the document relating thereto shall be signed in his or her presence or in the presence of his or her authorized representative and placed in the file of the staff member. A new declaration shall be made after a break in service that exceeds three months. The Director General shall take the oath or make the declaration of loyalty before the General Assembly.

Regulation 1.12

Compliance with Local Laws and Private Legal Obligations

Staff members must comply with local laws and honor their private legal obligations.

Regulation 1.13

Information Requested of Staff Members and Obligation to Supply Such Information⁹

On appointment, staff members shall be responsible for providing the Director General with the information necessary to determine their status and entitlements under the Staff Regulations and Rules, and to take the administrative measures required by their appointment.

Rule 1.13.1 – Information to be Supplied by Staff Members

(a) Staff members shall be responsible for informing the Director General promptly in writing of any change which might affect their status and entitlements under the Staff Regulations and Rules.

(b) Staff members who intend to acquire the status of permanent resident in a country other than that of their nationality, or who intend to change their nationality, shall inform the Director General before such change of status or nationality becomes final.

(c) Staff members who are arrested or charged with an offense other than a minor traffic violation, or are defendants in a criminal action, or are convicted, fined or imprisoned for any offense other than a minor traffic violation, shall inform the Director General as soon as possible.

(d) The Director General may at any time request a staff member to supply information concerning facts prior to appointment which are relevant to his or her suitability, or concerning facts which are relevant to his or her integrity, conduct and service as a staff member.

⁹ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

CHAPTER II
CLASSIFICATION**Regulation 2.1****Classification of Posts**¹⁰

- (a) The nature of the duties and responsibilities and the requisite qualifications attaching to each post shall be determined by the Director General.
- (b) The Director General shall determine the place of each post within the following classification, in accordance with the classification standards set by the ICSC which shall be brought to the notice of staff. Each post shall be assigned to a suitable grade in any of the following categories: Director, Professional, National Professional Officer, and General Service.
- Director Category: D-2, D-1.
- Professional Category: P-5, P-4, P-3, P-2 and P-1.
- National Professional Officer: NOE, NOD, NOC, NOB and NOA.
- General Service Category: G-7, G-6, G-5, G-4, G-3, G-2 and G-1.
- (c) The Director General shall establish provisions for the classification of all posts in the International Bureau, other than those of Deputy Director General and Assistant Director General. The Classification Committee provided for in Regulation 2.2 shall receive twice yearly reports on the findings and activities of all such classifications from the Human Resources Management Department (HRMD).
- (d) The classification analysis shall be conducted independently by one classification expert, on the basis of the classification standards prescribed in this Chapter.
- (e) Classification of a post shall be possible when a post is newly established or has not been previously classified.
- (f) Each post shall have an accurate and up-to-date job description.
- (g) This Regulation shall not apply to temporary positions.

Regulation 2.2**Reclassification of Posts**¹¹

- (a) Reclassification is the review of the classification of a post under conditions to be prescribed by the Director General. The reclassification analysis of an encumbered post shall be conducted independently by one external classification expert, pursuant to the classification standards set by the ICSC prescribed in this Chapter and on the basis of the rules prescribed in this Chapter. The reclassification of a vacant post shall likewise be conducted independently by a classification expert pursuant to the classification standards set by the ICSC and on the basis of rules prescribed in this Chapter.

¹⁰ Amended with effect from November 1, 2014, January 1, 2016 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circulars Nos. 30/2015 and 34/2016).

¹¹ Amended with effect from January 1, 2016 and January 1, 2017 (please refer to Information Circulars Nos. 30/2015 and 34/2016).

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- (b) Reclassification shall be carried out as part of the International Bureau's periodic organizational planning and review process.
- (c) Requests for the reclassification of a post are possible in the following cases:
- (1) when the duties and responsibilities of the post have been changed substantially as a result of a restructuring;
 - (2) prior to the issuance of a vacancy announcement, when a substantive change in the functions of a post has occurred since the previous classification;
 - (3) when recommended by a classification review or audit of a post or related posts, as determined by the classification expert concerned.
- (d) The classification review may:
- (1) confirm the same grade as initially classified;
 - (2) lead to a lower grade than initially classified by one grade or more within the category or across categories;
 - (3) lead to a higher grade than initially classified by one grade or more within the category or across categories.
- (e) The Director General shall establish a Classification Committee to advise him or her with respect to the reclassification of encumbered posts and shall make a decision after having given consideration to the advice of the Committee. The Classification Committee shall be composed of three persons each with an alternate: a chairman, who must be a person with experience on staff matters in intergovernmental organizations and who must not be a staff member of the International Bureau, and two staff members of the International Bureau, of whom one shall be designated from a list of three names submitted by the Staff Council and one shall be the Director of the Human Resources Management Department (HRMD) of the International Bureau, or his representative.
- (f) This Regulation and the rule thereunder shall not apply to temporary positions, project posts, and posts funded from funds-in-trust and cooperation agreements.

Rule 2.2.1 – Implementation of a Reclassification Decision¹²

- (a) If the post under review is vacant, the classification review decision shall be implemented in accordance with the above Regulation.
- (b) If the post under review is encumbered, the classification review decision shall be implemented as follows:
- (1) if the review confirms the same grade of the post as initially classified, there shall be no change in either the post or the personal grade of the staff member concerned;
 - (2) if the review leads to a lower grade of the post than initially classified, then the grade of the post shall be so adjusted, but the staff member concerned shall retain his or her personal grade subject to these Regulations and Rules;
 - (i) The International Bureau shall ensure that the staff member concerned is treated with dignity and fairness, and upon request of the staff

¹² Amended with effect from May 27, 2013, November 1, 2014, January 1, 2016 and January 1, 2017 (please refer to Office Instructions Nos. 28/2013 and 55/2014 and Information Circulars Nos. 30/2015 and 34/2016).

member, HRMD shall make reasonable efforts to provide him or her with reasonable transfer possibilities.

(3) if the review leads to a higher grade of the post than initially classified, but only by a single grade, within the General Service, National Professional Officer or Professional categories, then the incumbent shall be promoted as a result of reclassification of the post to which he or she is assigned, provided he or she fully meets the post requirements and his or her performance ratings under the performance appraisal mechanism are effective or better for the two years preceding promotion. As a general rule, reclassification within the Director category will be subject to competition in accordance with the established procedures. In exceptional cases the incumbent may be promoted without a competition provided he or she fully meets the requirements of the post and his or her performance ratings in the performance appraisal mechanism are effective or better for the two years preceding promotion. In such an exceptional case, the Director General shall record the reasons for his or her decision in writing;

(4) if the review leads to a higher grade of the post than initially classified, resulting in a change of category, or by two or more grades within the same category, or normally, within the Director category, then the post shall be subject to competition, in accordance with the established selection procedures. Provided the incumbent meets the requirements of the post, the incumbent shall be given due consideration in the competition.

(c) In cases where the incumbent is not selected in the competition for his or her reclassified post:

(1) where the incumbent holds a fixed-term, permanent or continuing appointment, he or she shall be given the opportunity for a transfer to another post after the period of the competition, in accordance with Regulation 4.3 "Transfers." If no suitable post is identified, the contract of the incumbent of the reclassified post may be terminated in accordance with Regulation 9.2 "Termination."

(d) No encumbered post shall be reclassified more than once with the same incumbent without initiating a competitive selection process.

(e) The Director General shall have the authority to approve the promotion of staff members resulting from post reclassifications.

(f) Promotion of the incumbent to the grade of the post shall take effect on the date on which the post was reclassified, i.e., the first day of the month following the Director General's decision on the reclassification request.

Regulation 2.3

Determination of the Category and Level of the Functions of Temporary Staff Members ¹³

(a) The category and level of the functions of a temporary staff member shall be determined by the Director General with reference to the ICSC standards and each temporary position shall have an up-to-date job description. The determination shall be made for the purposes of calculating the initial salary.

¹³ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

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(b) The Director General shall assign to each temporary position a suitable grade in any of the following categories: Director, Professional, National Professional Officer and General Service. Applicable grades in each category shall be as follows:

Director Category: D-1.

Professional Category: P-5, P-4, P-3, P-2 and P-1.

National Professional Officer: NOE, NOD, NOC, NOB and NOA.

General Service Category: G-7, G-6, G-5, G-4, G-3, G-2 and G-1.

CHAPTER III
SALARIES AND ALLOWANCES**Regulation 3.1****Salaries**¹⁴

(a) Staff members shall be remunerated with gross salaries, the amounts of which shall be subject to deductions for the purpose of internal taxation, as prescribed by Regulation 3.19, in order to arrive at the net salaries specified in this Regulation. Unless expressly stated otherwise, the word "salary" in these Regulations and Rules shall mean net salary.

(b) Salaries shall be as follows:

Director General

Equivalent to the highest salary payable to the Head of a Specialized Agency of the United Nations that has its Headquarters in Geneva.

Deputy Directors General

Equivalent to the salary provided for the "Under-Secretaries-General" category in the United Nations.

Assistant Directors General

Equivalent to the salary provided for the "Assistant Secretaries-General" category in the United Nations.

(c) Salary scales in force for other staff members shall be published as prescribed in Annex II.

Regulation 3.2**Dependency**¹⁵

(a) A "dependent spouse" shall mean:

(1) For staff members in the General Service and National Professional Officer categories, a spouse whose total annual income, if any, does not exceed the gross annual salary corresponding to the first step of grade G1 of the General Service category which is applicable at the closest United Nations duty station in the country of the spouse's place of work, and which is in force on January 1 of the year concerned.

(2) For staff members in the Professional and higher categories, a spouse whose total annual income, if any, does not exceed the higher of:

(i) the amount determined under subparagraph (1); or

¹⁴ Amended with effect from January 1, 2016 and January 1, 2017 (please refer to Information Circulars Nos. 30/2015 and 34/2016).

¹⁵ Amended with effect from November 1, 2014, January 1, 2016 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circulars Nos. 30/2015 and 34/2016).

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(ii) the gross annual salary corresponding to the first step of grade G2 of the General Service category, in force on January 1 of the year concerned in New York.

(3) If the total annual income of the spouse exceeds the relevant above-mentioned salary limits by an amount which is less than the amount of the appropriate dependency benefit payable to the staff member, the spouse shall still be deemed to be a dependant, but the amount in excess shall be deducted from the appropriate dependency benefit. In the case of legal separation, the Director General shall decide in each case whether the spouse is deemed to be a dependant.

(b) A "dependent child" shall mean a child for whom a staff member provides the main and continuing support, and who is less than 18 years of age, or less than 21 years of age if in regular attendance at a school, university or similar educational institution. However, the conditions relating to age and school attendance shall be waived in the case of a child physically or mentally incapacitated for substantial gainful employment. Providing the above-mentioned conditions of support, age and attendance at an institution, or incapacity are fulfilled, a dependent child may be:

- (1) a staff member's child by blood (including a natural child);
- (2) a step-child, if residing with the staff member;
- (3) a legally adopted child;
- (4) an unadopted child other than a brother or sister, who is residing with the staff member, for whom there is documentary evidence that legal adoption is not possible, and for whom the staff member has continuing legal responsibility.

(c) Staff members shall be required to produce satisfactory documentary evidence that they provide the main and continuing support for a dependent child in the following cases:

- (1) for a child who does not reside with the staff member;
- (2) for a married child, irrespective of whether or not that child resides with the staff member.

(d) "Dependent parent, dependent brother or dependent sister" shall mean the father, mother, brother or sister of a staff member for whom the staff member provides more than half of that person's financial resources, and in any case a sum double that of the allowance under Regulation 3.3(f) or Regulation 3.4(f). A brother or sister must in addition be less than 18 years of age, or less than 21 years of age if in regular attendance at a school, university or similar educational institution; however, the conditions relating to age and school attendance shall be waived for a brother or sister physically or mentally incapacitated for substantial gainful employment.

(e) Applications for dependency status shall be submitted every year in writing together with such documentary evidence as the Director General considers to be satisfactory.

Regulation 3.3**Dependency Allowances for Staff Members in the Professional and Higher Categories**¹⁶

Staff members in the Professional and higher categories shall be entitled to the following non-pensionable allowances under conditions established by the Director General:

- (a) for a dependent spouse, an allowance at the level of six per cent of the net salary plus post adjustment;
- (b) for each dependent child, the amount as provided in Annex II, subject to paragraph (c) below;
- (c) in lieu of the dependent child allowance provided for at paragraph (b), for staff members who are single parents, an allowance in respect of the first dependent child at the level of six per cent of the net salary plus post adjustment;
- (d) in addition to any amount payable pursuant to paragraph (b) or (c) above, the staff member shall be entitled to the amount as provided in Annex II, for a child who is determined to be physically or mentally disabled either permanently or for a period expected to be of long duration;
- (e) the child allowances provided for under paragraphs (b) and (c) above, increased, where applicable, by the amount of the disabled child allowance provided for under paragraph (d) above, shall be reduced by the amount of any other dependency allowance received from the International Bureau or from any source external to the International Bureau by the staff member or the staff member's spouse;
- (f) where there is no dependent spouse, the staff member shall be entitled to the amount as provided in Annex II, per annum, for one of the following persons: a dependent parent, a dependent brother or a dependent sister. This provision shall not apply to temporary staff members.

Regulation 3.4**Dependency Allowances for Staff Members in the General Service and National Professional Officer Categories**¹⁷

Staff members in the General Service and National Professional Officer categories shall be entitled to the following non-pensionable allowances under conditions established by the Director General:

- (a) the amount as provided in Annex II, per annum, for a dependent spouse;
- (b) the amount as provided in Annex II, per annum, for each dependent child;
- (c) where there is no spouse, the allowance for the first dependent child shall be the amount provided in Annex II, per annum;
- (d) in addition to any amount payable pursuant to paragraph (b) or (c) above, the amount as provided in Annex II, per annum for a child determined to be physically or mentally disabled either permanently or for a period expected to be of long duration;

¹⁶ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

¹⁷ Amended with effect from November 1, 2014, January 1, 2016 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circulars Nos. No. 30/2015 and 34/2016).

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- (e) the allowances provided for under paragraphs (b) and (c) above, increased, where applicable, by the amount of the allowance provided for under paragraph (d) above, shall be reduced by the amount of any other dependency allowance received from the International Bureau or from any source external to the International Bureau by the staff member or the staff member's spouse;
- (f) where there is no dependent spouse, the staff member shall be entitled to the amount as provided in Annex II, per annum for one of the following persons: a dependent parent, a dependent brother or a dependent sister. This provision shall not apply to temporary staff members;
- (g) locally recruited staff members in the General Service category shall be eligible for the reimbursement of 75 per cent of the education levy applied by the Canton of Geneva and the Canton of Vaud, under conditions to be prescribed by an Office Instruction.

Regulation 3.5

Initial Salary

- (a) Staff members appointed under a fixed-term contract shall be appointed at the starting salary of their grade unless the Director General decides that their experience and other qualifications for the duties and responsibilities attaching to the post justify a higher step in that grade.
- (b) Paragraph (a) above shall not apply to appointments in the framework of inter-agency agreements.
- (c) The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 3.5.1 entitled "Initial Salary for Temporary Staff Members."

Rule 3.5.1 – Initial Salary for Temporary Staff Members ¹⁸

Temporary staff members shall be appointed at the starting salary of the equivalent grade at the level at which their temporary position has been determined by HRMD unless the Director General decides that their experience and other qualifications for the duties and responsibilities attaching to the position justify a higher step in that grade.

Regulation 3.6

Advancement within Grade ¹⁹

- (a) Subject to satisfactory service, staff members shall receive annual salary increases according to the salary scale provided in Regulation 3.1. However, for staff members at grade D-2 the interval shall be two years, for staff members at grade D-1 it shall be two years after step 4, for staff members at grades P-1 to P-5 it shall be two years after step 7.
- (b) The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 3.6.2 entitled "Advancement within Grade for Temporary Staff Members."

¹⁸ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

¹⁹ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

Rule 3.6.1 – Salary Increments

- (a) For the award of periodical salary increments, and unless the Director General decides otherwise in a specific instance, satisfactory service shall be defined as satisfactory performance and conduct of staff members in the posts to which they have been assigned, as evaluated by their supervisors.
- (b) Periodical salary increments shall be effective from the first day of the month in which the staff member has completed the required period of service; however, this period may be shortened pursuant to Rule 3.6.3 if the staff member is promoted. A staff member who resumes his or her duties after a period of leave without pay shall be entitled to a salary increment only from the first day of the month in respect of which his or her name again appears on the payroll.
- (c) When a staff member whose service has been satisfactory is moved to a post with a lower remuneration, the date on which he is entitled to his next periodical salary increment shall be determined taking into account the period of service completed since his or her last increment. When a staff member whose service has not been satisfactory is moved to a post with a lower remuneration, he or she shall be entitled to a periodical salary increment only if his or her service in the latter post is satisfactory.
- (d) This Rule shall not apply to temporary staff members.

Rule 3.6.2 – Advancement within Grade for Temporary Staff Members²⁰

- (a) Subject to satisfactory service, temporary staff members shall be eligible for the award of one step in their grade from the second year of service, unless the applicable step is granted biennially. Temporary staff members in the Professional category who are subject to Regulation 12.5(a)(1) and 12.5(b)(1) shall be eligible for this award on a one-time basis, in their second year under these Regulations and Rules.
- (b) Unless the Director General decides otherwise in a specific instance, satisfactory service in this context shall be defined as satisfactory performance and conduct of staff members in the positions to which they have been assigned, as evaluated by their supervisors.

Rule 3.6.3 – Salary on Promotion²¹

The salaries of promoted staff members shall be calculated in the following manner:

- (a) for staff members promoted within the General Service, National Professional Officer and Professional and higher categories, the step of a promoted staff member shall be the lowest in his or her new grade which will provide an increase in salary at least equal to the granting of two steps in his or her old grade. The date of the periodical salary increment in the higher grade shall be the effective date of the promotion;
- (b) Where a staff member is promoted from the General Service to the National Professional Officer category or to the Professional category, or from the National Professional Officer category to the Professional category, the provision in paragraph (a) above shall apply, with the following elements considered to be part of the salaries to be used for the determination of the step in the new grade:

²⁰ Amended with effect from January 1, 2013, January 1, 2016 and January 1, 2017 (please refer to Office Instruction No. 64/2012 and Information Circulars Nos. 30/2015 and 34/2016).

²¹ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

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- (1) the net amount of any pensionable allowance which the staff member received while serving in the General Service or National Professional Officer categories;
- (2) any post adjustment applicable to the grade/step in the Professional category to which the staff member is promoted.
- (c) This Rule shall not apply to temporary staff members.

Regulation 3.7

Long-Service Step ²²

- (a) Staff members in the General Service category, who have completed at least 20 years of satisfactory service with the International Bureau and who have been at the top step of their grade for at least five years, shall be eligible to receive one additional step, which shall be pensionable and shall form an extension of the corresponding salary scale. This Regulation shall not apply to temporary staff members.
- (b) Staff members in the National Professional Officer category may be eligible for a long-service step, which shall be pensionable, according to conditions defined in the corresponding local salary scale. This Regulation shall not apply to temporary staff members.

Regulation 3.8

Post Adjustment ²³

- (a) The net base salaries of staff members in the Professional and higher categories shall be adjusted by the application of non-pensionable post adjustments, the amount of which shall be determined by multiplying one per cent of the corresponding net base salary by a multiplier reflecting the post adjustment classification established for the duty station by the ICSC, and the effective date of any change in the multiplier shall be as fixed by the said Commission.
- (b) While during assignments for one year or more the salary of a staff member is subject to the post adjustment of his or her duty station, the Director General may introduce alternative arrangements under the following circumstances:
 - (1) when a staff member is assigned to a duty station for less than 12 months, the Director General shall decide at the time of assignment whether to apply the post adjustment applicable to that duty station and, if appropriate, to pay the settling-in grant under Rule 7.3.2(a) or, in lieu of the above, to authorize appropriate daily subsistence allowance in accordance with Rule 7.2.9;
 - (2) staff members who are assigned to a duty station classified lower in the post adjustment schedule than the duty station in which they have been serving for more than 12 months may continue to receive, for up to six months, the post adjustment applicable to the former duty station while their immediate family (spouse and dependent children) remain at that duty station.

²² Amended with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014).

²³ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

Regulation 3.9**Rental Subsidy**

Internationally recruited staff members shall be eligible to receive a rental subsidy for an amount and under such conditions as are established by the ICSC. The details shall be prescribed by an Office Instruction. This Regulation shall not apply to temporary staff members.

Regulation 3.10**Language Allowance**²⁴

- (a) A pensionable language allowance may be paid to staff members in the General Service category under conditions prescribed by the Director General.
- (b) This Regulation shall not apply to temporary staff members.

Rule 3.10.1 – Language Allowance²⁵

- (a) A pensionable language allowance may be paid to staff members in the General Service category who pass an examination organized by the Director General and who demonstrate proficiency in one or two of the following languages: Arabic, Chinese, English, French, German, Japanese, Korean, Portuguese, Russian, and Spanish. Notwithstanding the foregoing, the allowance shall not be payable for the staff member's mother tongue nor for any language in which the Director General determines the staff member is required to be fully proficient by the terms of his or her appointment.
- (b) Examinations for the award of language allowances shall be held at least once a year.
- (c) Staff members who receive a language allowance may be required to undergo further examination at intervals of not less than five years in order to demonstrate their continued proficiency in the languages for which they receive the allowance.
- (d) For proficiency in any one language, the amount of the allowance per annum is in Annex II, subject to the provisions contained in said Annex and these Regulations and Rules.
- (e) The language allowance shall be taken into account in calculating contributions to the Pension Fund, remuneration for overtime and night differential, and payments and indemnities on separation from service.
- (f) This Rule shall not apply to temporary staff members.

Regulation 3.11**Special Post Allowance**²⁶

- (a) A non-pensionable special post allowance shall be paid to any staff member on a fixed-term, permanent or continuing appointment who is temporarily required to assume the responsibilities and duties of a vacant post at a grade higher than that of the post he or she

²⁴ Amended with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014).

²⁵ *Ibid.*

²⁶ Amended with effect from January 1, 2016 and January 1, 2017 (please refer to Information Circulars Nos. 30/2015 and 34/2016).

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occupies. This allowance shall be payable as from the date the staff member has performed for a continuing period of three months the full duties of the higher-grade post, which were entrusted to him or her.

(b) As an exceptional measure, when temporary additional work has to be performed, for example during conferences, the Director General shall be authorized to pay the special post allowance from the date on which the staff member concerned assumes the duties of the higher grade post.

(c) The special post allowance shall be equal to the salary increase which the staff member would have received if he or she had been promoted to the grade of the post in which he or she is serving.

(d) Any extension of the allowance beyond 12 months may only be authorized under exceptional circumstances, for example, in the event that the administrative procedures for filling the vacant post have not been completed. In the event that an extension beyond 12 months is required, the administration shall document the reasons therefor in writing. In no event shall such further extension exceed 12 months.

(e) This Regulation shall not apply to temporary staff members.

Regulation 3.12

Overtime ²⁷

(a) Staff members in the General Service category who are required to work in excess of any normal working week shall be entitled to compensatory leave, or may receive additional remuneration, in accordance with the conditions prescribed by the Staff Regulations and Rules.

(b) Should the exigencies of the service permit, and subject to the prior approval of the Director General or authorized representative, staff members in the National Professional Officer, Professional and higher categories who have been required to work overtime for substantial or recurrent periods may be granted compensatory leave.

(c) Overtime shall be compensated only when it is expressly requested by the supervisor of the staff member concerned.

Rule 3.12.1 – Overtime

(a) For any staff member following the flexible working time system, the following shall be regarded as overtime:

- (1) time spent at work on a non-working day;
- (2) time spent at work on a working day before 07.00 or after 20.00;
- (3) time spent at work on a working day between 07.00 and 20.00 (outside the core hours and the lunch break) to the extent to which that time exceeds both eight hours spent at work on that day and 40 hours spent at work by the end of the week.

(b) For any staff member following the fixed working time system, the following shall be regarded as overtime:

- (1) time spent at work on a non-working day;

²⁷ Amended with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014).

- (2) time spent at work outside the working hours referred to in Rule 1.3.4.
- (c) Overtime shall be recognized only if the staff member is present at work at the express request of the supervisor and only within the limits fixed by the supervisor.

Rule 3.12.2 – Special Overtime and Ordinary Overtime

Overtime worked before 07.00 and after 20.00, or on Saturdays before 07.00 and after 13.00, or on Sundays or official holidays, shall be regarded as special overtime. Other overtime shall be regarded as ordinary overtime.

Rule 3.12.3 – Compensation for Overtime for Staff Members in the General Service Category

- (a) Staff members in the General Service category who have been required to work overtime shall, as far as possible, be given compensatory leave or pay. Leave shall be granted as promptly as the exigencies of the service permit and in any event not later than six months after the overtime is worked. If the staff member's supervisor certifies that the exigencies of the service do not permit the grant of compensatory leave within the prescribed period of six months, the overtime shall be compensated in cash. Staff members may choose to be compensated in cash if the supervisor responsible for them certifies that the exigencies of the service will not permit the grant of compensatory leave. As a general rule, the part of overtime worked which exceeds 100 hours within the calendar year in accordance with special authorization procedures to be prescribed by the Director General in an Office Instruction shall always be given as compensatory leave and must be taken within the prescribed period of six months. If the staff member's supervisor certifies that the exigencies of the service will not permit the grant of compensatory leave, the staff member shall be compensated in cash.
- (b) Compensatory leave shall be equal to time-and-a-half for ordinary overtime and to double time for special overtime. Compensation in cash shall be paid at the rate of one and a half times the hourly salary of the middle step of the staff member's grade for each hour of ordinary overtime, and twice that salary for each hour of special overtime.
- (c) In the calculation of daily overtime, periods of less than 15 minutes shall be disregarded. The total overtime shall be calculated each week in hours and half-hours, periods of less than one half-hour being disregarded.
- (d) Compensatory leave can only be taken in units of half a day, equal to four hours of compensatory leave, after previous written authorization of the supervisor.

Regulation 3.13

Night Differential

- (a) Full-time staff members in the General Service category who are required to observe a work schedule, any part of which falls between 20.00 and 07.00, shall receive a night differential for the work performed during that period, provided that more than four hours of night work are performed in one calendar week.
- (b) The night differential shall be payable at a rate equal to 25 percent of the staff member's base salary.
- (c) Hours spent by a staff member on leave or on official travel shall not be taken into account in determining entitlement to the night differential.

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- (d) The night differential shall not be paid for work which entitles the staff member concerned to overtime payment or compensatory leave.
- (e) To calculate the night differential, the number of hours shall be reckoned to the nearest hour; periods of less than one half-hour shall not be taken into account.
- (f) In Geneva, staff members in the General Service category who are obliged either to work after 20.00 without a break for an evening meal, or to work overtime after 23.00, or to work at least two hours overtime after a tour of duty ending later than 20.00, shall be paid an additional sum to be prescribed by the Director General to cover the cost of refreshment during night work.
- (g) The Regulation shall not apply to staff members specifically engaged for night work.

Regulation 3.14

Education Grant²⁸

- (a) Any staff member recruited internationally within the meaning of Regulation 4.6 and not residing or serving in his or her home country shall be entitled, within the limits prescribed by the Staff Regulations and Rules, to an education grant for each child who is dependent on the staff member for main and continuing support and who regularly attends a school, university or similar institution on a full time basis.
- (b) The grant shall be paid in respect of a child who is dependent on the staff member for main and continuing support until the end of the school year in which the child completes four years of post-secondary studies or is awarded the first post-secondary degree, whichever is earlier, but not beyond the end of the school year in which the child reaches the age of 25. If the child's studies are interrupted for at least one school year owing to State service requirements or certified illness, the period of entitlement to the grant shall be extended by a period equal to that of the interruption.
- (c) A special education grant may be paid to a staff member in any category, whether residing or serving in his or her home country or not, whose child is unable, by reason of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training or, while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability. The amount of the special education grant shall not be cumulative with the grant payable under paragraph (a) above.
- (d) The International Bureau may also pay, once in every school year, the cost of an outward and return journey between the child's educational institution and the staff member's duty station for a child of a staff member in receipt of assistance with boarding expenses.
- (e) An education grant may also be paid, under conditions prescribed by the Director General, to staff members who are obliged to pay for the teaching of their mother tongue to dependent children attending a local school in the area of the duty station, at which tuition is given in a different language.
- (f) This Regulation and the rules thereunder shall not apply to temporary staff members.

²⁸ This Regulation and the rules thereunder shall enter into force as of the 2017/2018 school year or the 2018 school year, as the case may be (please refer to Information Circular No. 34/2016).

Rule 3.14.1 – Definitions ²⁹

For the purposes of Regulation 3.14 and Rule 3.14.1 to Rule 3.14.6:

- (a) “home country” shall mean the staff member’s country of home leave. If both parents are eligible staff members of the International Bureau, “home country” shall mean the country in which either parent is authorized to take home leave;
- (b) the term “duty station” shall mean the area within a reasonable commuting distance from the duty station, notwithstanding national boundaries;
- (c) this Rule shall not apply to temporary staff members.

Rule 3.14.2 – Limits of Eligibility ³⁰

- (a) The education grant shall not be paid with respect to:
 - (1) attendance at kindergarten or nursery school;
 - (2) attendance at an institution where tuition is free or where only nominal fees are charged;
 - (3) correspondence courses, with the exception of courses provided by authorized institutions, which under no circumstances shall replace regular local schools in the area of the duty station, but which, in the opinion of the Director General, are the best available substitute for regular attendance at a type of institution which does not exist at the duty station;
 - (4) vocational training or apprenticeship which either do not entail regular attendance at an educational institution or provide payment for the services rendered;
 - (5) private tuition, with the exception of:
 - (i) teaching of the mother tongue when satisfactory school facilities for learning that language are not available at the duty station;
 - (ii) special teaching or training for a disabled child within the scope of Regulation 3.14(c).
- (b) Any tuition listed under Rule 3.14.2(a)(5), above, must be given by a person who is a duly qualified teacher certified in the subject of instruction in his or her country of origin or in the country of the duty station and who is not a relative of the staff member and his or her family. The staff member will be required to present evidence of the teacher’s certification.
- (c) This Rule shall not apply to temporary staff members.

Rule 3.14.3 – Amount of the Education Grant ³¹

- (a) Admissible expenses shall be tuition, mother tongue tuition and enrolment-related fees.

²⁹ *Ibid.*

³⁰ *Ibid.*

³¹ *Ibid.*

(b) Tuition, mother tongue tuition and enrolment-related expenses shall be reimbursed based on a global sliding scale established by the ICSC and consisting of seven brackets, with declining reimbursement levels per bracket ranging from 86 per cent at the lowest bracket to 81 per cent at the second bracket, 76 per cent at the third bracket, 71 per cent at the fourth bracket, 66 per cent at the fifth bracket, 61 per cent at the sixth bracket and zero per cent at the seventh bracket.

(c) In addition to the reimbursement of admissible expenses, staff members serving in A to E-category duty stations whose children attend boarding school outside the duty station at the primary and secondary levels shall be entitled to a boarding lump sum, the amount of which shall be established by the ICSC. The Director General may establish conditions under which the boarding lump sum may exceptionally be paid to staff members serving in H-category duty stations whose children attend boarding school outside the duty station at the primary and secondary levels.

(d) Capital assessment fees charged by educational institutions may be reimbursed under conditions prescribed by the Director General.

(e) Where attendance at an educational institution is for less than two thirds of the school year, the amount of the grant (including boarding lump sum and reimbursement of capital assessment fees, where applicable) shall be that proportion of the annual grant, which covers the period of attendance in relation to the full school year.

(f) Where a staff member's period of service does not cover the full school year, the amount of the grant (including boarding lump sum and reimbursement of capital assessment fees, where applicable) shall be that proportion of the annual grant, which covers the period of service in relation to the full school year. No *pro rata* calculation shall be made when the staff member dies while in service after the beginning of the school year.

(g) Tuition for teaching in the mother tongue under Rule 3.14.2(a)(5)(i) and/or for authorized correspondence courses under Rule 3.14.2(a)(3) shall be reimbursed subject to conditions established by the Director General.

(h) Advances equal to the estimated amount of the education grant (including boarding lump sum and reimbursement of capital assessment fees, where applicable) may be paid as from the beginning of each school year.

(i) This Rule shall not apply to temporary staff members.

Rule 3.14.4 – Amount of the Special Education Grant ³²

(a) Admissible expenses for the special education grant referred to in Regulation 3.14(c) shall include those educational expenses required to provide an educational programme designed to meet the needs of the child so that he or she may attain the highest level of functional ability, under conditions established by the Director General. Admissible expenses shall also include boarding for attendance at an educational institution outside the duty station.

(b) The amount of the special education grant shall be 100 per cent of the admissible expenses actually incurred, subject to a maximum reimbursement equal to the upper limit of the top bracket of the applicable global sliding scale under Rule 3.14.3(b).

(c) Where the educational institution provides boarding, the actual expenses for boarding may be included in the calculation of the admissible expenses, subject to a

³² *Ibid.*

maximum reimbursement equal to the upper limit of the top bracket of the global sliding scale, plus the amount of the boarding lump sum provided for under Rule 3.14.3(c).

(d) Paragraphs (d) to (h) of Rule 3.14.3, "Amount of the Education Grant", shall apply to the special education grant.

(e) This Rule shall not apply to temporary staff members.

Rule 3.14.5 – Education Grant Travel ³³

(a) Travel expenses between the educational institution and the duty station shall be paid by the International Bureau for each child for whom a staff member receives assistance with boarding under Rule 3.14.3 or Rule 3.14.4, subject to the following provisions:

(1) travel expenses shall not be payable for a journey which is unreasonable, either because its timing is too close to that of other authorized travel of the staff member concerned or his or her dependants, or because the visit would be too short to justify the expenses involved;

(2) travel expenses shall not normally be payable if the child attends the educational institution for less than two-thirds of the school year;

(3) a child who travels between the educational institution and the duty station shall not be entitled to a higher standard than cabin class or its equivalent when approved travel is by sea, second class when approved travel is by train and economy class, or student fare if available, when approved travel is by air;

(4) the amount paid shall not exceed the cost of a journey between the staff member's recognized home and the duty station.

(b) This Rule shall not apply to temporary staff members.

Rule 3.14.6 – Application for Grants

Staff members shall submit applications for education grants and related advances in writing, together with such supporting evidence of estimated costs, presence and enrollment, as the Director General may prescribe. This Rule shall not apply to temporary staff members.

Regulation 3.15

Salary Advances

- (a) Salary advances may be granted under the following circumstances:
- (1) if new staff members lack sufficient funds on taking up their duties;
 - (2) on departure for extended official travel or for approved leave, up to the amount of salary which would normally be payable during the expected period of absence;
 - (3) in exceptional or compelling circumstances, provided that the staff member concerned furnishes detailed written justification of his or her request.

³³ *Ibid.*

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- (b) Salary advances granted under subparagraphs (1) and (3) above may not exceed the amount of two months' salary.
- (c) Salary advances shall be refunded in installments, the amount of which shall be fixed at the time they are granted; the repayment period shall not normally exceed six months. A second advance may not be granted until the previous one has been fully repaid.

Regulation 3.16

Information Concerning Salaries

The Director General shall inform staff members of the components of their salaries and of the deductions made therefrom.

Regulation 3.17

Pensionable Remuneration³⁴

- (a) "Pensionable remuneration" shall mean the basis for pension benefits and for contributions of the International Bureau and of staff members to the Pension Fund. Pensionable remuneration shall, subject to the terms of the staff member's appointment, be the amount defined in the Regulations of the United Nations Joint Staff Pension Fund.
- (b) Where promotion of a staff member from the General Service or the National Professional Officer categories to the Professional category results in a reduction of his or her pensionable remuneration, the staff member concerned shall continue to benefit from the said remuneration at the level it had reached immediately prior to promotion until such time as, for any reason, the pensionable remuneration corresponding to his or her salary in the Professional category exceeds the aforementioned level.
- (c) The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 3.17.1 entitled "Pensionable Remuneration for Temporary Staff Members."

Rule 3.17.1 – Pensionable Remuneration for Temporary Staff Members³⁵

Paragraph (a) of the above Regulation shall apply to temporary staff members.

Regulation 3.18

Salary Deductions³⁶

The following deductions shall be made each month from the total sum due to each staff member:

- (a) contributions to the Pension Fund calculated in accordance with Regulation 3.17;
- (b) contributions to the medical insurance scheme;

³⁴ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

³⁵ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

³⁶ *Ibid.*

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- (c) repayments on any debts due to the International Bureau;
- (d) payments on any debt due to third parties when such debt comprises a court order against a staff member to make payments for the support of his or her spouse or former spouse and/or children ("family support orders") under the conditions prescribed in an Office Instruction, when such deduction has been authorized by the Director General;
- (e) repayments on any other debts due to third parties when a deduction for that purpose has been authorized by the Director General and the staff member concerned.

Regulation 3.19

Staff assessment³⁷

Each staff member shall be subject to internal taxation ("staff assessment") at the following rates:

- (a) For staff members in the Professional category and above:
- (1) Staff assessment rates used in conjunction with gross salaries, excluding post adjustment:

<u>Assessable Annual Amounts</u> (in US dollars)	<u>(per cent)</u>
first \$ 50,000	17
next \$ 50,000	24
next \$ 50,000	30
remaining assessable amounts	34

- (2) Staff assessment rates for purposes of pensionable remuneration and pensions:

<u>Assessable Amounts</u> (in US dollars)	<u>(per cent)</u>
up to \$20,000 per year	11
\$20,001 to \$40,000 per year	18
\$40,001 to \$60,000 per year	25
\$60,001 and above per year	30

³⁷ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

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- (b) For staff members in the General Service and National Professional Officer categories:
- (1) Staff assessment rates for pensionable remuneration and gross salary purposes:

<u>Assessable Amounts</u> (in US dollars)	<u>(per cent)</u>
up to \$20,000 per year	19
\$20,001 to \$40,000 per year	23
\$40,001 to \$60,000 per year	26
\$60,001 and above per year	31

- (c) The amounts to which the percentage rates apply shall be the equivalent in Swiss francs of the above mentioned US dollar amounts at the time the salary scales come into effect.

Regulation 3.20

Taxes

National income tax on salaries, allowances, indemnities or grants paid by the International Bureau shall be refunded according to the practice observed by the other intergovernmental organizations having their Headquarters in Geneva.

Regulation 3.21

Representation Allowance

The Director General, the Deputy Directors General and the Assistant Directors General shall be entitled to annual representation allowances, the amount of which shall be determined by the General Assembly or the Coordination Committee.

Regulation 3.22

Submission of Claims and Recovery of Overpayments

- (a) Except where otherwise provided for, any entitlement to an allowance, grant, or other payment arising from the Staff Regulations and Rules shall lapse two years after the date on which the staff member would have been entitled to the payment.
- (b) The International Bureau shall be entitled to recover any payment which was not due. However, except where the irregular nature of the payment was so self-evident that the beneficiary could not fail to realize it, the right of the International Bureau to recover overpayments shall lapse after two years. In the case of a series of overpayments, the two years shall be counted from the date of the last overpayment, but the right to recovery shall be limited to the amount of overpayments made in the 12 months preceding the date of the last overpayment. Such recovery shall be effected by means of deductions from payments due to the staff member concerned over a period not exceeding 12 months.

Regulation 3.23**Beneficiaries**

- (a) In the event of the death of a staff member, all amounts remaining due to him or her shall, unless otherwise provided in the Staff Regulations and Rules and subject to the regulations of the WIPO Pension Fund and the United Nations Joint Staff Pension Fund, be paid to the beneficiaries designated by him or her on a form and in accordance with a procedure prescribed by the Director General. Such payment shall release the International Bureau from all further liability for any amounts so paid.
- (b) If more than one beneficiary is designated by a staff member, the share of any beneficiary who dies before the staff member shall be paid to the surviving beneficiary or, if there are several surviving beneficiaries, distributed equally among them, unless the staff member has indicated otherwise in his or her designation.
- (c) If no designated beneficiary survives the staff member or the designation of beneficiaries referred to in paragraph (a) above has not been made or has been revoked, the payment shall be made to his or her estate.
- (d) In appropriate cases, the Director General may authorize the payment of funeral expenses out of the amounts remaining due to a deceased staff member.

Regulation 3.24**Field Allowances and Benefits**³⁸

- (a) Field allowances and benefits shall be paid as prescribed by the Director General in an Office Instruction on the basis of conditions and procedures promulgated by the ICSC.
- (b) The level of the allowances shall be established by the ICSC.
- (c) This Regulation shall not apply to temporary staff members.

Regulation 3.25³⁹**Special Salary Increment**

- (a) The Director General may grant a non-pensionable special salary increment to a staff member in the Professional and higher categories who is reassigned, for a period of at least one year, away from Headquarters to a post at the same grade. The special salary increment shall be an amount equivalent to up to a maximum of three steps in the staff member's grade, plus post adjustment.
- (b) Payment of the special increment shall be discontinued after five years of continuous service at the same duty station, or if the staff member is reassigned to Headquarters, or if the staff member is promoted, whichever is earlier.
- (c) If the staff member does not complete one year of service away from Headquarters, and unless the Director General determines that this is justified by exceptional circumstances, the amount of the special increment shall be recovered from the staff member.

³⁸ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

³⁹ Regulation added as an amendment with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

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- (d) Nationals of the country of the duty station and staff members whose initial appointment is in a duty station away from Headquarters shall not be eligible for the special increment.
- (e) This Regulation shall not apply to temporary staff members.

CHAPTER IV**PRINCIPLES GOVERNING RECRUITMENT, APPOINTMENT AND PROMOTION****Regulation 4.1****General Principles**

The paramount consideration in the recruitment and appointment of staff members shall be the need to secure the highest standards of efficiency, competence and integrity. Recruitment and appointment of staff members shall be made without distinction as to race, ethnicity, gender, sexual orientation, disability, religion, age, political affiliation, or social status.

Regulation 4.2**Geographical Distribution and Gender Balance** ⁴⁰

- (a) Due regard shall be paid to the importance of recruiting staff members on as wide a geographical basis as possible, recognizing also the need to take into account considerations of gender balance.
- (b) Recruitment on as wide a geographical basis as possible, in accordance with the requirements of paragraph (a) above, shall not apply to staff members appointed to “language” positions (namely positions of translators, interpreters, editors and revisers) or to staff members appointed to positions in the General Service and National Professional Officer categories.

Regulation 4.3**Transfers** ⁴¹

- (a) A staff member may be transferred to any of the organizational units of WIPO whenever the interests of the International Bureau so require. Due consideration shall be given to respecting the staff member concerned.
- (b) This Regulation shall not apply to temporary staff members.

Rule 4.3.1 – Transfers ⁴²

- (a) A transfer shall normally be to a post classified at the same grade as that of the staff member. The staff member must have the required qualifications for the post.
- (b) A staff member may be transferred with his or her post when justified by business needs or in other exceptional circumstances.
- (c) The reasons for the transfer shall be communicated to the staff member in writing.
- (d) This Rule shall not apply to temporary staff members.

⁴⁰ Amended with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014).

⁴¹ *Ibid.*

⁴² Rule added as an amendment with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014). Amended with effect from January 1, 2016 (please refer to Information Circular No. 30/2015).

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Regulation 4.4

Promotion⁴³

- (a) "Promotion" shall include the advancement of a staff member to a post at a higher grade following a competition, or reclassification of the post to which he or she is assigned.
- (b) A staff member in the General Service, National Professional Officer or Professional category shall be entitled to promotion as a result of the reclassification within his or her category to the next higher grade of the post to which he or she is assigned, provided that:
- (1) he or she fully meets the post requirements; and
 - (2) his or her performance ratings under the performance appraisal mechanism are effective or better for the two years preceding promotion; and
 - (3) the post he or she encumbers has not been reclassified more than once with the same incumbent without the initiation of a competitive process.
- (c) Without prejudice to the recruitment of fresh talent, fixed-term, permanent or continuing staff members shall be given reasonable promotion opportunities.
- (d) This Regulation shall not apply to temporary staff members.

Regulation 4.5

Local Recruitment

The conditions according to which a staff member shall be held to be locally recruited shall be determined by the Staff Regulations and Rules.

Rule 4.5.1 – Staff Members Appointed to Positions Subject to Local Recruitment⁴⁴

- (a) All staff in the General Service category, except as provided for in Regulation 4.6(d) and Rule 4.6.1(d) below, shall be recruited in the country or within reasonable commuting distance of each duty station and, notwithstanding national boundaries, 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 shall be set by the Director General.
- (b) All staff in the National Professional Officer category, except as provided for in Regulation 4.6(d) and Rule 4.6.1(d) below, shall be recruited locally in the country of the duty station. National Professional Officers shall normally be nationals of the country of the duty station. The allowances and benefits available to staff members in the National Professional Officer category shall be set by the Director General. A staff member in this category may only be recruited in non-Headquarters duty stations.
- (c) A staff member subject to local recruitment under this Rule shall not be eligible for the allowances or benefits provided for by Regulation 4.6(b) and Rule 4.6.1(b) below.

⁴³ Amended with effect from January 1, 2014, November 1, 2014 and January 1, 2017 (please refer to Office Instructions Nos. 43/2013 and 55/2014 and Information Circular No. 34/2016).

⁴⁴ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

Regulation 4.6**International Recruitment**⁴⁵

- (a) Staff members other than those who have been locally recruited pursuant to Regulation 4.5 shall be considered to have been internationally recruited.
- (b) Depending on their contractual status and subject to special conditions which may apply, the allowances, benefits and entitlements available to internationally recruited staff members may include: rental subsidy, payment of travel expenses upon initial appointment and on separation for themselves and their spouses and dependent children, removal of household effects, settling-in grant, home leave, education grant, and repatriation grant.
- (c) Staff members recruited locally for posts in the Professional and higher categories at a given duty station shall be held to be internationally recruited but shall not be entitled to some of the allowances, benefits and entitlements mentioned in paragraph (b) above as determined by the Director General.
- (d) For certain posts in the General Service and National Professional Officer categories for which candidates are not available locally, staff members who have been recruited to serve in such posts may be held to be internationally recruited as prescribed by the Director General.
- (e) Conditions governing allowances, benefits and entitlements for internationally recruited staff in light of their residential status shall be prescribed by the Director General as applicable to each duty station.
- (f) The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 4.6.1 entitled "International Recruitment of Temporary Staff Members."

Rule 4.6.1 – International Recruitment of Temporary Staff Members⁴⁶

- (a) Temporary staff members other than those who have been locally recruited pursuant to Regulation 4.5 shall be considered to have been internationally recruited.
- (b) Depending on their contractual status and subject to special conditions which may apply, the allowances, benefits and entitlements available to internationally recruited temporary staff members may include: payment of travel expenses upon initial appointment and on separation for themselves and their spouses and dependent children, and limited removal of household effects.
- (c) Temporary staff members recruited locally for positions in the Professional category at a specific duty station shall be held to be internationally recruited but shall not be entitled to some of the allowances, benefits and entitlements mentioned in paragraph (b) above as determined by the Director General.
- (d) For certain positions in the General Service and National Professional Officer categories for which candidates are not available locally, temporary staff members who have been recruited may be held to be internationally recruited when so decided by the Director General.

⁴⁵ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

⁴⁶ Amended with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014).

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- (e) Conditions governing allowances, benefits and entitlements for internationally recruited temporary staff members in light of their residential status shall be prescribed by the Director General as applicable to each duty station.

Regulation 4.7

Nationality

- (a) For the purpose of these Regulations and Rules, the International Bureau shall recognize only one nationality for each staff member.
- (b) For the purpose of these Regulations and Rules, a staff member having several nationalities shall be regarded as a national of the country to which he or she is bound by the closest ties.

Regulation 4.8

Authority for Appointment

All staff members shall be appointed by the Director General. The Deputy Directors General shall be appointed after approval by the WIPO Coordination Committee. The Assistant Directors General shall be appointed taking into account the advice of the WIPO Coordination Committee. The Director, Internal Oversight Division, shall be appointed taking into account the advice of the WIPO Coordination Committee and the WIPO Independent Advisory Oversight Committee.

Regulation 4.9

Recruitment ⁴⁷

- (a) As a general rule, recruitment shall be made on the basis of a competition.
- (b) Vacancies to be filled by competition shall be published on WIPO's recruitment website.
- (c) Vacancies in the National Professional Officer category shall be filled by the appointment of candidates who shall normally be nationals of the country of the duty station and who shall be recruited locally, subject to the exception specified in Regulation 4.6(d).
- (d) Vacancies in the General Service category shall be subject to local recruitment pursuant to Staff Rule 4.5.1, unless in exceptional cases it is decided to proceed with an international recruitment.
- (e) The Director General shall define the conditions for the establishment of Appointment Boards to advise him or her in all cases where a vacancy has been the subject of a competition.
- (f) The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 4.9.3 entitled "Recruitment of Temporary Staff Members."

⁴⁷ Amended with effect from November 1, 2014 and January 1, 2016 (please refer to Office Instruction No. 55/2014 and Information Circular No. 30/2015).

Rule 4.9.1 – Employment of Members of the Same Family

- (a) An appointment shall not be granted to a person who is the father, mother, son, daughter, brother or sister of a staff member, unless another person equally or more qualified cannot be recruited.
- (b) The spouse of a staff member may be appointed provided that he or she is fully qualified for the position for which he or she is being considered, and that the spouse is not given any preference by virtue of the relationship to the staff member.
- (c) A staff member related to another staff member in any of the ways specified in the above paragraphs:
- (1) shall not be assigned to serve in a position which is superior or subordinate in the line of authority to the staff member to whom he or she is related;
 - (2) shall not participate in the process of reaching or reviewing an administrative decision affecting the selection, status or entitlements of the staff member to whom he or she is related.
- (d) The marriage of one staff member to another shall not affect the contractual status of either spouse, but their benefits, allowances and entitlements shall be modified as provided in the relevant Staff Regulations and Rules. The same modifications shall apply in the case of a staff member whose spouse is a staff member of another organization applying 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 Director General may decide to maintain such separate entitlements and benefits, provided that this is not inconsistent with any Staff Regulation or other decision of the WIPO Coordination Committee.

Rule 4.9.2 – Recruitment of Fixed-Term Staff Members under Funds-in-Trust Agreements⁴⁸

When certain services in the Professional category and also specific posts in the General Service and National Professional Officer categories are envisaged under funds-in-trust agreements, the Director General may proceed with fixed-term appointments without having recourse to a competition within the meaning of Regulations 4.9 and 4.10.

Rule 4.9.3 - Recruitment of Fixed-Term Staff Members for Approved Projects⁴⁹

When certain services in the Professional category and also specific posts in the General Service and National Professional Officer categories are envisaged under approved projects, the Director General may proceed with fixed-term appointments either following a competition within the meaning of Staff Regulations 4.9 and 4.10 or by applying *mutatis mutandis* the competitive selection process for temporary positions prescribed in Annex III, article 5(a), regardless of the duration of the initial fixed-term appointment.

⁴⁸ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

⁴⁹ Rule added as an amendment with effect from January 1, 2017 (please refer to Information Circular No. 34/2016)

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Rule 4.9.4 – Recruitment of Temporary Staff Members ⁵⁰

- (a) The selection procedures for temporary appointments shall be prescribed by the Director General in Annex III.
- (b) Rule 4.9.1, “Employment of Members of the Same Family,” shall apply to temporary staff members.

Rule 4.9.5 – Reserve Lists ⁵¹

- (a) Candidates recommended by an Appointment Board but not appointed by the Director General may be placed on a reserve list.
- (b) If within one year of a candidate’s placement on the reserve list, the same post or a post at the same grade with similar functions becomes vacant, a reserve candidate may be appointed without a new competition.
- (c) Conditions and procedures for the use of reserve lists shall be prescribed in an Office Instruction.
- (d) This Rule shall not apply to the recruitment of temporary staff members.

Regulation 4.10

Appointment Boards ⁵²

- (a) The Director General shall set up Appointment Boards to advise him or her in all cases where a vacancy has been the subject of a competition in the General Service, National Professional Officer, Professional or Director category.
- (b) This Regulation shall not apply to temporary appointments except as specified in these Staff Regulations and Rules.

Rule 4.10.1 – Composition and Rules of Procedure of Appointment Boards ⁵³

- (a) Each Appointment Board shall consist of a chairman and three members, whose grade shall not be lower than that of the vacant post and who shall not be temporary staff, appointed by the Director General. One of the three members shall be the Director of HRMD, or an authorized representative. The persons nominated to be authorized representatives shall be listed and distributed to the Staff Council for comment. One of the remaining two members shall be the hiring manager and the other one shall be designated from a list of at least four names submitted by the Staff Council. The chairman and each member shall have one vote. The chairman and each member shall have one or more designated alternates who shall sit on the Appointment Board when either the chairman or any one of the three members is unable to do so.

⁵⁰ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

⁵¹ Rule added as an amendment with effect from November 1, 2014 (please refer to Office Instruction No. 57/2014). Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

⁵² Amended with effect from January 1, 2014, November 1, 2014 and January 1, 2017 (please refer to Office Instructions Nos. 43/2013 and 55/2014 and Information Circular No. 34/2016).

⁵³ Rule added as an amendment with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014). Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

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- (b) The Human Resources Management Department shall provide a secretary for the Appointment Board.
- (c) The deliberations of Appointment Boards shall be secret. Rules of Procedure for Appointment Boards shall be prescribed by the Director General in Annex IV.

Regulation 4.11

Medical Examination

The Director General shall establish appropriate medical standards that staff members shall be required to meet before the issuance of the letter of appointment and during their appointment. The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 4.11.2 entitled "Medical Examination of Temporary Staff Members."

Rule 4.11.1 – Medical Examination

- (a) A staff member shall be required upon initial appointment, separation or periodically to satisfy the medical adviser designated by the International Bureau, by means of a medical examination or related examinations that may be required, that he or she is free from any ailment likely to impair the health of others or which affects the staff member's ability to perform his or her official functions.
- (b) A staff member may also be required to undergo such medical examinations and receive such inoculations as may be required by the medical adviser designated by the International Bureau before he or she goes on or after he or she returns from official travel.

Rule 4.11.2 – Medical Examination of Temporary Staff Members

- (a) Regulation 4.11, "Medical Examination," shall apply to temporary staff members.
- (b) Rule 4.11.1, "Medical Examination," shall apply to temporary staff members, except for paragraph (a).
 - (1) A staff member on a temporary appointment shall be required upon initial appointment, or periodically to satisfy the medical adviser designated by the International Bureau, by means of a medical examination or related examinations that may be required, that he or she is free from any ailment likely to impair the health of others or which affects the staff member's ability to perform his or her official functions.

Regulation 4.12

Letter of Appointment

- (a) Upon appointment, each staff member shall receive a letter of appointment signed by the Director General or by his or her duly authorized representative.
- (b) The letter of appointment issued to every staff member shall contain expressly or by reference all the terms and conditions of employment. All contractual rights and entitlements of staff members shall be strictly limited to those contained expressly or by reference in their letters of appointment.

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- (c) The letter of appointment shall include any special conditions to which the appointment may be subject.
- (d) The letter of appointment shall state that the appointment is governed by the Staff Regulations and Rules of the International Bureau. The letter of appointment shall also indicate where the full text of the Staff Regulations and Rules and any policies and obligations related to the appointment may be found. The letter of appointment shall include an accurate and up-to-date job description.
- (e) The letter of appointment shall be accompanied by a declaration of acceptance for signature by the staff member. The declaration shall state that the staff member has noted the conditions prescribed by the Staff Regulations and Rules, and that he or she accepts the appointment as offered.

Rule 4.12.1 – Effective Date of Appointment

The effective date of appointment shall be the date the staff member reports for duty. If travel is authorized, it shall be the date he or she enters into official travel to assume his or her duties, provided that this date is not earlier than that required for travel by the route and type of transport authorized by the Organization.

Regulation 4.13

Reappointment and Reinstatement

The Director General shall establish the conditions under which a staff member may be reappointed or reinstated. This Regulation shall not apply to temporary staff members.

Rule 4.13.1 – Reappointment ⁵⁴

- (a) A former staff member who held a fixed-term, permanent, or continuing appointment with the International Bureau and who is reemployed shall be given a new appointment unless he or she is reinstated under Rule 4.13.2 below.
- (b) The terms of the new appointment shall be fully applicable without regard to any period of former service. When a staff member is reappointed under the present Rule, the service shall not be considered continuous between the prior and the new appointment.
- (c) When a staff member receives a new appointment with the International Bureau less than 12 months after separation from the International Bureau or another organization applying the United Nations common system of salaries and allowances, the amount of any payment on account of termination indemnity, repatriation grant or commutation of accrued annual leave shall be adjusted so that the number of months, weeks or days of salary to be paid at the time of the separation after the new appointment, when added to the number of months, weeks or days paid for prior periods of service, does not exceed the total of months, weeks or days that would have been paid had the service been continuous.
- (d) This Rule shall not apply to temporary staff members.

⁵⁴ Amended with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014).

Rule 4.13.2 – Reinstatement

(a) A former staff member who held a fixed-term, permanent, or continuing appointment and who is re-employed under a fixed-term, permanent, or continuing appointment within 12 months of separation from service may be reinstated in accordance with paragraph (b) below. The Director General may make an exception, not to exceed 24 months, if the reinstatement is in the interests of the Organization.

(b) On reinstatement, the staff member's services shall be considered as having been continuous, and the staff member shall return any monies he or she received on account of separation, including termination indemnity under Regulation 9.8, repatriation grant under Regulation 9.9 and Rule 9.9.1 and payment for accrued annual leave under Regulation 9.14. 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 Rule 6.2.2 at the time of separation, shall be re-established; the staff member's participation, if any, in the Joint Staff Pension Fund shall be governed by the Regulations of that Fund.

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

(d) This Rule shall not apply to temporary staff members.

Regulation 4.14**Inter-agency movements**⁵⁵

(a) Inter-organization movements shall be defined in, and shall be governed by, an inter-organization agreement among the organizations applying the United Nations common system of salaries and allowances. The International Bureau may apply the provisions of such an agreement, or any equivalent accord, to the movement of staff members to or from another organization applying the United Nations common system of salaries and allowances, even when such organization is not a signatory of the agreement.

(b) Whenever a staff member is authorized to serve in a specialized agency or other intergovernmental organization, his or her rights or entitlements under his or her letter of appointment shall in no way be diminished.

(c) In the case of a transfer from an organization applying the United Nations common system of salaries and allowances, the length of service of the staff member with the releasing organization shall be taken into account when considering the eligibility for a permanent appointment as referred to under Regulation 4.19 or when considering the eligibility prescribed by the Director General for a continuing appointment pursuant to Regulation 4.18, in line with the policy of the International Bureau, which shall be prescribed by an Office Instruction.

(d) This Regulation shall not apply to temporary staff members.

Regulation 4.15**Types of Appointment**⁵⁶

(a) Staff members in the General Service, Professional and higher and categories shall be granted either temporary, fixed-term, continuing, or permanent appointments.

⁵⁵ Amended with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014).

⁵⁶ *Ibid.*

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- (b) Staff members in the National Professional Officer category shall be granted either temporary, fixed-term, or continuing appointments.
- (c) Deputy Directors General and Assistant Directors General shall be granted fixed-term appointments.

Regulation 4.16

Temporary Appointments⁵⁷

- (a) Temporary appointments under this Regulation shall be appointments which are granted from a period of one month up to 12 months. Any such appointment may, at the discretion of the Director General, be extended one or more times provided that the cumulative length of the temporary appointments does not exceed a period of two years.
- (b) Selection procedures for temporary appointments shall be prescribed by the Director General in Annex III.
- (c) A temporary appointment shall not confer any right, entitlement, benefit, or allowance, or any expectancy of a right or entitlement, benefit, or allowance, which is not prescribed explicitly by these Regulations and Rules.
- (d) Persons having reached the maximum cumulative length of two years for a temporary appointment shall not be re-employed on a temporary appointment by the Organization for a period of at least one year. Where a staff member who has not reached the maximum cumulative length of two years is separated then re-employed after less than one year on another temporary appointment, the previous temporary appointments of less than two years shall be counted towards the maximum cumulative length of two years.
- (e) No initial temporary appointment or any extension thereof shall carry with it any expectancy of, nor imply any right to, further extension.
- (f) During their service, temporary staff members may apply for any vacancies at the International Bureau as external candidates, subject to the exception stipulated in Regulation 12.5(b)(2).

Rule 4.16.1 – Probationary Period⁵⁸

A staff member with an initial temporary appointment of between six and 12 months shall have a probationary period of two months. A staff member with an initial temporary appointment of three months or more but less than six months shall have a probationary period of one month.

Rule 4.16.2 - Temporary Appointments under Funds-in-Trust Agreements⁵⁹

Staff members appointed under funds-in-trust agreements may be granted temporary appointments, which shall be limited to service under the relevant funds-in-trust agreement.

⁵⁷ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

⁵⁸ Amended with effect from November 1, 2014 and March 1, 2016 (please refer to Office Instruction No. 55/2014 and Information Circular No. 5/2016).

⁵⁹ Rule added as an amendment with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

Rule 4.16.3 - Temporary Appointments for Approved Projects⁶⁰

Staff members appointed for approved projects may be granted temporary appointments, which shall be limited to service on the relevant project.

Regulation 4.17**Fixed-Term Appointments**⁶¹

- (a) A fixed-term appointment may be granted for a period of normally not less than one year, but not more than five years at a time. A fixed-term appointment may be renewed for any period up to five years at a time.
- (b) Any initial fixed-term appointment of one year or more shall be subject to a period of probation, which shall be at least of one year and may be extended up to two years, when necessary, for adequate evaluation of the staff member's suitability as an international civil servant with respect to his or her qualifications, performance and conduct.
- (c) Fixed-term appointments granted to Deputy Directors General and Assistant Directors General under Regulation 4.15(c) shall be for a period whose length shall be fixed by the Director General with the approval of the Coordination Committee. Any such appointment may be extended for periods whose lengths shall be fixed by the Director General with the approval of the Coordination Committee.
- (d) Fixed-term appointments under funds-in-trust agreements shall be for a period whose minimum and maximum duration (not exceeding three years) are set under the terms of the relevant funds-in-trust agreements or co-operation arrangements between the International Bureau and national and regional intellectual property offices.
- (e) Fixed-term appointments granted for approved projects shall be for a period whose minimum and maximum duration are tied to the funding and terms of reference of the project. The overall duration of a fixed-term appointment for a project shall normally not exceed five years. Fixed-term appointments granted for approved projects shall not be converted to a permanent or continuing appointment. During their service, the holders of such appointments may apply for any vacancies at the International Bureau as external candidates.
- (f) A fixed-term appointment does not carry any expectancy, legal or otherwise, of renewal or conversion, irrespective of the length of service.

Rule 4.17.1 - Fixed-Term Appointments under Funds-in-Trust Agreements⁶²

- (a) Fixed-term appointments under funds-in-trust agreements shall not be extended beyond three years or converted to a continuing appointment and shall be limited to service under the relevant funds-in-trust agreement.
- (b) During their service, fixed-term staff members appointed under a funds-in-trust agreement may apply for any vacancies at the International Bureau as external candidates.

⁶⁰ Rule added as an amendment with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

⁶¹ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

⁶² Rule added as an amendment with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

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Rule 4.17.2 - Fixed-Term Appointments for Approved Projects ⁶³

Fixed-term appointments granted for approved projects shall be limited to service under the relevant project.

Regulation 4.18

Continuing Appointments ⁶⁴

- (a) Continuing appointments are appointments of unlimited duration. A continuing appointment may be granted to a staff member in the Director, Professional, National Professional Officer or General Service categories who has completed five years of continuous service, whose qualifications, performance and conduct have fully demonstrated his or her suitability as an international civil servant and who has shown that he or she meets the standards required under Regulation 4.1.
- (b) Continuing appointments shall be granted at the discretion of the Director General.

Regulation 4.19

Permanent Appointments ⁶⁵

- (a) Permanent appointments are appointments of unlimited duration. A permanent appointment may be granted to a staff member in the Director, Professional or General Service categories who was holding a fixed-term appointment as at December 31, 2011, who has completed seven years of continuous service, whose qualifications, performance and conduct have fully demonstrated his or her suitability as an international civil servant and who has shown that he or she meets the standards required under Regulation 4.1.
- (b) Permanent appointments shall be granted at the discretion of the Director General.

Regulation 4.20

Accountability and Performance Management ⁶⁶

All staff members, including Deputy Directors General and Assistant Directors General, shall be accountable to the Director General for the proper discharge of their functions. Their performance shall be evaluated periodically to ensure that the required standards of performance are met.

Rule 4.20.1 – Performance Appraisal of Staff Members on Fixed-term, Continuing and Permanent Appointments ⁶⁷

- (a) Performance appraisal is fundamental to the professional development of staff members, as well as ensuring their accountability. Staff members shall be evaluated

⁶³ Rule added as an amendment with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

⁶⁴ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

⁶⁵ Amended with effect from January 1, 2014, January 1, 2016 and January 1, 2017 (please refer to Office Instruction No. 43/2013 and Information Circulars Nos. 30/2015 and 34/2016).

⁶⁶ Amended with effect from November 1, 2014 and January 1, 2016 (please refer to Office Instruction No. 55/2014 and Information Circular No. 30/2015).

⁶⁷ *Ibid.*

through performance appraisal mechanisms that shall assess their performance at such intervals as the work situation or the individual performance requires. Supervisors shall regularly provide feedback to the staff member on his or her performance, and make specific suggestions for improvement in performance and conduct as necessary.

(b) The Director General shall seek to ensure that appropriate learning, development, and recognition programs are available for the benefit of staff members.

(c) This Rule shall not apply to staff members on initial fixed-term appointments while they are on probation, in accordance with Regulation 4.17(b). It shall also not apply to temporary staff members, with the exception of those who were granted temporary appointments before January 1, 2013.

Rule 4.20.2 – Performance Appraisal of Temporary Staff Members ⁶⁸

(a) Temporary staff members who were granted temporary appointments on or after January 1, 2013, shall be evaluated through the performance appraisal mechanisms established for staff members on temporary appointments. Temporary staff members who were granted temporary appointments before January 1, 2013, shall be evaluated through the performance appraisal mechanisms established under Rule 4.20.1 entitled “Performance of Staff Members.”

(b) A temporary staff member who was granted a temporary appointment on or after January 1, 2013, may request the preparation of a performance evaluation in anticipation of contract completion. In the event that an extension of contract is being considered by the International Bureau, and in the process of deciding whether to extend that contract, a performance evaluation shall be undertaken in a performance evaluation mechanism established for temporary staff members.

(c) Further details on performance appraisal of temporary staff members shall be prescribed by the Director General through Office Instructions.

⁶⁸ Amended with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014).

CHAPTER V
ANNUAL, SPECIAL AND HOME LEAVE**Regulation 5.1****Annual Leave**

- (a) Staff members working full-time shall be entitled to annual leave with full pay at the rate of 30 working days for 12 months' service with the International Bureau.
- (b) Annual leave shall be taken subject to the exigencies of the service, but the personal circumstances and preferences of the staff member concerned shall be taken into account as much as possible.
- (c) The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 5.1.2 entitled "Annual Leave for Temporary Staff Members."

Rule 5.1.1 – Annual Leave⁶⁹

- (a) Entitlement to annual leave shall accrue during the entire period for which a staff member receives full pay. No leave shall accrue while the staff member is on special leave with partial pay or without pay or is suspended from his or her duties with partial pay or without pay.
- (b) Leave may be taken only when authorized. According to the exigencies of the service, staff members may be required to take their leave during a period specified by the Director General.
- (c) Since the purpose of annual leave is to provide a period of rest each year, not more than 15 days of annual leave accrued in a given year shall normally be carried forward to the next calendar year.
- (d) Annual leave may be taken in units of half days.
- (e) Annual leave may be accumulated, provided that not more than 60 days of such leave shall be carried forward from one calendar year to the next. Those staff members who accumulated more than 60 days prior to January 1, 2013, shall be entitled to retain them until December 31, 2017. Following this date, accumulated annual leave in excess of 60 days shall be forfeited on January 1 of each calendar year.
- (f) Any absence from duty not specifically covered by other provisions shall be deducted from the accrued annual leave of the staff members concerned; if they have no accrued annual leave, their absence shall be regarded as unauthorized leave, and they shall not be entitled to either salary or allowances during the period of such absence.
- (g) In exceptional circumstances, a staff member may be granted advance annual leave up to a maximum of 10 working days, provided his or her service with the International Bureau is expected to continue for a period longer than that necessary to accrue entitlement to the leave so advanced.
- (h) No staff member shall be recalled from annual leave without the approval of the Director General. A staff member so recalled who later resumes his or her annual leave

⁶⁹ Amended with effect from January 1, 2017 (please refer to Information Circulars Nos. 34/2016 and 42/2016).

at the place from which he or she was recalled shall be entitled to reimbursement of his or her travel expenses to and from that place. The annual leave not taken by reason of such a situation shall be carried forward to the following year notwithstanding paragraphs (c) and (e) above.

Rule 5.1.2 – Annual Leave for Temporary Staff Members⁷⁰

(a) Regulation 5.1, “Annual Leave,” shall apply to temporary staff members, except for paragraph (a).

(b) Rule 5.1.1, “Annual Leave,” shall apply to temporary staff members, except for paragraphs (c), (e), (g) and (h). In addition, the following provisions shall also apply:

(1) a temporary staff member working full time shall accrue annual leave at the rate of two and a half days per month;

(2) a temporary staff member shall not be granted advance annual leave, unless under exceptional or compelling circumstances. Requests for advance annual leave shall be forwarded to the Director of the Human Resources Management Department;

(3) a maximum of 15 days of accrued annual leave may be paid at the end of an appointment;

(4) a temporary staff member shall not be recalled from annual leave without the approval of the Director General. A staff member so recalled who later resumes his or her annual leave at the place from which he or she was recalled shall be entitled to reimbursement of his or her travel expenses to and from that place. The annual leave not taken by reason of such a situation shall be carried over in case of extension or paid at the end of an appointment, notwithstanding subparagraph (3) above.

Regulation 5.2

Special Leave⁷¹

(a)

(1) Special leave may be granted by the Director General to staff members for studies or research in the interest of the International Bureau, for family-related reasons, or for any other exceptional and important reason, such as in cases of prolonged illness, which are dealt with in Rule 6.2.2. The interests of the service to which the staff member concerned is assigned must, however, be safeguarded.

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

(b) Special leave without pay may be granted also to staff members for the performance of their national military obligations.

(c) Staff members shall not accrue service credits towards sick, annual and home leave, periodical salary increment, termination indemnity, repatriation grant and any other entitlements which depend upon length of service, during periods of one or more full months of special leave with partial pay or without pay. With the exception of special leave with half pay for prolonged

⁷⁰ Amended with effect from January 1, 2017 (please refer to Information Circulars Nos. 34/2016 and 42/2016).

⁷¹ Amended with effect from November 1, 2014, January 1, 2016 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circulars Nos. 30/2015 and 34/2016).

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illness under Rule 6.2.2, no contribution shall be paid by the International Bureau towards a staff member's pension or medical insurance during such periods. Periods of less than one full month of special leave with partial pay or without pay shall not affect the rates of accrual; nor shall continuity of service be considered broken by periods of special leave. Periods of special leave with partial pay or without pay exceeding one month shall not be counted towards accrued years of service for eligibility requirements for a permanent or continuing appointment.

(d) The Director General may authorize special leave without pay for pension purposes to protect the pension benefits of staff who are within two years of reaching the applicable qualifying age for an early retirement benefit under article 29 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 two years of 25 years of contributory service.

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

(f) In exceptional cases, the Director General may, at his or her initiative, place a staff member on special leave with full or partial pay or without pay if he or she considers such leave to be in the interest of the Organization.

(g) The subject matter of this Regulation shall not apply to temporary staff members unless otherwise prescribed by Rule 5.2.1 entitled "Special Leave for Temporary Staff Members."

Rule 5.2.1 – Special Leave for Temporary Staff Members ⁷²

Normally, special leave shall not be granted to temporary staff members. The International Bureau may authorize special leave for temporary staff members, on partial pay, or without pay, under exceptional or compelling circumstances. Compassionate leave may be granted with full pay, subject to the conditions established by the Director General in an Office Instruction. The interests of the service to which the staff member concerned is assigned must, however, be safeguarded. Regulation 5.2(c) shall apply *mutatis mutandis* to temporary staff members.

Regulation 5.3

Home Leave ⁷³

Staff members not locally recruited who reside and serve outside the country in which they have their home shall be entitled, once every two years, to take home leave at the expense of the International Bureau, using their accrued annual leave, so that they may spend regular holidays in that country in order to maintain contact with it. The International Bureau shall bear the travel expenses, but not the cost of the stay. This Regulation shall not apply to temporary staff members.

⁷² Amended with effect from January 1, 2016 (please refer to Information Circular No. 30/2015).

⁷³ *Ibid.*

Rule 5.3.1 – Home Leave ⁷⁴

- (a) A staff member meeting the required conditions shall be entitled to home leave if the Director General expects that he or she will remain in the service of the International Bureau for at least six months beyond the date of his return from such leave. In the case of his or her first home leave, his or her expected length of service must be at least 30 months as from the date of appointment.
- (b) Staff members whose eligibility under paragraph (a) above is established at the time of their appointment shall begin to accrue service credit towards home leave from that date. Staff members who, as a result of promotion, acquire home leave entitlement subsequent to their appointment shall begin to accrue service credit towards home leave from the effective date of such promotion.
- (c) The recognized home of a staff member shall be determined at the time he or she takes up his or her duties, in accordance with the following provisions:
- (1) the country of the recognized home shall be the country of which the staff member is regarded as a national pursuant to Regulation 4.7. However, in exceptional and compelling circumstances, the Director General may authorize the designation of a country other than that of which the staff member is a national, upon production of satisfactory evidence by the staff member that he or she maintained his or her normal residence in such other country for a prolonged period immediately preceding appointment, that he or she continues to have close family or personal ties in that country, and that taking home leave there would not be inconsistent with the purposes and intent of Regulation 5.3;
 - (2) the place of a staff member's recognized home shall be where he or she last resided in the country of the recognized home prior to appointment, unless the staff member can produce satisfactory evidence that his or her closest ties were in another place in the same country;
 - (3) if a staff member served with another public international organization immediately before his or her appointment, the place of his recognized home shall be determined as though the entire previous service with the other organization had been with the International Bureau.
- (d) The Director General may decide, either on his or her own initiative, after the staff member concerned has been heard, or on the duly justified request of the staff member concerned, to change the determination of the country and/or place of the recognized home of a staff member, if he or she determines:
- (1) that the original designation was the result of incomplete information or of a misinterpretation of the facts; or
 - (2) that a change in the national status of the staff member concerned, territorial modifications, the effects of war, or of other political circumstances so warrant.
- (e) Exceptionally, a staff member may be authorized to travel, on home leave, to a country other than that of the recognized home, if the Director General considers that family circumstances or reasons beyond the staff member's control so warrant, and provided that this does not result in additional expenditure for the International Bureau.
- (f) The first home leave for an eligible staff member shall fall due in the second calendar year after the one in which he or she is appointed or in which entitlement is acquired.

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Amended with effect from May 1, 2014 (please refer to Office Instruction No. 21/2014).

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- (g) Subject to the exigencies of the service, home leave may be taken at any time during the calendar year in which it falls due.
- (h) In exceptional circumstances, staff members may be granted advance home leave, provided that not less than 12 months of qualifying service have been completed or that not less than 12 months of qualifying service have elapsed since the date of return from their last home leave. Where advance home leave has been granted, the year in which the next home leave falls due shall not be affected.
- (i) If a staff member delays taking home leave beyond the calendar year in which it falls due, such delayed leave may be taken without altering the time of his or her next and succeeding home leave entitlements, provided that not less than 12 months of qualifying service elapse between the date of the staff member's return from the delayed home leave and the date of the next home leave departure. However, should the Director General or his or her authorized representative decide that exceptional circumstances arising from the exigencies of the service make it necessary for a staff member's home leave to be delayed beyond the calendar year in which it falls due, such delayed leave may be taken without altering the time of his or her next and subsequent home leave entitlements, provided that not less than six months of qualifying service are completed between the date of the staff member's return from the delayed home leave and the date of his or her next home leave departure.
- (j) A staff member may be required to take his or her home leave in conjunction with travel on official business, due regard being paid to his or her personal interests and those of his or her family.
- (k) Subject to the provisions of Chapter VII, staff members authorized to travel on home leave shall be entitled to travel time for themselves and to payment of outward and return travel expenses for them and their eligible dependants for the journey between their official duty station and the place of their recognized home, or any other place in the same country provided that this does not result in additional expenditure for the International Bureau. When staff members who elect to receive a lump sum payment change the destination of their home leave to any other place in the same country that does not result in additional expenditure for the International Bureau, the calculation of the lump sum payment shall be based on the other place, not the place of their recognized home.
- (l) Dependants shall travel at the same time as the staff member taking home leave; however, exceptions may be authorized if the exigencies of the service or other special circumstances prevent staff members and their dependants from travelling together.
- (m) If staff members are spouses and are employed by an organization applying the United Nations common system of salaries and allowances and entitled to home leave, each shall have the choice either of exercising his or her own home leave entitlement or of accompanying the spouse. The staff member accompanying the spouse shall be allowed travelling time not exceeding that which would have been authorized had he or she chosen to exercise his or her own home leave entitlement. Dependent children whose parents are both staff members entitled to home leave may accompany either parent, provided that the frequency of travel does not exceed once every two years.
- (n) A staff member travelling on home leave shall normally be required to spend a reasonable portion of such leave in the country of the recognized home. The Director General may request a staff member, on his or her return from home leave, to provide satisfactory evidence that this requirement has been fully met.
- (o) This Rule shall not apply to temporary staff members.

CHAPTER VI
SOCIAL SECURITY**Regulation 6.1****Pension Fund**⁷⁵

- (a) Staff members shall participate in the United Nations Joint Staff Pension Fund, in accordance with the Regulations of the said Fund, provided that their participation is not excluded by their letter of appointment.
- (b) For the purposes of these Regulations and Rules, the expression "Pension Fund" shall mean, for each staff member, the United Nations Joint Staff Pension Fund.

Regulation 6.2**Health Protection and Insurance**⁷⁶

In addition to the provision made pursuant to Regulation 6.1, the Director General shall establish a scheme of social security for staff members and other WIPO employees designated by the International Bureau, which shall provide in particular for health protection, sick leave and maternity leave, as well as reasonable compensation in the event of illness, injury or death attributable to the performance of official duties on behalf of the International Bureau. The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 6.2.7 entitled "Health Protection and Insurance for Temporary Staff Members."

Rule 6.2.1 – Medical Insurance⁷⁷

- (a) "Medical insurance scheme" shall mean the insurance scheme, the conditions of which are laid down in the contract entered into by WIPO and the selected service provider.
- (b) For the purposes of this Rule, dependants shall be deemed to comprise:
- (1) the spouse;
 - (2) dependent children as defined in part C of the Administrative Manual;
 - (3) one of the following persons: a dependent father, a dependent mother, a dependent brother or a dependent sister.
- (c) Participation in the medical insurance scheme shall be compulsory for every staff member. The Director General may, on request, authorize a staff member not to participate in the medical insurance scheme if he or she carries other insurance which affords sufficient protection in the event of illness.
- (d) Premiums due under the medical insurance scheme for staff members and their dependants shall be shared between the staff member and the International Bureau

⁷⁵ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

⁷⁶ *Ibid.*

⁷⁷ Amended with effect from November 1, 2014, January 1, 2016 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circulars Nos. 30/2015 and 34/2016).

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according to the following table, subject to the exception prescribed in paragraph (e) below:

	Percentage of the premium to be borne by the staff member	Percentage of the premium to be borne by the International Bureau
GI to G4, NOA and P-1	25	75
G5 and G6	30	70
G7, NOB, NOC, P-2 and P-3	35	65
NOD and P-4	40	60
NOE and P-5	45	55
D-1 and above	50	50

(e) For temporary staff members with an initial appointment of less than six months, 50 per cent of the premium shall be borne by the staff member and 50 per cent by the International Bureau.

(f) Premiums due under the medical insurance scheme for beneficiaries of pensions from the Pension Fund who continue to participate in the medical insurance scheme, as well as for their dependants, shall be shared on a 35 per cent/65 per cent basis between the insured person and the International Bureau. However, any additional premium to which insured persons referred to in this paragraph would be subject on grounds of residence outside Switzerland shall be borne in full by the International Bureau.

Rule 6.2.2 – Sick Leave and Special Leave for Prolonged Illness⁷⁸

(a) Staff members who are unable to perform their duties owing to illness or injury or whose attendance is prevented by public health measures shall be entitled to sick leave in accordance with the following provisions:

(b) Maximum Entitlement to Sick Leave

(1) A staff member who has completed less than three years of continuous service shall be entitled to sick leave up to six months, of which up to three months shall be at full pay and up to three months at half pay in any period of 12 consecutive months.

(2) A staff member who has completed at least three years of continuous service shall be entitled to sick leave up to 18 months, of which up to nine months shall be at full pay and up to nine months at half pay in any period of four consecutive years.

(c) Uncertified Sick Leave

Staff members may take a total of seven working days of uncertified sick leave and/or leave for family-related emergencies within a calendar year. Any further absences from duty within that year shall be supported by a medical certificate; otherwise, it shall be deducted from the staff member's annual leave entitlement or,

⁷⁸ Amended with effect from November 1, 2014, January 1, 2015, January 1, 2016 and January 1, 2017 (please refer to Office Instructions Nos. 55/2014 and 78/2014 and Information Circulars Nos. 30/2015 and 34/2016).

if annual leave is exhausted, charged as special leave without pay. Not more than three consecutive days of uncertified leave may be taken at a time for sick leave or family-related emergencies.

(d) Certified Sick Leave

Except with the authorization of the Director General, no staff member shall be granted uncertified sick leave for a period of more than three consecutive working days without producing a certificate from a duly qualified medical practitioner, to the effect that he or she is unable to perform his or her duties and stating the probable duration of his or her absence. Such certificate shall, except in circumstances beyond the control of the staff member, be produced no later than the end of the fourth working day following the initial absence from duty.

(e) Long Term Sick Leave and Special Leave for Prolonged Illness

(1) A staff member who, pursuant to paragraph (b) above, is entitled to sick leave at half pay, may choose to use accrued annual leave entitlements in order to receive full pay. In the event that the staff member, following the initial period of three or nine months, respectively, of sick leave at full pay, returns to duty on a half-time basis during the ensuing period of sick leave at half pay, the staff member may receive full pay by using the entitlement to sick leave at half pay or by using half-days of accrued annual leave entitlements, if he agrees to such an arrangement.

(2) Staff members who, pursuant to paragraph (b) above, are on sick leave with half-pay after exhausting their sick leave on full pay and who cannot be maintained on full-pay status through a combination of sick leave on half pay with accrued annual leave or half-time duty, shall receive half their net salary and post adjustment, where applicable. In addition, they shall receive, where applicable, the full amount of the dependency allowance, language allowance, education grant, rental subsidy and field allowances and benefits.

(3) Staff members who have exhausted all entitlements to paid sick leave, as well as their accrued annual leave entitlements, may in exceptional circumstances apply to the Director General through the Director of HRMD for special leave for prolonged illness.

(4) Special leave for prolonged illness may be granted by the Director General, but only with half pay or without pay. The purposes for which such special leave may be granted shall normally be to provide a bridge to a staff member's recovery and resumption of duties, or pending the finding of incapacity by reason of injury or illness for further service within the meaning of the Regulations of the UNJSPF, and the consequent payment of a disability benefit. To receive consideration for special leave, a staff member should provide an appropriate medical certificate or, in the case of a pending request for the finding of incapacity, as referred to above, evidence of a petition to the UNJSPF for payment of disability benefits. The interests of the service to which the staff member is assigned must, however, be safeguarded.

(f) Obligations of Staff Members

(1) All sick leave must be approved on behalf of the Director General.

(2) Staff members shall be responsible for informing their supervisors as soon as possible of any absence due to illness or injury. Where practicable, they shall, before absenting themselves, report to the medical adviser of the International Bureau.

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- (3) A staff member may at any time be required to submit a medical certificate as to his or her state of health or to undergo examination by a medical practitioner designated by the Director General. When a medical condition impairs a staff member's ability to perform his or her functions, the staff member may be directed not to attend the office and requested to seek treatment from a duly qualified medical practitioner. The staff member shall comply promptly with any direction or request under this Rule.
- (4) While on sick leave or special leave for prolonged illness a staff member shall not leave the area of the duty station without the prior approval of the Director General.
- (5) Staff members shall immediately notify the International Bureau of any case of contagious disease occurring in their household, or of any quarantine order affecting them. A staff member who, as a result of such circumstances, is asked not to attend the office shall receive full salary and other benefits, allowances and entitlements for the period of the authorized absence.
- (g) Review of Decisions Relating to Sick Leave
- (1) If the Director General is satisfied that the staff member on sick leave is able to resume his or her duties, the Director General may refuse to grant further sick leave or cancel the leave already granted; however, if the staff member so requests, the matter shall be referred to an independent practitioner acceptable to both the Director General and the staff member or a medical board. The medical board shall be composed of:
- (i) a medical practitioner selected by the staff member;
 - (ii) a medical practitioner designated by the Director General; and
 - (iii) a third medical practitioner, who shall be selected by agreement between the other two members and who shall not be a medical officer of the International Bureau.
- (2) Any request for referral to an independent practitioner or medical board pursuant to subparagraph (1) above shall be addressed to the Director General within thirty (30) calendar days following the notification of the contested decision. The Director General may waive this time limit if in his or her opinion this is justified by exceptional circumstances.
- (h) Periods of sick leave, whether on full or half pay, shall not affect the accrual of service credits towards periodical salary increment, home leave, termination indemnity and repatriation grant. Entitlement to annual leave shall accrue during periods of one or more full months of sick leave provided the staff member receives full pay during the relevant period of sick leave.
- (i) When illness lasting more than three consecutive working days occurs during annual leave or home leave, the conversion of these days into sick leave may be granted provided that an appropriate medical certificate is produced. In such circumstances, the staff member concerned shall be responsible for submitting a request for sick leave together with the medical certificate as soon as possible and in any event as soon as duties are resumed.
- (j) Entitlement to sick leave shall lapse on separation from service.

Rule 6.2.3 – Maternity Leave⁷⁹

- (a) A staff member who must take maternity leave:
- (1) shall be entitled to absent herself from her duties no earlier than six weeks and no later than two weeks prior to the predicted date of delivery provided a medical certificate, stating the predicted date of delivery, is accepted by the medical adviser. Absence from duty shall not be compulsory until two weeks prior to the predicted date of delivery; however, a staff member who wishes to work during the period of six to two weeks prior to the expected date of delivery shall submit a medical certificate stating that she is fit for duty;
 - (2) shall not be authorized to work during the 10 weeks following the date of birth;
 - (3) shall be entitled to maternity leave on full pay for the entire duration of her absence in accordance with subparagraphs (1) and (2) above, which period of maternity leave shall not be less than 16 weeks.
- (b) Any error on the part of the doctor or midwife as to the date of delivery shall not affect the staff member's entitlement to full pay up to the actual date of delivery.
- (c) Entitlement to annual leave shall accrue during the period of maternity leave provided that the staff member resumes her duties for a period of at least six months after the completion of the maternity leave.
- (d) A staff member who returns to duty following maternity leave, may take two hours per day to breastfeed her newborn child until the child reaches the age of 12 months. Post-maternity leave entitlements shall be defined in an Office Instruction.

Rule 6.2.4 – Paternity Leave

- (a) A staff member shall be entitled to paternity leave, subject to conditions prescribed by the Director General in an Office Instruction.
- (b) The leave shall be granted for a total period of up to four weeks. In exceptional circumstances as determined by the Director General, leave shall be granted for a total period of up to eight weeks.
- (c) The leave may be taken either continuously or in separate periods during the year following the birth of the child, provided it is completed during that year.
- (d) The staff member shall receive paternity leave with full pay for the entire duration of his absence.

Rule 6.2.5 – Adoption Leave

Subject to conditions established by the Director General in an Office Instruction, and upon presentation of satisfactory evidence of the adoption of a child, a staff member shall be entitled to adoption leave for a total period of eight weeks.

⁷⁹ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

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Rule 6.2.6 – Compensation for Loss of or Damage to Personal Effects Attributable to Service

Staff members shall be entitled, within limits and under conditions prescribed by the Director General, to reasonable compensation in the event of loss of or damage to personal effects when it is established that such loss or damage is directly attributable to the performance of their official duties with the International Bureau, according to procedures which shall be prescribed by an Office Instruction.

Rule 6.2.7 – Health Protection and Insurance for Temporary Staff Members ⁸⁰

- (a) Regulation 6.2, "Health Protection and Insurance," shall apply to temporary staff members.
- (b) Rule 6.2.1, "Medical Insurance," shall apply to temporary staff members except for paragraph (b)(3).
- (c) Sick leave shall be granted to temporary staff members subject to the following:
- (1) temporary staff members who are unable to perform their duties owing to illness or injury or whose attendance is prevented by public health requirements shall be granted two days' sick leave per month of employment in accordance with the following provisions:
 - (i) all sick leave must be approved on behalf of the Director General;
 - (ii) temporary staff members shall be responsible for informing their supervisors as soon as possible of any absence due to illness or injury. Where practicable they shall, before absencing themselves, report to the medical adviser of the International Bureau;
 - (iii) a temporary staff member may at any time be required to submit a medical certificate as to his or her state of health or to undergo examination by a medical practitioner designated by the Director General. When a medical condition impairs a staff member's ability to perform his or her functions, the staff member may be directed not to attend the office and requested to seek treatment from a duly qualified medical practitioner. The staff member shall comply promptly with any direction or request under this Rule;
 - (iv) while on sick leave or special leave for prolonged illness a temporary staff member shall not leave the area of the duty station without the prior approval of the Director General;
 - (v) temporary staff members shall immediately notify the International Bureau of any case of contagious disease occurring in their household, or of any quarantine order affecting them. A temporary staff member who, as a result of such circumstances, is asked not to attend the office shall receive full salary and other benefits, allowances and entitlements for the period of the authorized absence.
 - (2) temporary staff members may take a total of seven working days of uncertified sick leave and/or leave for family-related emergencies within a calendar year. The entitlement shall be applied *pro rata* if the contract is for a duration of less than 12 months. Any further absences from duty within that year shall be

⁸⁰ Amended with effect from November 1, 2014, January 1, 2016 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circulars Nos. 30/2015 and 34/2016).

supported by a medical certificate; otherwise, it shall be deducted from the temporary staff member's annual leave entitlement or, if annual leave is exhausted, charged as special leave without pay. Not more than three consecutive days of uncertified leave may be taken at a time for sick leave or family-related emergencies.

(3) periods of sick leave shall not affect the accrual of service credits towards annual leave and termination indemnity.

(4) in cases where a temporary staff member is on certified sick leave at the date of expiration of his or her temporary appointment, the appointment shall be exceptionally extended for the purpose of exercising the unused portion of the certified sick leave entitlement within the temporary staff member's accrued sick leave entitlement as approved on the contract expiration date. No further extension of sick leave shall be provided, and the extension shall not give rise to any other benefits or entitlements.

(d) Rule 6.2.3, "Maternity Leave," shall apply to temporary staff members subject to the following:

(1) the entitlement to maternity leave shall consist of 16 weeks on full pay for temporary staff members with 12 months of continuous service. The entitlement shall apply on a *pro rata* basis after six months of continuous service;

(2) in cases where maternity leave shall commence prior to the expiry date of the temporary appointment, the appointment of the temporary staff member shall be exceptionally extended for the purpose of exercising the unused portion of the maternity leave entitlement. Entitlements such as annual leave and sick leave shall not accrue during the extension.

(e) Rule 6.2.4, "Paternity Leave," shall apply to temporary staff members subject to the following:

the entitlement to paternity leave shall consist of four weeks for temporary staff members with 12 months of continuous service. The entitlement shall apply on a *pro rata* basis after six months of continuous service.

(f) Rule 6.2.5, "Adoption Leave," shall apply to temporary staff members subject to the following:

the entitlement to adoption leave shall consist of eight weeks for temporary staff members with 12 months of continuous service. The entitlement shall apply on a *pro rata* basis after six months of continuous service.

(g) Rule 6.2.6, "Compensation for Loss of or Damage to Personal Effects Attributable to Service," shall apply to temporary staff members.

CHAPTER VII**TRAVEL AND REMOVAL EXPENSES****Regulation 7.1****Travel Expenses**

Subject to conditions and definitions prescribed by the Director General, the International Bureau shall in appropriate cases pay the travel and removal expenses of staff members and their dependants.

Rule 7.1.1 – Definitions

- (a) For the purposes of this chapter, the terms below shall mean the following:
- (1) travel (for defining the duration) – for travel by air, train and boat this is considered to be the duration of time between the departure time and the arrival time at the final destination as shown on the ticket(s); for travel by car, where car is the only mode of travel employed, the duration is measured from the time of departure from the place of origin to the time of arrival at the final point of destination;
 - (2) trip (for defining the duration) – shall encompass the entire journey from the original point of departure to the return arrival. Or, in the event that a staff member does not return to the original point of departure, a trip shall encompass the entire journey from the original point of departure to the arrival at the final destination;
 - (3) day (for calculating subsistence allowance) – a ‘day’ is defined as the 24-hour period from midnight to midnight calculated at the original point of departure (where the trip originated);
 - (4) event shall encompass all conferences, seminars, exhibitions, conventions and assemblies that arise from the official assignments, duties, and obligations of WIPO program delivery;
 - (5) written authorization (also “in writing”) shall encompass documented authorization in the following forms: hand written, or printed, and signed, authenticated forms of electronic communication which include, but are not limited to, fax, email, sms, and the Organization’s computer-based systems.
- (b) All other terms shall be defined in an Office Instruction.

Rule 7.1.2 – Official Travel of Staff Members

- (a) Subject to the conditions laid down in these Regulations and Rules, the International Bureau shall pay the travel expenses of eligible staff members in the following cases:
- (1) on initial appointment or on assignment to another duty station, provided that the staff member is regarded as having been internationally recruited;
 - (2) on duty travel;
 - (3) on home leave;

- (4) on education grant travel;
 - (5) on separation from service, in accordance with the relevant provisions.
- (b) For the purposes of this Chapter, the above shall constitute “Official Travel.”
- (c) If, on separation from service, a staff member wishes to travel to a place other than the place of his or her recruitment or home leave, the travel expenses borne by the International Bureau shall not exceed the maximum amount that would have been payable if the staff member had returned to the place of recruitment or home leave.

Rule 7.1.3 – Application of the Rules for Travel

Except in those cases where the International Bureau has enacted specific rules or conditions for a particular type of official travel, the provisions of the Regulations and Rules for Duty Travel shall apply mutatis mutandis to the following aspects of official travel:

- (a) authority to Travel;
- (b) purchase of Tickets;
- (c) conditions of Travel;
- (d) daily Subsistence Allowance;
- (e) terminal Expenses.

Rule 7.1.4 – Classes of Travel

The classes of travel for all WIPO staff members (and dependants) engaging in Official Travel shall be prescribed through Office Instructions.

Regulation 7.2

Duty Travel

Subject to conditions and definitions prescribed by the Director General, the International Bureau shall establish the rules and conditions governing Duty Travel. Duty Travel shall be defined as the Official Travel undertaken by staff members in furtherance of their official duties.

Rule 7.2.1 – Authority to Travel

All official travel shall be subject to prior written authorization by the responsible Program Manager and official security and medical clearance; in addition, official travel on appointment, on home leave, on transfer to another duty station and on separation from service for eligible staff members shall be approved by the Director of the HRMD or an authorized representative. The official travel of a Program Manager shall be subject to prior written authorization by the Director General. In exceptional cases staff members may be authorized to travel on oral instructions issued by the Director General, but these instructions must be subsequently confirmed in writing promptly following the return of the staff member to the duty station. Staff members shall be personally responsible for ascertaining that they have the proper authorization before undertaking travel.

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Rule 7.2.2 – Event Travel

Generally, no more than one WIPO staff member shall attend a given national event, and no more than two WIPO staff members shall attend the same regional or international event. If the presence of more staff members of the Organization is required, the authorization of the Director General shall be required. Further requirements for Event Travel shall be prescribed by the International Bureau.

Rule 7.2.3 – Limit on the Number of United Nations Staff and WIPO Staff Members Travelling on the Same Aircraft

- (a) No more than 30 staff members from the United Nations common system may travel on the same aircraft.
- (b) Procedures for the travel of more than one WIPO staff member for the same official purpose shall be defined in an Office Instruction.

Rule 7.2.4 – Establishment of Route, Mode and Conditions of Transportation

- (a) Official travel shall in all instances be by a route, mode and standard of transportation approved in advance by the Director General.
- (b) Travel shall be by the most direct and economical route and mode of transportation unless the Director General finds the use of an alternative route or mode of transportation is in the interest of the International Bureau. Unless there is a documented professional need that requires otherwise, it is expected that for staff members the point of departure will be their respective duty station. The most direct and economical route of transportation for staff members shall be calculated with travel originating from their respective duty stations. In selecting an approved route for a particular journey the Director General shall, in addition to the transportation costs, take into account the travel time involved, the cost of subsistence and other travel allowances, the availability of appropriate accommodation and the frequency and reliability of departures and arrivals.
- (c) Daily subsistence allowance, travel time and other entitlements shall not exceed those permissible for a journey by the route, mode and standard approved by the Director General.
- (d) Staff members who wish to make special arrangements for reasons of personal convenience shall obtain prior authorization to do so, and shall bear all additional costs.
- (e) When the Director General, pursuant to paragraph (a) above, has designated air travel as the normally approved mode of transportation for a particular journey, he or she may nevertheless authorize a staff member to use surface transport if he or she determines that there are special reasons to justify such authorization.
- (f) When the Director General, pursuant to paragraph (b) above, has designated surface travel as the normally approved mode of transportation for a particular journey, he or she may nevertheless authorize a staff member to travel by air if the exigencies of the service so require, or if he or she determines that there are special reasons to justify such authorization.

Rule 7.2.5 – Travel Conditions

- (a) All official travel shall be by air unless the use of another mode of transportation is specifically authorized.

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- (b) When, for any purpose, staff members travel by air at the expense of the International Bureau, the following conditions shall apply:
- (1) the Director General shall travel first class;
 - (2) the classes of travel for all staff members engaging in Official Travel shall be prescribed by the International Bureau in an Office Instruction.
 - (i) In certain exceptional cases and according to the exigencies of the service, the Director General may authorize the staff member concerned to accompany another staff member who is entitled to travel in a higher class of travel.
 - (3) staff members, their spouses and dependent children, shall be entitled to reimbursement by the International Bureau of excess baggage up to the weight or number of pieces allowed for first-class travel. Dependent children who are not granted a baggage allowance by the airline shall be entitled to reimbursement of excess baggage up to the normal allowance granted to adults;
 - (4) children under two years of age travelling by air shall be provided with a ticket giving entitlement to a seat;
 - (5) staff members required to take an official journey by air, or mostly by air,
 - (i) shall not normally be required to resume their duties within 12 hours of arriving at the destination if the scheduled flight time for the journey is between six and 10 hours;
 - (ii) shall not normally be required to resume their duties within 24 hours of arriving at the destination if the scheduled flight time is more than 10 hours; alternatively, at the discretion of the Director General, a stopover period not exceeding 24 hours may be granted. In the case of very long journeys (more than 10 hours), additional stopovers may be permitted.
 - (6) waiting periods between two planes shall be included in the computation of travel time, except where they involve an overnight stopover;
 - (7) the Director General, from time to time, may adapt the above-mentioned rules in accordance with the conditions offered by airline companies.
- (c) The conditions for travel by sea or by train shall be prescribed in an Office Instruction.
- (d) When approved travel is by automobile, the following conditions shall apply:
- (1) staff members shall not be asked to use their own automobiles for official travel; if they do so, it shall be at their own risk, and the International Bureau shall not be liable in any way;
 - (2) staff members who are authorized to travel by automobile shall be reimbursed by the International Bureau at rates and under conditions prescribed by the Director General on the basis of automobile operating costs in the area where the travel is undertaken; the subsistence allowance shall be calculated on the basis of a distance of 400 kilometers a day;
 - (3) reimbursement for travel within a radius of 56 kilometers (35 miles) from the official duty station shall be based on actual distance covered; for longer distances reimbursement shall be based on the distance as indicated on road maps. The

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cost of daily commuting between a staff member's home and the place where he or she works shall not be reimbursable;

(4) the mileage rate established by the Director General shall be payable to only one or two or more persons engaged in travel in the same automobile;

(5) the total mileage reimbursement and daily subsistence allowance which staff members may claim for any journey by automobile shall be limited to the maximum travel expenses to which they would have been entitled had their dependants traveled by the most economical route;

(6) in exceptional circumstances, where staff members use a rental car, permission shall be sought in advance, according to procedures that shall be prescribed in an Office Instruction.

(e) Dependants travelling at the expense of the International Bureau shall be allowed accommodation corresponding to the staff member's status, except that a child travelling pursuant to the provisions relating to the education grant shall not be entitled to a higher standard than cabin class or its equivalent when approved travel is by sea, second class when approved travel is by train, and economy class, or student fare if available, when approved travel is by air.

(f) The International Bureau shall pay only for accommodation authorized and actually used.

Rule 7.2.6 – Travel Expenses

(a) Travel expenses payable or reimbursable by the International Bureau under these Rules shall comprise:

(1) transportation expenses (price of ticket);

(2) terminal expenses;

(3) expenses while in transit;

(4) daily subsistence allowance;

(5) fees for the issuance or renewal of visas required for travel listed under this Regulation;

(6) necessary additional expenses incurred during travel.

(b) Staff members shall avoid any expenditure which would be considered unnecessary or unreasonable by an average staff member travelling on Duty Travel.

Rule 7.2.7 – Purchase of Tickets

(a) Unless a staff member is expressly authorized to make other arrangements, all tickets for official travel of staff members and dependants shall be purchased by the International Bureau according to the requirements prescribed in an Office Instruction.

(b) When a staff member requests a standard of accommodation or condition of travel in excess of his or her entitlement, or is authorized to travel, for reasons of personal preference or convenience, by other than the approved route or mode of transportation, the staff member shall only make such changes after the ticket has been issued. The

staff member shall be required to pay any additional costs thus incurred before receiving the revised ticket.

(c) Once travel has been authorized and certified, no changes may be made to the route, mode or conditions of transport as defined in Rule 7.2.4 without the prior consent, in writing, of the designated authorities and the Safety and Security Coordination Service. Once the ticket has been issued, staff members who wish to change their booking to another carrier or have their ticket re-routed for private purposes, may do so at their own expense and by their own means.

(d) Travel requests will only reach the travel administration once the Program Manager or authorized Alternate has approved the request. All requests for travel submitted to the travel administration without the Program Manager or authorized Alternate's signature shall not be considered valid and travel shall not be authorized. Staff members shall not make any commitment, whether verbal or in writing, before the request has been formally approved.

Rule 7.2.8 – Terminal Expenses

(a) A staff member travelling to or from the duty station may claim 76 United States dollars for himself or herself and 26 United States dollars for each dependant to cover terminal expenses for any authorized outward or return journey. Where a journey to or from the duty station involves one or more official stopovers, the point most distant from the duty station shall be the terminal point. This terminal expenses allowance shall be deemed to cover expenditure for taxis or other means of public conveyance, transfer of baggage and all other incidental expenses at the points of departure and arrival except the cost of forwarding to the place of residence any authorized heavy baggage which may not be carried in a public conveyance.

(b) Any necessary and reasonable terminal expenses as defined in paragraph (a) above which are incurred during travel between terminals other than those indicated in that paragraph may be reimbursed up to a maximum of 76 United States dollars for a staff member and 26 United States dollars for each dependant. Entitlement to terminal expenses shall be determined as follows:

- (1) terminal expenses incurred for each required trip between the airport or other point of arrival or departure and the hotel or other place of dwelling shall be paid in a fixed amount to the staff member and, where applicable, each eligible family member authorized to travel at the expense of the International Bureau;
- (2) no terminal expenses shall be paid for:
 - (i) an intermediate stop that is unauthorized or voluntary; or
 - (ii) an intermediate stop of less than six hours that does not involve leaving the terminal or is exclusively for the purpose of making an onward connection.

(c) At official stopovers, reimbursement of expenses as described in paragraph (a) above may be claimed up to a maximum of 76 United States dollars for a staff member and 26 United States dollars for each dependant. No terminal expenses or any other expenses shall be paid for an intermediate stop which is not an officially authorized stopover that is part of the Duty Travel, or which is of less than six hours and does not necessitate leaving the airport terminal and is exclusively required for the purpose of making an onward connection, or that is voluntary and for personal purposes.

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(d) Notwithstanding the above paragraphs, for authorized travel to or from New York City, the amounts shall be 126 United States dollars for a staff member and 42 United States dollars for each dependant.

(e) Terminal Expenses may be granted at the discretion of the International Bureau in line with these Regulations and Rules and relevant Office Instructions to be prescribed by the International Bureau.

Rule 7.2.9 – Daily Subsistence Allowance ⁸¹

(a) A staff member authorized to travel at the expense of the International Bureau shall, except during travel by sea, receive a daily subsistence allowance. That allowance shall vary according to the category of the post to which the staff member is assigned and shall be determined according to the areas which he or she is to visit on the basis of the schedule established for that purpose by the ICSC.

(1) A staff member authorized to travel by sea shall be entitled to a fixed sum to cover such outlays as he or she will normally be obliged to make on board ship. The sum shall be determined in advance by the Director General for specified journeys, taking into account the fares involved and the number of dependants travelling at the expense of the International Bureau.

(2) When the authorized mode of transportation is other than by sea, the full travel subsistence allowance shall be payable for the time spent in transit, provided that in the case of travel other than on official business the allowance shall be payable for a maximum of three days for any given journey.

(b) The rates indicated in the aforementioned schedule shall apply to all staff members with the exception of the following categories:

(1) the rates applicable to staff members in the Director category shall be the same as those established by the United Nations for the said category;

(2) the rates applicable to Assistant Directors General shall be the same as those established by the United Nations for Assistant Secretaries-General;

(3) the rates applicable to Deputy Directors General shall be the same as those established by the United Nations for Under-Secretaries-General;

(4) the rates applicable to the Director General shall correspond to those established by the United Nations for Under-Secretaries-General, plus 9.45 per cent.

(c) In exceptional and compelling circumstances the Director General may authorize a reasonable increase in the daily subsistence allowance for a staff member who is required to accompany a senior official and whose official duties during travel require that he or she incur expenses which justify a substantial increase in the allowance applicable to his or her grade.

(d) The daily subsistence allowance shall be deemed to comprise the total contribution of the International Bureau towards such expenses as meals, lodging, gratuities, and payment of miscellaneous services. When meals and/or lodging are provided free of charge by official sources, the standard rate of the daily subsistence allowance shall be reduced by 30 per cent if meals are provided; by 50 per cent if lodging is provided; and by 80 percent if both meals and lodging are provided. Subject to Rule 7.2.12, any expenses incurred in excess of the allowance shall be borne by the staff member.

⁸¹ Amended with effect from January 1, 2014 (please refer to Office Instruction No. 43/2013).

(e) Staff members shall receive, for each of their dependants authorized to travel at the expense of the International Bureau, an additional daily subsistence allowance at half the rate applicable to themselves; however, no such allowance shall be payable for travel by sea or travel undertaken in accordance with the provisions governing the education grant.

(f) The daily subsistence allowance shall continue to be paid during periods of sick leave taken during travel; however, if the staff member is admitted to hospital, only one-third of the daily rate shall be paid.

(g) The daily subsistence allowance shall be paid for any days on which a staff member is required to perform duties on behalf of the International Bureau during home leave. The percentage of the daily subsistence allowance shall correspond to 50 per cent of the appropriate entitlement, assuming the lodging at home is free of charge or 100 per cent, provided the staff member submits documentary evidence in the form of a hotel bill when submitting their travel claim. This shall also be applicable to mission travel, excluding leave, when the mission is undertaken and the staff member uses his or her home for accommodation.

Rule 7.2.10 – Special Rates of Daily Subsistence Allowance

(a) The Director General may establish a special rate of subsistence allowance payable to staff members in cases where they are assigned to conferences or are away from their official duty station for extended periods.

(b) Rules for the use of the hotel conference rate shall be prescribed by the International Bureau.

Rule 7.2.11 – Calculation of Daily Subsistence Allowance

(a) For the purpose of applying this Rule, the terms “hour of departure” and “hour of arrival,” shall refer to the time when the train, vessel, or airplane actually left or arrived at its regular terminal.

(b) Except during travel by sea, and subject to paragraph (c) of Rule 7.2.9, the daily subsistence allowance shall be paid in accordance with the conditions set forth below:

(1) for travel lasting at least 10 hours, but not exceeding 24 hours:

(i) if it involves spending a night away from home, the full amount of the allowance shall be paid. However, if the staff member travels overnight, and thereby does not require sleeping accommodation for the night spent traveling, 50 per cent of the allowance shall be paid for that day;

(ii) if it does not involve spending a night away from home, 40 per cent of the allowance shall be paid;

(2) for travel exceeding 24 hours, the allowance shall be paid:

(i) for the day of departure;

(ii) for each successive day;

(c) No allowance shall be paid for:

(1) travel lasting less than 10 hours;

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- (2) the day on which travel ends.
- (d) The rate applicable shall be the one corresponding to the locality where the staff member concerned spends the night subject to the following conditions:
- (1) if the staff member concerned travels all night or for part of the night, the rate applicable shall be that of the place of arrival;
- (2) if travel ends on the same day as it began, the rate applicable to the destination shall be paid for that day.
- (e) The percentage of daily subsistence allowance paid during the trip shall be prescribed in an Office Instruction.
- (f) When travel is by sea, the allowance shall be paid for the day of arrival at the port of disembarkation, provided that official travel continues for more than 12 hours thereafter. No allowance shall be paid for the day of embarkation.
- (g) When staff members travel at the expense of a source other than the International Bureau and they receive a contribution towards travel expenses, or a *per diem*, the International Bureau shall only pay a daily subsistence allowance to the extent of the difference offered by the other source and the amount of daily subsistence allowance officially established by the ICSC. Staff members shall be responsible for reporting the receipt of travel contributions from sources external to the International Bureau. When the contribution towards travel or the *per diem* provided by a non-International Bureau source is in excess of the International Bureau's daily subsistence allowance, it shall be the responsibility of the staff member to declare this in advance of the travel.
- (h) No daily subsistence allowance shall be paid to participants in meetings, holders of fellowships, and interviewees for nights spent in an aircraft.

Rule 7.2.12 – Necessary Additional Travel Expenses

- (a) Necessary additional expenses incurred by a staff member in connection with travel on official business or other official travel shall be reimbursed by the International Bureau after travel has ended, provided that the need for and nature of the expenses are satisfactorily demonstrated and supported by receipts which shall normally be required for any expenditure in excess of 20 US dollars. Such expenses, for which advance authorization shall as far as possible be obtained, shall normally be limited to those exceptions which shall be prescribed in an Office Instruction.
- (b) In cases where advance authorization for necessary additional travel expenses is not practicable, all receipts and documents shall be retained and submitted to the travel administration pursuant to Rule 7.2.13.
- (c) Only staff members shall be authorized to be reimbursed for additional necessary expenses.

Rule 7.2.13 – Reimbursement of Travel and Removal Expenses

- (a) The Director General shall reject any claim for payment or reimbursement of travel or removal expenses which are incurred by a staff member in contravention of any provision of this Chapter.

- (b) The International Bureau shall reserve the right to deduct the corresponding amount from the staff member's salary in the following cases:
- (1) recovery of travel advances;
 - (2) failure to present receipts;
 - (3) unauthorized changes to travel.
- (c) All staff members shall provide proof of travel by attaching a scanned document containing boarding passes, train tickets, and other forms of travel receipts. Staff members shall retain the proof of travel receipts for a minimum period of 24 months.
- (1) For reimbursement, all travel receipts shall be in their original form or in a form verifiable by the travel administration. Informal receipts shall not be reimbursed.
 - (2) All travel receipts shall be submitted within three weeks following the trip. If the travel claim is not submitted in time it shall be assumed that the trip was not undertaken and the travel advance shall be charged to the staff member's salary.
- (d) The intentional submission of false receipts shall lead to disciplinary action being taken under Chapter X of the Staff Regulations and Rules.

Rule 7.2.14 – Excess Baggage and Unaccompanied Shipments for Duty Travel

Excess baggage and unaccompanied shipments for duty travel shall be governed by Rule 7.3.7.

Rule 7.2.15 – Travel Advances

Staff members authorized to travel shall provide themselves with sufficient funds for all current expenses, if necessary by requesting an advance of funds. An advance payment of 100 per cent of the total amount of the estimated terminal expenses and daily subsistence allowances may be granted to a staff member and dependants for expenses authorized under this Chapter. Any overpayment shall be recovered from the next salary payment due to the staff member.

Regulation 7.3

Travel-Related Entitlements

For the purpose of this Regulation, staff member shall refer only to those staff members with a fixed-term, permanent or continuing appointment. The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 7.3.13 "Travel-Related Entitlements for Temporary Staff Members."

Rule 7.3.1 – Non-Duty Travel and Removal Expenses

For the purposes of the Staff Regulations and Rules, "Non-Duty Travel" shall include all official travel other than official business travel, as well as removal and other travel-related expenses. Travel-Related Entitlements or Non-Duty Travel shall consist of travel on initial appointment or on assignment to another duty station, provided that the staff member is regarded as having been internationally recruited; on home leave; on education grant travel or on separation from service, in accordance with the relevant

provisions of these Regulations and Rules. The conditions of travel for Non-Duty Travel shall be prescribed by an Office Instruction.

Rule 7.3.2 – Settling-in Grant ⁸²

(a) Subject to the conditions set forth below, staff members who travel at the expense of the International Bureau on appointment or assignment to another duty station shall receive a settling-in grant for themselves and their dependants provided that the appointment or period of assignment is expected to be of at least one year's duration. This grant shall be the total contribution of the International Bureau towards the extraordinary expenses incurred by staff members for them and their dependants immediately following their arrival at the duty station.

(b) The settling-in grant consists of two portions:

(1) the *daily subsistence allowance* portion, which shall be equivalent to:

(i) thirty days of daily subsistence allowance at the rate applicable at the duty station of assignment for the staff member; and

(ii) fifteen days of daily subsistence allowance at the rate applicable at the duty station of assignment in respect of each accompanying eligible family member for whom travel expenses have been paid by the International Bureau under Rule 7.3.3 and Rule 7.3.4.

(2) the *lump-sum* portion which is non-pensionable and is equivalent to one month of the staff member's net base salary plus applicable post adjustment at the duty station of assignment.

(c) The Director General may, at his or her discretion, authorize payment of all or part of a settling-in grant, in cases where the International Bureau did not have to pay travel expenses on the appointment of a staff member regarded as having been internationally recruited.

(d) If the staff member has not completed the period of service for which a settling-in grant has been paid to him or her, and unless the Director General determines the departure is justified by exceptional circumstances, the grant shall be adjusted proportionately and recovery shall be deducted from any amount due to the staff member.

(e) If a dependant, for whom a settling-in grant has been paid in accordance with paragraph (b)(1)(ii) above, resides less than six months at the duty station, and unless the Director General determines the departure is justified by exceptional circumstances, any settling-in grant paid for the dependant shall be deducted from any amount due to the staff member concerned.

(f) Where both spouses are staff members of organizations in the United Nations common system, travelling at the expense of the International Bureau to the same duty station, the daily subsistence allowance portion of the grant shall be paid to each in respect of himself or herself. If they have a dependent child or children, the relevant amount shall be paid to the staff member in respect of whom the child or children are recognized as dependant(s). However, the lump-sum portion of the grant shall only be paid to the spouse who has the highest salary.

⁸² Amended with effect from May 5, 2014 and January 1, 2017 (please refer to Office Instruction No. 31/2014 and Information Circular No. 34/2016).

Rule 7.3.3 – Official Travel of Dependants

(a) Subject to the conditions laid down in these Regulations and Rules, the International Bureau shall pay the travel expenses of a staff member's dependants as defined in Rule 7.3.4 in the following cases:

- (1) on the initial appointment or on assignment to another duty station of a staff member who is regarded as having been internationally recruited, provided that the appointment or assignment is for a period of at least one year;
- (2) after the initial appointment of a staff member fulfilling the above conditions, if, at the time of appointment, either the travel of the dependant was not possible or his or her status as a dependant was not yet recognized, and provided that the staff member's service is expected by the Director General to continue for more than six months beyond the date on which the travel of the dependants begins;
- (3) following completion by the staff member of at least one year of continuous service, provided that service with the International Bureau is determined by the Director General to continue for more than six months beyond the date on which the travel of the dependants begins;
- (4) on home leave;
- (5) on separation from service, provided that the staff member's appointment was for a period of at least one year or that he or she had completed at least one year of continuous service;
- (6) on journeys authorized pursuant to the provisions relating to the education grant.

(b) In the cases provided for in paragraphs (a)(1) to (3), the International Bureau shall only pay the travel expenses of a staff member's dependants if the staff member declares that they intend to reside at least six months at the duty station. If a dependant leaves the duty station within six months of his or her arrival, and unless the Director General determines the departure is justified by exceptional circumstances, the amount of his or her travel expenses shall be deducted from the salary of the staff member concerned.

(c) In the cases provided for in paragraphs (a)(1) to (3) above, the International Bureau shall pay the travel expenses of a staff member's dependants either from the place of recruitment or from the place of his or her recognized home. Should a staff member wish to bring any dependants to the official duty station from any other place, the travel expenses borne by the International Bureau shall not exceed the maximum amount that would have been payable if those dependants had traveled from the place of recruitment or recognized home.

(d) In cases provided for in paragraph (a)(5) above, the International Bureau shall pay the travel expenses of a staff member's dependants from his or her official duty station to the place to which he or she is entitled to return at the expense of the International Bureau.

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Rule 7.3.4 – Dependants Eligible for Travel or Removal at the Expense of the International Bureau and for the Settling-in Grant⁸³

(a) For payment of travel and removal expenses, of excess baggage and unaccompanied shipment, as well as of the settling-in grant, dependants shall be deemed to comprise:

- (1) a spouse;
- (2) dependent children.

(b) A totally disabled son or daughter of more than 21 years of age may also be deemed to be a dependant for the purposes of this Rule.

(c) The Director General may authorize payment of the one-way travel expenses of a child either to the staff member's duty station or home country when the child has passed the age up to which he or she is considered a dependant under Regulation 3.2 of these Regulations, either within one year or upon cessation of the child's continuous full-time attendance at a university, provided that such attendance began during the period of recognized dependency status.

(d) Notwithstanding these Regulations and Rules, the Director General may authorize the payment of travel expenses of a divorced spouse who has legally resided with the staff member at the duty station for a period of at least six months, for the purposes of repatriation within reasonable time to the place to which the staff member is entitled to return at the expense of the International Bureau.

Rule 7.3.5 – Loss of Entitlement to Return Travel

(a) Staff members who abandon their post or who resign before completing one year of service or within six months following the date of return from home leave shall not normally be entitled to payment of return travel expenses for themselves or their dependants. The Director General may, however, authorize such payment if he or she determines that there are compelling reasons for so doing.

(b) The International Bureau shall not pay return travel expenses if travel is not undertaken within two years after the date of separation from service. Where both spouses are staff members and the spouse who separates from service first is entitled to return travel expenses, his or her entitlement shall not cease until two years after the date of separation of the other spouse.

Rule 7.3.6 – Removal Expenses⁸⁴

(a) Subject to the conditions prescribed by these Regulations and Rules, the International Bureau shall pay the cost of removal of an internationally recruited staff member's household goods and personal effects in the following cases:

- (1) upon initial appointment or assignment to another duty station, provided that the appointment or assignment is for a period of at least two years;
- (2) upon separation from service, provided that the appointment or assignment was for a period of at least two years or that the staff member had completed at least two years of continuous service.

⁸³ Amended with effect from May 5, 2014 and January 1, 2017 (please refer to Office Instruction No. 31/2014 and Information Circular No. 34/2016).

⁸⁴ *Ibid.*

(b) In the case provided for in paragraph (a)(1) above, the International Bureau shall pay the cost of removing a staff member's household goods and personal effects to the duty station either from the place of recruitment or from the place in which he or she is entitled to take home leave, provided that such goods and effects were in his or her possession at the time of appointment and are being transported for the staff member's sole use. Payment of removal expenses to the duty station from another place may be authorized by the Director General in exceptional cases, on such terms and conditions as he or she deems appropriate.

(c) In the case provided for in paragraph (a)(2) above, the International Bureau shall pay the cost of removing a staff member's household goods and personal effects from the duty station to the place to which the staff member is entitled to return at the expense of the International Bureau, or any other place authorized by the Director General in exceptional cases on such terms and conditions as he or she deems appropriate, provided the goods and effects were in the staff member's possession at the time of separation from service and are being transported for his or her sole use.

(d) Payment by the International Bureau of removal expenses shall be subject to the following conditions:

(1) the maximum which may be transported at the expense of the International Bureau shall be 30 m³, including packaging materials but excluding crating and lift vans, for staff members without dependants; and 60 m³ for staff members with one or more dependants residing with them at their official duty station, regardless of the weight of household goods and personal effects;

(2) the International Bureau shall not normally pay storage charges other than those normally included in transportation costs. When staff members are assigned to a new duty station to which they have the entitlement to removal, the International Bureau may upon request pay the cost of storage of all or part of their household goods and personal effects during the period of service at that duty station, provided that:

(i) the volume of household goods and personal effects stored shall not exceed the difference between the volume set out in paragraph (d)(1) above and the volume actually removed;

(ii) the cost of storage and removal shall not exceed the estimated cost of a removal of the total volume that will be stored and removed; and

(iii) the storage charges shall not extend beyond five years from the date of taking up the assignment;

(3) the International Bureau shall pay reasonable costs of packing, crating, carriage, uncrating, and unpacking related to the maximum entitlement provided under paragraph (d)(1) above, but shall not pay costs for adapting appliances, dismantling or installing fixtures or special packing;

(4) transportation of household goods and personal effects shall be effected by such means as the Director General determines the most economical on the basis of estimates from three different firms, taking into account the costs referred to in paragraph (d)(3) above;

(5) the International Bureau shall not pay for the removal of automobiles owned by staff members unless, in the case of initial appointment, the Director General decides in advance that the automobile is essential for the performance of the staff member's official duties;

(6) this Rule shall not apply to staff members on mission, nor shall the

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International Bureau pay the removal costs of a staff member's household goods and personal effects from one residence to another at the same duty station;

(7) the staff member may request that his or her removal entitlement be split into no more than two shipments originating from or destined to two different locations, provided that:

(i) the combined volume of the two shipments shall not exceed the total entitlement; and

(ii) the total cost of the split shipments to be paid by the International Bureau shall not exceed the estimated cost of shipping the actual volume of the two consignments between the duty station and either the place of recruitment or the place of home leave;

(8) where both spouses are staff members entitled to removal of household goods and personal effects, the maximum volume that may be removed at the expense of the International Bureau shall be that provided for a staff member with dependants residing with him or her.

Rule 7.3.7 – Excess Baggage and Unaccompanied Shipment ⁸⁵

(a) Baggage in excess of the amount specified in Rule 7.2.5, or otherwise in excess of the volume carried without extra charge by transportation companies, shall be regarded as excess baggage within the meaning of this Rule.

(b) Charges for excess baggage shall be reimbursable only when authorized before travel begins, except as provided for in paragraph (c) below.

(c) When baggage is carried without charge by one transportation company but regarded as excess by a company furnishing subsequent transportation, the charges may be reimbursed provided that the staff member obtains a statement from the company to the effect that the baggage was regarded as excess.

(d) Excess baggage or unaccompanied shipment charges, including packaging materials but excluding crating and lift vans, for travel in connection with home leave or the education grant, may be reimbursed in the following cases:

(1) for home leave travel, the Organization shall reimburse the costs for surface shipment of:

(i) 50 kg or 0.50 m³ per person of unaccompanied baggage; or

(ii) 10 kg or 0.10 m³ excess baggage by air.

(2) for education grant travel, the Organization shall reimburse the costs for surface shipment of:

(i) 200 kilograms or 2 m³ of unaccompanied baggage on the first outward journey to, and the final return journey from, the educational institution, as well as at the time of a change of institution which involves travel; and

(ii) 50 kilograms or 0.50 m³ of unaccompanied baggage on education grant travel other than that mentioned above.

⁸⁵ Amended with effect from May 5, 2014 and January 1, 2017 (please refer to Office Instruction No. 31/2014 and Information Circular No. 34/2016).

(e) Upon initial appointment or assignment to another duty station for a period of at least one year, or where the assignment is extended for a total period of at least one year, or on separation from service provided that the appointment was for at least one year, when the staff member is not entitled to removal expenses under Staff Rule 7.3.6, he or she shall be entitled to payment of unaccompanied shipment costs for the transportation of personal effects and household goods. Transportation shall be by surface, or by air if the latter mode of transportation is more economical, up to a maximum, including packaging materials but excluding crating and lift vans, of:

- (1) 1,000 kg or 10 m³ for the staff member;
- (2) 500 kg or 5 m³ for the first dependant;
- (3) 300 kg or 3 m³ for every other dependant authorized to travel at the expense of the International Bureau.

(f) On appointment, transfer or separation from service, when the staff member is entitled to reimbursement of removal expenses under Rule 7.3.6, he or she may request the International Bureau to pay for the advanced shipment of unaccompanied baggage by surface, or by air if the latter mode of transportation is more economical, up to a maximum, including packaging materials but excluding crating and lift vans, of 4.5 m³ for a staff member without dependants and 9 m³ for a staff member with one or more dependants authorized to travel at the expense of the International Bureau. The volume of such advanced shipment shall be deducted from the maximum volume to which the staff member is entitled under paragraph (d) of Rule 7.3.6.

(g) The International Bureau shall pay reasonable costs of packing, crating, carriage, uncrating and unpacking of unaccompanied shipments authorized in accordance with paragraph (e) or (f) above, and within the limits of authorized weight or volume, but shall not pay storage charges other than those directly connected with shipment, nor costs for adapting appliances, dismantling or installing fixtures, or special packing.

(h) When the most economical means of shipment is by surface, the conversion of the whole or part of the surface shipment entitlement, under paragraphs (e) and (f) above, into air freight may be authorized upon request, on the basis of one-half of the weight or volume of the surface entitlement listed in paragraphs (e) and (f) above. In any event, the total weight and volume allowed for shipment by air shall not exceed 600 kg or 6 m³ for the staff member and his or her dependants.

(i) It shall be understood that for the purposes of excess baggage and unaccompanied shipment when a staff member is given a choice between volume and weight, he or she shall choose the more economical of the two.

Rule 7.3.8 – Reimbursement of Travel and Removal Expenses

Reimbursement of travel and removal expenses shall be governed by the provisions of Rule 7.2.13.

Rule 7.3.9 – Loss of Entitlement to Removal or Unaccompanied Shipment Expenses⁸⁶

(a) A staff member who abandons his or her post or resigns before completing one year of service, or two years of service for staff entitled to removal expenses, shall not normally be entitled to payment of unaccompanied shipment expenses under Rule 7.3.7(e) or removal expenses under Rule 7.3.6. Such costs already paid may be

⁸⁶ Amended with effect from January 1, 2016 and January 1, 2017 (please refer to Information Circulars Nos. 30/2015 and 34/2016).

adjusted proportionately and recovered from the staff member.

(b) The International Bureau shall not pay removal or unaccompanied shipment expenses if the removal or unaccompanied shipment has not taken place within two years after the date on which the staff member became entitled to removal under Rule 7.3.6 or unaccompanied shipment under Rule 7.3.7(e), or when the staff member's services are not expected to continue for more than six months beyond the expected date of arrival of his or her household goods and personal effects.

(c) On separation from service, entitlement to removal expenses under Rule 7.3.6 or unaccompanied shipment under Rule 7.3.7(e) shall cease if the removal or unaccompanied shipment has not commenced within two years after the date of separation. Where both spouses are staff members and the spouse who separates first is entitled to removal or unaccompanied shipment expenses, his or her entitlement shall not cease until two years after the date of separation of the other spouse.

Rule 7.3.10 – Travel-Related Insurance ⁸⁷

(a) Premiums for personal accident insurance or insurance of accompanied baggage shall not be reimbursed. However, staff members who lose accompanied baggage may receive compensation in accordance with such arrangements as may be in force under these Staff Regulations and Rules.

(b) In the case of unaccompanied shipments authorized under Rule 7.3.7 (except in connection with home leave or education grant travel), the International Bureau shall provide insurance coverage up to a value representing 16 US dollars per kilogram of the maximum shipment entitlement. Such insurance coverage shall not include articles of particular value for which extra premiums are charged. The International Bureau shall not be responsible for loss or breakage of articles in unaccompanied shipments.

(c) The International Bureau shall reimburse the premium for transportation insurance of the personal effects and household goods referred to in Rule 7.3.6 (excluding articles of particular value for which extra premiums are charged), up to a maximum coverage of 80,000 US dollars for a staff member without dependants and 130,000 US dollars for a staff member with dependants, subject to review and approval of the valuation by the Director General. If split shipments of the removal have been authorized by the Director General, the maximum coverage amounts indicated above are the maximum coverage amounts for the full removal. The International Bureau shall in no case be responsible for loss or breakage.

(d) In the case of unaccompanied shipments, as provided for in Rule 7.3.7, the staff member shall provide the International Bureau, prior to shipment, with an inventory in duplicate of all items enclosed, including containers such as suitcases, and the replacement value in Swiss francs of each item. Staff members shall be entitled, within limits and under conditions prescribed by the Director General, to reasonable compensation in the event of loss of or damage to personal effects when it is established that such loss or damage is directly attributable to the performance of their official duties with the International Bureau.

Rule 7.3.11 – Illness or Accident during Travel

The International Bureau shall pay or reimburse medical and hospital expenses, up to a reasonable amount, which may be incurred by a staff member who becomes ill or is injured in the course of authorized travel on official business, insofar as such expenses are not otherwise covered.

⁸⁷

Amended with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014).

Rule 7.3.12 – Transportation of Remains

Upon the death of a staff member or of a staff member's spouse or dependent child, the International Bureau shall pay the cost of transportation from the duty station (or, should death occur while on official business away from the duty station or at the place of the educational institution; from the place where it occurred) to the place to which the deceased was entitled to return at the expense of the International Bureau. Payment of the transportation shall include a reasonable sum for the preparation of the body. If local interment or cremation is selected, reasonable expenses incurred for the interment or cremation may be reimbursed.

Rule 7.3.13 – Travel-Related Entitlements for Temporary Staff Members⁸⁸

Temporary staff members shall be eligible for the following travel-related entitlements:

(a) Travel and Shipment Expenses

(1) A temporary staff member with an appointment of less than 12 months and who is deemed to be internationally recruited shall be entitled to travel expenses for himself or herself only.

(2) A temporary staff member with an appointment of at least 12 months and who is deemed to be internationally recruited shall be entitled to payment of travel and shipment expenses, for himself or herself, and for the spouse and dependent children upon initial appointment and final separation from service, provided that the staff member declares that his or her dependants intend to reside at least six months at the duty station. Rule 7.3.4(a) shall apply for the definition of dependants for the payment of travel expenses.

(3) Upon the extension of an initial appointment of less than 12 months resulting in an uninterrupted period of service of at least 12 months, temporary staff members shall be entitled to payment of travel and shipment expenses for themselves and for their spouse and dependent children. However, a shipment shall not be authorized if the staff member is not expected to remain at the duty station for at least six months.

(b) Official Travel of Dependants

If a dependant leaves the duty station within six months of his or her arrival, and unless the Director General considers his or her departure as justified by exceptional circumstances, the amount of the travel expenses paid in favor of the dependants shall be deducted from the salary of the temporary staff member concerned.

(c) Payment by the International Bureau of shipment expenses shall be subject to the following conditions:

(1) the maximum which may be transported at the expense of the International Bureau shall be 1,000 kg, including packaging materials but excluding crating and lift vans, for staff members, plus an additional 500 kg for a spouse, and 375 kg for up to two additional dependent children, all of whom shall reside at the official duty station with the temporary staff member. In no case shall the weight exceed 2,250 kg;

⁸⁸ Amended with effect from November 1, 2014 and January 1, 2016 (please refer to Office Instruction No. 55/2014 and Information Circular No. 30/2015).

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- (2) temporary staff members shall be entitled to excess baggage pursuant to Rule 7.3.7. Temporary staff members shall not be entitled to unaccompanied shipment under the same Rule.
- (d) Loss of Entitlement to Return Travel
- (1) A staff member who abandons his or her position or resigns before completing the term of his or her temporary appointment shall not normally be entitled to payment of return travel expenses for him or herself or his or her dependents. The Director General may, however, authorize such payment if he or she determines that there are compelling reasons for so doing.
- (2) The International Bureau shall not pay return travel expenses if the travel is not undertaken within one year after the date of separation. Where both spouses are staff members and the spouse who separates first is entitled to return travel expenses, his or her entitlement shall not cease until one year after the date of separation of the other spouse.
- (e) Loss of Entitlement to Shipment Expenses
- (1) A staff member who abandons his or her position or resigns before completing the term of his or her temporary appointment shall not normally be entitled to payment of shipment expenses. Such costs already paid may be adjusted proportionately and recovered from the staff member.
- (2) The International Bureau shall not pay shipment expenses on separation from service if the shipment does not take place within one year after the date of separation. Where both spouses are staff members and the spouse who separates first is entitled to shipment expenses, his or her shipment entitlement shall not cease until one year after the date of separation of the other spouse.
- (f) Rule 7.3.8, "Reimbursement of Travel and Removal Expenses," shall apply *mutatis mutandis* to temporary staff members.
- (g) Rule 7.3.10, "Travel-Related Insurance," shall apply *mutatis mutandis* to temporary staff members.
- (h) Rule 7.3.11, "Illness or Accident during Travel," shall apply to temporary staff members.
- (i) Rule 7.3.12, "Transportation of Remains," shall apply to temporary staff members.

CHAPTER VIII
STAFF RELATIONS**Regulation 8.1****Staff Council**

The staff shall have the right of association. The interests of the staff shall be represented before the Director General and his representatives by a Staff Council elected by the staff members.

Rule 8.1.1 – Staff Council⁸⁹

- (a) The Staff Council shall be composed in such a way as to afford equitable representation to staff at all levels and to all groups of staff members with common interests.
- (b) The Staff Council shall be consulted on questions relating to staff welfare and personnel administration, in particular principles governing appointment, promotion and termination, and on questions pertaining to salaries and entitlements. The Staff Council shall be entitled to make proposals on such questions to the Director General on behalf of the staff, as well as to present a statement to the Coordination Committee.
- (c) Except in emergency cases, general administrative instructions or directions on questions within the scope of paragraph (b) above shall be brought to the notice of the Staff Council in advance for consideration and comment before being put into effect.
- (d) Provisions concerning the representation of staff interests shall be entirely without prejudice to the right of individual staff members to make representations to the Director General on matters affecting them as individuals.
- (e) Staff representatives shall exercise their functions in a manner that is consistent with the standards of conduct of the ICSC.
- (f) Staff representatives shall be protected against discriminatory or prejudicial treatment based on their status or activities as staff representatives, both during their term of office and after it has ended.

Regulation 8.2**Advisory Body**⁹⁰

The Director General shall establish an advisory body with staff participation. The advisory body shall advise the Director General on any personnel or administrative matters which he or she wishes to refer to it, including provisions of the Staff Regulations and Rules or Office Instructions. The advisory body may also give advice to the Director General on its own initiative on such matters.

⁸⁹ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

⁹⁰ Amended with effect from January 1, 2014 (please refer to Office Instruction No. 43/2013).

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Rule 8.2.1 – Joint Advisory Group ⁹¹

(a) The advisory body provided for in Regulation 8.2 shall be called the Joint Advisory Group and be composed as follows:

- (1) three members and three alternates elected by the staff members of the International Bureau, from among the said staff members, according to a procedure established by the Director General;
- (2) three members and three alternates designated by the Director General from among the staff members of the International Bureau;
- (3) ex officio, as Secretary of the Group, the Director of HRMD or his or her alternate.

(b) The Director General shall appoint a chair and one alternate chair who shall sit in the Group when the chair is unable to do so, from among the group members.

(c) The members of the Joint Advisory Group and their alternates shall be elected or designated for two years. They shall be eligible for re-election or re-designation, and shall remain in office until their successors are elected or designated.

(d) Meetings of the Joint Advisory Group shall be convened as necessary, either upon convocation by the Director General, the Director of HRMD, the Chair, at the request of at least two of its members, or at the request of at least fifty (50) staff members.

(e) The Joint Advisory Group shall prepare an annual report to the Director General, setting out a summary of the matters referred to it redacting the names of any individual staff members. The Director General shall make such report available to staff.

Rule 8.2.2 – Petition by Staff Members ⁹²

Staff members may directly petition the Joint Advisory Group to consider and give advice or recommendations to the Director General on any matter concerning personnel administration or staff welfare, provided that a minimum number of fifty (50) staff members sign such petition, indicating their full name. The petition shall be addressed to the Joint Advisory Group with copies to the Director General, the Director of HRMD and the Staff Council. The petition shall identify and clearly explain the matter being referred to the Joint Advisory Group. The Joint Advisory Group should, as far as practicable, issue recommendations or advice within thirty (30) calendar days from receipt of such petition, which shall be addressed to the Director General with copies to the petitioning staff members, the Director of HRMD and the Staff Council. Following the advice or recommendation of the Joint Advisory Group, the Director General shall respond by general email to all staff members concerning the matter subject of the petition.

⁹¹ Amended with effect from January 1, 2014 (please refer to Office Instruction No. 43/2013).

⁹² Rule added as an amendment with effect from January 1, 2014 (please refer to Office Instruction No. 43/2013).

CHAPTER IX**SEPARATION FROM SERVICE****Regulation 9.1****Separation from Service**

Any of the following shall constitute separation from service:

- (a) termination of appointment;
- (b) abandonment of post;
- (c) resignation;
- (d) expiration of appointment;
- (e) retirement;
- (f) death.

Regulation 9.2**Termination**⁹³

(a) The Director General, giving his or her reasons therefor, may terminate the appointment of a staff member who holds a fixed-term appointment, a permanent appointment, or a continuing appointment for any of the following reasons:

- (1) if the exigencies of the service require abolition of the post or a reduction in staff;
- (2) if for reasons of health the staff member concerned is unable to perform his or her duties;
- (3) if the staff member's performance or conduct proves unsatisfactory;
- (4) if facts anterior to the appointment of the staff member and relevant to his or her suitability come to light that, if they had been known at the time of his or her appointment, should have precluded his or her appointment;
- (5) if such action is in the interests of the good administration of the Organization, and provided the action is not contested by the staff member concerned;
- (6) if the staff member no longer has a post as a result of a reclassification:
 - (i) fixed-term staff members whose appointments are terminated as a result of reclassification shall be given a termination indemnity pursuant to Regulation 9.8(a)(1).
 - (ii) permanent or continuing staff members whose appointments are terminated as a result of reclassification shall be given a termination indemnity pursuant to Regulation 9.8(a)(6).

⁹³ Amended with effect from November 1, 2014, January 1, 2016 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circulars Nos. 30/2015 and 34/2016).

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- (b) The Director General may also terminate the appointment of a staff member who holds a fixed-term appointment for such other reason as may be specified in the letter of appointment.
- (c) Before termination of the appointment of an Assistant Director General or a Deputy Director General, the Coordination Committee shall be consulted. The Director General shall take due account of the advice of that Committee.
- (d) On the advice of the Coordination Committee, the General Assembly may terminate the appointment of the Director General if for reasons of health he or she is no longer able to perform his or her duties, if his performance or conduct prove unsatisfactory, or for such other reason as may be specified in his or her letter of appointment.
- (e) If the exigencies of the service require the abolition of posts or a reduction in staff, and if suitable posts are available in which their services can be effectively used, staff members shall be retained in the following order of preference, provided that due regard shall be given in all cases to relative competence, efficiency, conduct and length of service:
- (1) staff members holding permanent appointments;
 - (2) staff members holding continuing appointments;
 - (3) staff members holding fixed-term appointments.
- (f) Any staff member whose permanent or continuing appointment is terminated as a result of the abolition of a post shall normally be offered an appointment to another suitable post for which he or she has applied, and for which he or she is considered to possess the necessary qualifications if such a post becomes vacant within a period of two years after the date on which the termination becomes effective.
- (g) The Director General shall report all cases of termination to the Coordination Committee.
- (h) The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 9.2.2 entitled "Termination of Appointments of Temporary Staff Members."

Rule 9.2.1 – Definition of Termination

- (a) A termination shall mean a separation from service initiated by the Director General.
- (b) Separation as a result of resignation, abandonment of post, expiration of appointment, retirement, or death shall not constitute a termination within the meaning of the Staff Regulations and Rules.

Rule 9.2.2 – Termination of Appointments of Temporary Staff Members ⁹⁴

- (a) Rule 9.2.1, "Definition of Termination," shall apply to temporary staff members.
- (b) The Director General, giving his or her reasons therefor, may terminate the appointment of a staff member who holds a temporary appointment for any of the following reasons:
- (1) during the probationary period at any time;
 - (2) if the exigencies of the service require a reduction in staff;

⁹⁴ Amended with effect from November 1, 2014 and January 1, 2016 (please refer to Office Instruction No. 55/2014 and Information Circular No. 30/2015).

- (3) if for reasons of health the staff member concerned is unable to perform his or her duties;
 - (4) if the staff member's performance or conduct prove unsatisfactory;
 - (5) if facts anterior to the appointment of the staff member and relevant to his or her suitability come to light that, if they had been known at the time of his or her appointment, should have precluded his or her appointment;
 - (6) if such action is in the interests of the good administration of the International Bureau, and provided the action is not contested by the staff member concerned.
- (c) The Director General may also terminate the appointment of a staff member who holds a temporary appointment for such other reason as may be specified in the letter of appointment.
- (d) If the exigencies of the service require a reduction in staff, staff members holding permanent, continuing or fixed-term appointments shall be retained in preference to those holding temporary appointments.
- (e) Appointments shall be terminated with due regard to competence, efficiency, conduct and length of service.

Regulation 9.3

Abandonment of Post ⁹⁵

Abandonment of post (for temporary staff members, this shall mean temporary position) shall be a separation initiated by the staff member other than by way of resignation. A staff member absent from duty without a satisfactory explanation for more than 15 working days shall be considered to have abandoned his or her post and shall be separated unless the staff member is able to give satisfactory proof that such absence was involuntary and was caused by forces beyond his or her control. The International Bureau shall make every reasonable effort to locate such a staff member prior to separating him or her.

Regulation 9.4

Termination for Reasons of Health ⁹⁶

The services of staff members may be terminated when they are unable to perform their duties as a result of infirmity, illness or the weakening of their physical or mental faculties, after exhaustion of any sick leave entitlement. The services of staff members on fixed-term, continuing or permanent appointments may only be terminated for reasons of health if they are also unable to perform other duties that might reasonably be assigned to them. Appropriate medical certificates shall be presented in all cases. The procedures for termination for reasons of health shall be prescribed in an Office Instruction.

Regulation 9.5

Resignation

- (a) "Resignation" shall mean a separation initiated by a staff member.

⁹⁵ Amended with effect from January 1, 2016 (please refer to Information Circular No. 30/2015).

⁹⁶ *Ibid.*

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- (b) Staff members may resign after having given the Director General the notice provided for under the terms of their appointment.
- (c) Staff members must submit their resignation in person through hierarchical channels, unless the Director General, at his or her own discretion, decides to waive this condition in a particular case.

Regulation 9.6

Notice of Resignation

Unless otherwise specified in his or her letter of appointment, a staff member holding a continuing or permanent appointment shall give three months' written notice of resignation and a staff member holding a fixed-term appointment shall give 30 days' written notice of resignation. The Director General may, however, accept resignations on shorter notice. The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 9.6.1 entitled "Notice of Resignation of Temporary Staff Members."

Rule 9.6.1 – Notice of Resignation of Temporary Staff Members

A staff member holding a temporary appointment of six months or longer shall give 30 days' written notice of resignation. A staff member holding a temporary appointment of less than six months shall give 10 working days' written notice. The Director General may, however, accept resignations at shorter notice.

Regulation 9.7

Notice of Termination ⁹⁷

- (a) A staff member whose appointment is terminated pursuant to Regulation 9.2 or 9.4 shall be given such notice as is provided for in his or her letter of appointment or contract and such indemnity as provided for under the Staff Regulations and Rules.
- (b) A staff member whose permanent or continuing appointment is terminated shall be given not less than three months' written notice of such termination.
- (c) A staff member whose fixed-term appointment is terminated shall be given not less than thirty days' written notice of such termination or such notice as may be stipulated in his or her letter of appointment.
- (d) In lieu of notice, the Director General may authorize payment to a staff member whose appointment is terminated of compensation calculated on the basis of the salary and allowances which the staff member would have received had the termination taken effect at the end of the notice period.
- (e) Notwithstanding paragraph (a) above, no termination notice or compensation in lieu thereof shall be given in case of summary dismissal.
- (f) The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 9.7.1 entitled "Notice of Termination for Temporary Staff Members."

⁹⁷ Amended with effect from January 1, 2016 (please refer to Information Circular No. 30/2015).

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Rule 9.7.1 – Notice of Termination for Temporary Staff Members⁹⁸

(a) A staff member holding a temporary appointment of six months or more whose appointment is terminated shall be given 30 days' written notice. A staff member holding a temporary appointment of less than six months whose appointment is terminated shall be given 10 working days' written notice. In lieu of the notice period, the Director 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.

(b) No termination notice or compensation in lieu thereof shall be given in case of termination for misconduct.

Regulation 9.8

Termination Indemnity⁹⁹

(a) Staff members whose appointments are terminated shall be paid an indemnity in accordance with the following provisions:

(1) subject to subparagraphs (3) to (6) below, the amount of the indemnity shall be calculated according to the following schedule:

Years of service	Months of separation remuneration as defined in Regulation 9.15	
	Permanent/Continuing appointments	Fixed-term appointments
less than 1	Not applicable	One week for each month of uncompleted service, subject to a minimum of six weeks and a maximum of three months of the above-mentioned remuneration
1	Not applicable	
2	Not applicable	
3	3	
4	4	
5	5	
6	6	3
7	7	5
8	8	7
9	9	9
10	9½	9½
11	10	10
12	10½	10½
13	11	11
14	11½	11½
15 or more	12	12

(2) the termination indemnity shall be calculated on the basis of the staff member's separation remuneration as defined in Regulation 9.15 in effect at the time his or her appointment is terminated pursuant to Regulation 9.2 or 9.4;

(3) No indemnity shall be paid to:

(i) a staff member who resigns;

⁹⁸ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

⁹⁹ Amended with effect from November 1, 2014, January 1, 2016 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circulars Nos. 30/2015 and 34/2016).

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- (ii) a staff member holding a fixed-term appointment who ceases duty on the expiration date specified in his or her letter of appointment;
- (iii) a staff member who is summarily dismissed;
- (iv) a staff member who abandons his or her post;
- (v) a staff member who is retiring.

(4) A staff member whose appointment is terminated for reasons of health shall receive the termination indemnity provided for in subparagraph (1) above, reduced by the amount of any disability benefit that the staff member may receive from the Pension Fund for the number of months to which the indemnity rate corresponds.

(5) A staff member whose appointment is terminated for unsatisfactory performance or conduct or who, for disciplinary reasons, is dismissed for misconduct otherwise than by summary dismissal may be paid, at the discretion of the Director General, a termination indemnity not exceeding one half of the indemnity provided for in subparagraph (1) above.

(6) The Director General may, where he or she determines it is justified by the circumstances, pay to a staff member whose appointment is terminated under subparagraphs (a)(5) and (a)(6)(ii) of Regulation 9.2 a termination indemnity not more than 50 per cent higher than that provided for in subparagraph (1) above.

(b) "Years of service" shall mean the total period of a staff member's full-time continuous service with the International Bureau and with another organization applying the United Nations common system of salaries and allowances immediately preceding his or her appointment, regardless of the types of appointment. Continuity of service shall not be considered broken by periods of special leave without pay or with partial pay. However, any such periods having lasted for one or more full months shall be deducted from the length of service for indemnity purposes; periods of less than one full month shall not be deducted. For periods of service with another organization applying the United Nations common system of salaries and allowances, the staff member must provide written proof from the releasing organization that no termination indemnity has been paid.

(c) Upon application of a staff member who is to be separated as a result of an agreed termination of appointment or because of abolition of post or reduction in staff and who is within two years of reaching the applicable qualifying age for an early retirement benefit under article 29 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 who is over that age and within two years of 25 years of contributory service, the Director General may place such a staff member on special leave without pay for pension purposes pursuant to Regulation 5.2.

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

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

(d) The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 9.8.1 entitled "Termination Indemnity for Temporary Staff Members."

Rule 9.8.1 – Termination Indemnity for Temporary Staff Members ¹⁰⁰

- (a) A termination indemnity for the foreshortening of a temporary appointment shall apply to staff holding temporary appointments for a period exceeding six months and having at least one year of continuous service.
- (b) The termination indemnity shall be equivalent to one week's pay for each month of uncompleted service, subject to a maximum of six weeks' net salary.
- (c) No indemnity shall be paid to a temporary staff member who:
- (1) resigns;
 - (2) ceases duty on the expiration date specified in his or her letter of appointment;
 - (3) has his or her appointment terminated for unsatisfactory performance or conduct;
 - (4) is dismissed for misconduct;
 - (5) abandons his or her position;
 - (6) has reached the maximum age limit for service in the International Bureau.

Regulation 9.9**Repatriation Grant** ¹⁰¹

(a) Staff members who have at least five years of continuous service, whom the International Bureau is bound to repatriate and who at the time of separation are residing, by virtue of their service with the International Bureau, outside their home country, shall be entitled to a repatriation grant, subject to conditions prescribed in the Regulations and Rules. The repatriation grant shall not be paid, however, to a staff member who is summarily dismissed or abandons his or her post. The conditions and definitions relating to eligibility for this grant shall be determined by the Staff Regulations and Rules. For periods of service with another organization applying the United Nations common system of salaries and allowances the staff member shall provide written proof from the releasing organization that no repatriation grant has been paid. This Regulation shall not apply to temporary staff members.

¹⁰⁰ Amended with effect from January 1, 2016 (please refer to Information Circular No. 30/2015).

¹⁰¹ Amended with effect from January 1, 2016 and January 1, 2017 (please refer to Information Circulars Nos. 30/2015 and 34/2016).

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(b) The repatriation grant shall be calculated on the basis of years of continuous service and residence away from the home country, in accordance with the following schedule:

Years of continuous service and residence away from home country	Staff member with a spouse or dependent child at the time of separation	Staff member with neither a spouse nor dependent child at the time of separation	
		Professional and higher categories	General Service category

(weeks of separation remuneration as defined in Regulation 9.15)

less than 5	nil	nil	nil
5	14	8	7
6	16	9	8
7	18	10	9
8	20	11	10
9	22	13	11
10	24	14	12
11	26	15	13
12 or more	28	16	14

Rule 9.9.1 – Repatriation Grant ¹⁰²

Payment of the repatriation grant shall be subject to the following conditions and definitions:

- (a) the persons whom the International Bureau is “bound to repatriate” in relation to Regulation 9.9 shall be the staff members and their dependants to whom, on separation from service, the International Bureau has the obligation to ensure the return to a place outside their last duty station at its expense;
- (b) the “home country” referred to in Regulation 9.9 shall be the country of home leave entitlement, or such other country as the Director General may determine at the request of the staff member;
- (c) the repatriation grant shall not be paid to:
- (1) a locally recruited staff member;
 - (2) a staff member who abandons his or her post;
 - (3) a staff member who is summarily dismissed;
 - (4) a staff member whose duty station or place of residence, at the time of separation, is in his or her home country;
 - (5) a staff member with less than five years of continuous expatriate service at the time of separation, subject to Regulation 9.9(b).
- (d) for the purposes of Regulation 9.9, dependants shall be deemed to comprise:
- (1) a spouse;

¹⁰² Amended with effect from January 1, 2016 and January 1, 2017 (please refer to Information Circulars Nos. 30/2015 and 34/2016).

- (2) dependent children.
- (e) the repatriation grant provided for staff members with dependants shall be paid regardless of the place of residence of the dependants;
- (f) where both spouses are staff members and each is entitled to payment of a repatriation grant on separation from service, each shall receive the grant to which he or she is entitled at the rate for staff members without dependants. However, where the International Bureau recognizes that there are dependent children, the parent whose separation from service occurs first may claim payment at the rate for staff members with dependants. In this event the second parent, on separation, may claim payment either at the rate for staff members without dependants for the period of qualifying service subsequent to the first parent's separation, or, if eligible, at the rate for staff members with dependants for the whole period of qualifying service, from which shall normally be deducted the amount of the repatriation grant paid to the first parent;
- (g) loss of entitlement to payment of return travel expenses shall not affect the entitlement to the repatriation grant;
- (h) payment of the repatriation grant shall be subject to the provision by the former staff member of documentary evidence that the staff member has relocated away from the country of the last duty station and outside the area within a reasonable commuting distance from the duty station notwithstanding national boundaries, and that the relocation is not temporary in nature;
- (i) the documentary evidence required under paragraph (h) above may include a declaration by the immigration, police, tax or other authorities of the country, by the senior United Nations official in the country or by the former staff member's new employer, or such other form of documentary evidence as the Director General determines satisfactory;
- (j) payment of the repatriation grant may be claimed by the former staff member within two years of the effective date of separation, after which entitlement to the grant shall cease;
- (k) in the event of the death of a staff member entitled to a repatriation grant, no payment shall be made unless there is a surviving spouse or one or more dependent children to whom the International Bureau is bound to ensure the return to their home country at its expense. If there is only one surviving dependant, the repatriation grant shall be paid at the rate for a staff member without dependants; if there are two or more surviving dependants, the grant shall be paid at the rate for a staff member with dependants;
- (l) this Rule shall not apply to temporary staff members.

Regulation 9.10

Age Limit for Retirement¹⁰³

- (a) Staff members whose appointments took effect on or after January 1, 2014, shall not be retained in service beyond the age of 65.
- (b) Staff members whose appointments took effect on or after November 1, 1990, and prior to January 1, 2014, shall not be retained in service beyond the age of 62.

¹⁰³ Amended with effect from January 1, 2014 and November 1, 2014 (please refer to Office Instructions Nos. 43/2013 and 55/2014).

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- (c) Staff members whose appointment took effect on or after November 1, 1977, and prior to November 1, 1990, shall not be retained in service beyond the age of 60.
- (d) Notwithstanding paragraphs (b) and (c) above, the Director General may authorize, in specific cases, extension of these limits up to the age of 65 if he or she considers it to be in the interests of the Organization.
- (e) Retirement shall not be regarded as termination within the meaning of Regulations 9.2 and 9.4.

Regulation 9.11

Expiration of Fixed-Term Appointments

- (a) Fixed-term appointments shall expire automatically and without prior notice on the expiration date specified in the letter of appointment.
- (b) Separation from service as a result of the expiration of a fixed-term appointment shall not be regarded as termination within the meaning of Regulations 9.2 and 9.4.

Regulation 9.12

Grant on Death ¹⁰⁴

- (a) In the event of the death of a staff member holding a permanent, continuing, or a fixed-term appointment, a single grant calculated according to the following table shall be paid to:

- (1) the spouse;
- (2) in the absence of a spouse, the dependent child or dependent children.

Years of service with the International Bureau (as defined in Regulation 9.8)	Months of separation remuneration (as defined in Regulation 9.15)
3 or less	3
4	4
5	5
6	6
7	7
8	8
9 or more	9

- (b) Where service exceeds three years, the grant shall be paid proportionately for completed months of service in excess of three years.
- (c) If there is no survivor as referred to under paragraph (a) above, no payment shall be made.

¹⁰⁴ Amended with effect from January 1, 2016 (please refer to Information Circular No. 30/2015).

(d) In the event of the death of a staff member, the amount to which he or she would have been entitled under Regulation 9.14 (Commutation of Accrued Annual Leave) shall be paid in accordance with Regulation 3.23.

Regulation 9.13

Last Day for Pay Purposes

(a) On separation from service, the date on which entitlement to salary, allowances and other benefits shall cease shall be determined according to the following provisions:

- (1) in the case of resignation, the date shall be either the date of expiration of the notice period or such other date as the Director General accepts. Staff members shall continue to perform their duties during the period of notice of resignation, except when resignation takes effect upon completion of maternity leave, sick leave or special leave. Annual leave shall be granted during the period of notice of resignation only for brief periods and taking into account the provisions of Regulation 9.14;
- (2) in the case of expiration of a temporary or fixed-term appointment, the date shall be that specified in the letter of appointment;
- (3) in the case of termination, the date shall be that indicated in the notice of termination;
- (4) in the case of retirement, the date shall be that approved by the Director General;
- (5) in the case of summary dismissal, the date shall be the date of dismissal;
- (6) in the case of death, the date shall be the date of death;
- (7) in the case of abandonment of post, the date shall be the date on which the Director General establishes that the post has been abandoned.

(b) in the case of internationally recruited staff members whose return travel is paid by the International Bureau, the last day for pay purposes shall be the date specified in subparagraphs (1), (2) or (3) above, or the estimated date of the staff member's arrival at his or her destination, whichever is later. The estimated date of arrival shall be determined on the basis of the time required to travel without interruption by an approved route and mode of direct transportation from the duty station to the place to which the staff member is entitled to return, starting not later than the day following the date specified in paragraph (a).

Regulation 9.14

Commutation of Accrued Annual Leave ¹⁰⁵

(a) A staff member who on separation from service has accrued entitlement to annual leave shall be paid in lieu thereof an amount equal to his or her salary for the period of such accrued leave, up to a maximum of 60 working days.

(b) For the purposes of this Regulation, "salary" shall mean, for staff members in the Professional and higher categories, the aggregate amount of the salary (Regulation 3.1) and post adjustment (Regulation 3.8); for staff members in the General Service category, the salary (Regulation 3.1) in addition to the language allowance (Regulation 3.10), if payable; and for staff members in the National Professional Officer category, the salary (Regulation 3.1).

¹⁰⁵ Amended with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014).

- (c) This Regulation shall not apply to temporary staff members.

Regulation 9.15

Separation Remuneration ¹⁰⁶

- (a) "Separation remuneration" – the basis for the calculation of any payments due upon separation from service pursuant to Regulations 9.8, 9.9 and 9.12 – shall be the amount determined in accordance with the following provisions:
- (1) for staff members in the General Service category, the separation remuneration shall be the salary (Regulation 3.1) in addition to the language allowance (Regulation 3.10), if payable;
 - (2) for staff members in the National Professional Officer category, the separation remuneration shall be the salary as defined in Regulation 3.1(a);
 - (3) for staff members in the Professional and higher categories, the separation remuneration shall be the salary as defined in Regulation 3.1(a), without post adjustment. Only for the purposes of calculating the termination indemnity payable under Staff Regulations 9.2(a)(5), 9.4 and 9.8(a)(6), the Director General may, at his or her discretion, decide to take into account the post adjustment.
- (b) The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 9.15.1 entitled "Separation Remuneration for Temporary Staff Members."

Rule 9.15.1 – Separation Remuneration for Temporary Staff Members

For temporary staff members, the separation remuneration shall be the net salary as defined in Regulation 3.1(a).

Regulation 9.16

Restitution of Advance Annual Leave

Staff members who on separation from service have taken in advance more days of annual leave than those to which their length of service entitles them shall compensate the International Bureau therefor. Such compensation shall take the form of either a cash payment by the staff member or a deduction from monies owed to him or her by the International Bureau, and shall be equivalent to the remuneration received for the leave in question, including allowances and other payments. The Director General may waive this requirement if he or she is satisfied that there are exceptional or compelling reasons for so doing. The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 9.16.1 entitled "Restitution of Advance Annual Leave by Temporary Staff Members."

Rule 9.16.1 – Restitution of Advance Annual Leave by Temporary Staff Members

A temporary staff member shall not be granted advance annual leave, unless under exceptional or compelling circumstances. In the exceptional or compelling circumstances where temporary staff members are granted advance annual leave, the above Regulation shall apply to such temporary staff members.

¹⁰⁶ Amended with effect from November 1, 2014 and January 1, 2016 (please refer to Office Instruction No. 55/2014 and Information Circular No. 30/2015).

Regulation 9.17**Certification of Service**

The International Bureau shall give to any staff members who so request a statement indicating the nature of their duties and the length of their service. At the staff member's written request, the statement shall also mention the quality of his or her work and the staff member's official conduct.

CHAPTER X¹⁰⁷**DISCIPLINARY MEASURES****Regulation 10.1**¹⁰⁸Disciplinary Measures

- (a) A staff member's failure to observe the Staff Regulations and Rules, the standards of conduct required of an international civil servant or any other obligation of staff members of the International Bureau may amount to misconduct and he or she may be subject to disciplinary measures.
- (b) Any disciplinary measure applied to a staff member shall be proportionate to the nature and gravity of his or her misconduct.
- (c) No disciplinary measure shall be applied to a staff member without giving him or her an opportunity to present his or her defense.

Rule 10.1.1 – Disciplinary Measures

- (a) Disciplinary measures may take one or more of the following forms only:
- (1) written reprimand;
 - (2) delayed advancement, for a specified period of time, to the next salary step;
 - (3) relegation to a lower salary step within the same grade;
 - (4) demotion to a lower grade for a specified period of time;
 - (5) dismissal; and
 - (6) summary dismissal for serious misconduct.
- (b) Measures other than those listed under Rule 10.1.1(a) shall not be considered to be disciplinary measures within the meaning of the present Rule.

Rule 10.1.2 – Procedure¹⁰⁹

- (a) If and when the Director of HRMD decides to institute disciplinary proceedings, he or she shall send a letter to the staff member concerned (the "respondent") setting out in detail the alleged misconduct, providing the evidentiary basis for the alleged misconduct, including any investigation report, and inviting him or her to submit a detailed response. Where, in the opinion of the Director of HRMD, the alleged misconduct could amount to serious misconduct, the respondent shall have seven (7) calendar days from the date of receipt of the letter to submit a response. In all other cases, the respondent shall have fourteen (14) calendar days.

¹⁰⁷ Chapter amended with effect from January 1, 2014 (please refer to Office Instruction No. 43/2013).

¹⁰⁸ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

¹⁰⁹ Amended with effect from January 1, 2016 and January 1, 2017 (please refer to Information Circulars Nos. 30/2015 and 34/2016).

- (b) Following the receipt of the response, the Director General shall consider all relevant facts (including the response by the respondent) and shall decide whether the alleged misconduct occurred, and, if so, what disciplinary measure(s) to apply. The respondent shall be notified in writing of the decision, which shall include detailed reasoning, within thirty (30) calendar days from the date of receipt of the respondent's response. Where no response is received from the respondent, the Director General shall take his or her decision within thirty (30) calendar days following the expiration of the time limit set for the respondent to provide the response.
- (c) In the case of summary dismissal, the appointment of the staff member concerned shall be considered terminated as of the date of the decision of the Director General applying the disciplinary measure.
- (d) In disciplinary proceedings, the burden of proof for alleged misconduct shall lie with the International Bureau and the standard of proof shall be clear and convincing evidence.
- (e) In exceptional circumstances, the Director of HRMD or the Director General (as the case may be) may extend the applicable time limits under paragraphs (a) and (b) above. In such a case, the respondent shall be notified in writing.

Rule 10.1.3 – Temporary Suspension from Duty ¹¹⁰

- (a) The Director of HRMD may suspend temporarily a staff member from duty, pending the results of an investigation and/or until the completion of any disciplinary process, if he or she considers that the staff member's continuance in office might be prejudicial to the interests of the International Bureau.
- (b) A staff member placed under temporary suspension pursuant to paragraph (a) above shall be given a written statement of the reason(s) for such temporary suspension from duty. In so far as practicable, a temporary suspension from duty should not exceed a total of three months.
- (c) Suspension from duty shall be with full or partial pay or without pay. If suspension is with partial pay or without pay and either the allegations of misconduct are subsequently not sustained or it is subsequently found that the conduct at issue does not warrant dismissal or summary dismissal, any pay withheld shall be reimbursed without delay.
- (d) Suspension from duty shall be without prejudice to the rights of the staff member and shall not constitute a disciplinary measure.

Rule 10.1.4 – Serious Misconduct

For the purposes of Rule 10.1.1(a)(6), serious misconduct shall mean a serious and patent failure to observe the Staff Regulations and Rules and/or the standards of conduct required of an international civil servant, or any other obligation of staff members of the International Bureau such as an act of violence or a threat of violence by a staff member(s) against (an)other staff member(s), or theft or fraud.

Rule 10.1.5 – Appeal

All decisions taken under this Chapter can be appealed under Chapter XI. A decision to apply a disciplinary measure under Rule 10.1.2 can be appealed directly to the WIPO

¹¹⁰ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

Appeal Board under Regulation 11.5. A decision to impose a temporary suspension from duty under Rule 10.1.3 can be reviewed under Rule 11.4.3.

Rule 10.1.6 – Calculation of Time Limits

Time limits shall be calculated in accordance with Annex VI “Calculation of Time Limits for the Purposes of Chapter X and Chapter XI.”

CHAPTER XI¹¹¹**CONFLICT RESOLUTION****Regulation 11.1****Respectful Workplace**

All staff members have a duty to contribute to a respectful and harmonious workplace.

Regulation 11.2¹¹²**Independence, Impartiality, Conflict of Interest and Confidentiality**

(a) All persons entrusted with a function in informal and formal conflict resolution shall at all times act in an independent and impartial manner and shall avoid actual, potential or apparent conflicts of interest.

(b) They shall in all instances uphold confidentiality in their dealings. All communications initiated or received in connection with the performance of that function shall be confidential.

Regulation 11.3**Informal Conflict Resolution**

A staff member who:

- (i) believes that he or she has been subjected to discrimination and/or harassment; or
- (ii) wishes to rebut his or her performance appraisal; or
- (iii) wishes to file a request for review of an administrative decision other than a disciplinary measure,

is strongly encouraged to resolve the matter through informal conflict resolution, without prejudice to the right to request a review of the matter in accordance with Regulation 11.4. Resort to informal resolution of conflicts shall not in any way affect the deadlines relating to the formal resolution of conflicts, which remain intact unless expressly suspended or extended in accordance with the provisions of Chapter XI.

Rule 11.3.1 – Means of Informal Conflict Resolution

(a) A staff member who wishes to resolve any of the matters referred to in Regulation 11.3 by way of informal conflict resolution may seek the assistance of the following:

- (1) the Office of the Ombudsperson;
- (2) HRMD or a higher level supervisor;

¹¹¹ Chapter amended with effect from January 1, 2014 (please refer to Office Instruction No. 43/2013).

¹¹² Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

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- (3) any other informal conflict resolution mechanism established by the Director General.
- (b) There shall be no formal record of any of the informal processes referred to above.
- (c) The Director General may establish by Office Instruction measures to support a respectful and harmonious workplace.

Rule 11.3.2 – Office of the Ombudsperson

(a) The Ombudsperson shall assist with the fair resolution of workplace-related conflicts or grievances. He or she shall act as a neutral interlocutor, who mediates in conflicts between individual staff members or with management towards reaching amicable solutions to workplace-related difficulties. In all of his or her actions, the Ombudsperson shall act in an independent and impartial manner and shall in all instances uphold confidentiality in his or her dealings. All communications with the Ombudsperson shall be considered privileged.

(b) Provisions concerning the mandate of the Ombudsperson, the applicable procedures and reporting shall be prescribed by the Director General by Office Instruction.

Regulation 11.4

Formal Conflict Resolution ¹¹³

- (a) A staff member who:
- (i) believes that he or she has been subjected to discrimination and/or harassment; or
 - (ii) wishes to rebut his or her performance appraisal; or
 - (iii) wishes to file a request for review of an administrative decision

shall have the right to request a review of the matter in accordance with the procedures set out hereunder.

- (b) The Director General shall review and take a decision on any matter referred to in paragraph (a) above. The Director General may delegate his or her authority to review and take a decision on such matters.
- (c) The initiation of formal conflict resolution procedures shall not preclude recourse to informal conflict resolution at any time.

Rule 11.4.1 – Administrative Resolution of Workplace-Related Conflicts and Grievances ¹¹⁴

(a) A staff member who believes that he or she has been subjected to discrimination and/or harassment (the “complainant”) may submit a complaint to the Director General. Such complaint shall be submitted in writing, with a copy to the Director of HRMD, within ninety (90) calendar days from the date of the occurrence of the incident or the treatment complained of (or in the case of more than one incident, within ninety (90) calendar days

¹¹³ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circular No. 34/2016).

¹¹⁴ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

from the occurrence of the last incident). The complaint shall describe the specific conduct that is the subject of the complaint and the specific circumstances under which it allegedly occurred. The complaint shall be accompanied by all relevant evidence available.

(b) The staff member(s) subject of the complaint (the “respondent(s)”) shall be notified of the complaint within fifteen (15) calendar days from his or her receipt thereof. The respondent(s) shall have thirty (30) calendar days from the date of receipt of such notification to provide a response.

(c) The Director General shall review the complaint and response and notify the parties in writing of a reasoned decision within sixty (60) calendar days from the date of receipt of the response to the complaint. Upon agreement of the parties, the Director General shall suspend this time limit up to ninety (90) calendar days in order to engage in informal conflict resolution. Upon expiration of the period of suspension, the formal review process shall resume, unless the complainant withdraws the complaint in writing.

(d) The Director General shall, where deemed necessary, refer a complaint for an independent investigation and notify the parties accordingly, including any interim measure(s) he or she intends to apply. In case a complaint has been referred for an independent investigation, the time limit under paragraph (c) shall be suspended and a reasoned decision shall be notified to the parties not later than sixty (60) calendar days following the communication of the investigative findings to the Director General.

(e) If a party disagrees with a decision under paragraph (c) or (d) above, or in the absence of a decision within the applicable time limit, he or she shall be entitled to file an appeal under Regulation 11.5 within ninety (90) calendar days from the date of the notification of the decision or, in the absence of a decision, within ninety (90) calendar days from the expiration of the applicable time limit. Failure by the Director General to take a decision within the applicable time limit shall be considered a rejection of the complaint.

Rule 11.4.2 – Administrative Resolution of Rebuttal of Performance Appraisals ¹¹⁵

(a) A staff member who wishes to rebut his or her performance appraisal under Rule 4.20.1 and Rule 4.20.2 may submit a rebuttal to the Director General. Such rebuttal shall be submitted in writing, with a copy to the Director of HRMD, within thirty (30) calendar days from the date of the decision of the reviewing officer. The Director General shall review any such rebuttal and notify the staff member in writing of a reasoned decision within thirty (30) calendar days from the receipt of the response to the rebuttal or of any additional information requested. Where the Director General and the staff member agree that the matter may still be resolved through informal conflict resolution, this time limit may be suspended up to ninety (90) calendar days. Upon expiration of the period of suspension, the formal review process shall resume, unless the staff member withdraws the rebuttal in writing.

(b) If the staff member disagrees with a decision under paragraph (a) above, or in the absence of a decision within the applicable time limit, he or she shall be entitled to file an appeal under Regulation 11.5 within ninety (90) calendar days from the date of the notification of the decision or, in the absence of a decision, within ninety (90) calendar days from the expiration of the applicable time limit. Failure by the Director General to take a decision within the applicable time limit shall be considered a rejection of the rebuttal.

¹¹⁵ Amended with effect from January 1, 2016 and January 1, 2017 (please refer to Information Circulars Nos. 30/2015 and 34/2016).

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Rule 11.4.3 – Administrative Resolution of Requests for Review of Other Administrative Decisions¹¹⁶

(a) A staff member who wishes to file a request for review of an administrative decision other than a decision under Rule 11.4.1 and Rule 11.4.2 above, and other than a decision to apply a disciplinary measure under Regulation 10.1 above, may submit the request to the Director General. Such request shall be submitted in writing, with a copy to the Director of HRMD, within ninety (90) calendar days from the date on which the staff member has received written notification of the decision. Such a request shall contain detailed reasons and any supporting documentation. The Director General shall review any such request and notify the staff member in writing of a reasoned decision within sixty (60) calendar days from the date of receipt of the request. Where the Director General and the staff member agree that the matter may still be resolved through informal conflict resolution, this time limit may be suspended up to ninety (90) calendar days. Upon expiration of the period of suspension, the formal review process shall resume, unless the staff member withdraws the request for review in writing.

(b) If the staff member disagrees with a decision under paragraph (a) above, or in the absence of a decision within the applicable time limit, he or she shall be entitled to file an appeal under Regulation 11.5 within ninety (90) calendar days from the date of the notification of the decision or, in the absence of a decision, within ninety (90) calendar days from the expiration of the applicable time limit. Failure by the Director General to take a decision within the applicable time limit shall be considered a rejection of the request for review.

Rule 11.4.4 – Extension of Time limits¹¹⁷

In case of exceptional circumstances, the Director General may extend the applicable time limits under Rule 11.4.1, Rule 11.4.2 or Rule 11.4.3, and notify the parties in writing accordingly.

Rule 11.4.5 – Calculation of Time Limits

Time limits shall be calculated in accordance with Annex VI “Calculation of Time Limits for the Purposes of Chapter X and Chapter XI.”

APPEALS

Regulation 11.5

Internal Appeal

The Director General shall establish an administrative body with staff participation to advise him or her whenever a staff member, a former staff member or a duly qualified beneficiary to the rights of a deceased staff member, appeals against a decision taken under Regulation 11.4, or a disciplinary decision taken under Rule 10.1.2.

¹¹⁶ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

¹¹⁷ *Ibid.*

Rule 11.5.1 – Appeal Board ¹¹⁸

- (a) The administrative body provided for in Regulation 11.5 shall be called the WIPO Appeal Board.
- (b) The Appeal Board shall be composed as follows:
- (1) a Chair and a Deputy Chair designated by the WIPO Coordination Committee on a proposal made by the Director General after consultation with the Staff Council, from among persons having experience in the law of the international civil service or equivalent experience in applicable administrative law, who are not staff members or former staff members for the past 10 years of the International Bureau. Subject to the eligibility criteria provided above, the Director General shall make an interim appointment of the Chair and the Deputy Chair, after consultation with the Staff Council, pending designation by the WIPO Coordination Committee on the proposal made by the Director General. The interim appointments shall expire on the date that the WIPO Coordination Committee decides on the designations for these functions;
 - (2) four members designated by the Director General from among the staff members of the International Bureau;
 - (3) four members elected by the staff members of the International Bureau from among the staff members, according to a procedure to be established, after consultation with the Staff Council, by the Director General.
- (c) No member or former member for the past three years of the Joint Advisory Group, the Office of the Legal Counsel, the Internal Oversight Division, HRMD or the Staff Council may serve as a member of the Appeal Board.
- (d) The Chair and Deputy Chair shall be designated for a term of five years, renewable once. The other members shall be designated or elected for a period of two years and shall be eligible for further designations or re-election.
- (e) Should the post of Chair fall vacant between two sessions of the WIPO Coordination Committee, the Deputy Chair shall fulfill the function of Chair until a new Chair is designated by the Coordination Committee, on a proposal made by the Director General, after consultation with the Staff Council, from among persons meeting the conditions set forth in subparagraph (b)(1) above.
- (f) Each appeal shall be considered by a Panel consisting of the Chair or Deputy Chair, one member referred to in subparagraph (b)(2) above and one member referred to in subparagraph (b)(3) above. The Panel members shall be selected by the Chair. Panels may sit in parallel.
- (g) The Deputy Chair shall assume the functions of the Chair when the Chair is unable to do so.
- (h) The Director General shall designate a Secretary and an alternate Secretary to the Appeal Board. No member of the Joint Advisory Group, the Office of the Legal Counsel, the Internal Oversight Division, HRMD or the Staff Council may serve as a Secretary or alternate Secretary of the Appeal Board. The Secretary, or alternate Secretary, shall attend the meetings of the Board but shall not take part in its deliberations.
- (i) The Chair of the Appeal Board may make proposals to the Director General for supplementary rules of procedure or for amendments to the existing rules of procedure.

¹¹⁸ Amended with effect from January 1, 2014, January 1, 2016 and January 1, 2017 (please refer to Office Instruction No. 52/2013 and Information Circulars Nos. 30/2015 and 37/2016).

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(j) The Appeal Board may decide to join appeals involving similar facts and raising similar issues of law, if it deems that this is in accordance with the principle of economy and the good administration of justice.

(k) The Appeal Board shall have two periods of annual recess, from December 24 to January 4, over the holiday season, and from July 15 to August 15, over the summer period. During the Appeal Board's recess, all time limits before the Appeal Board are suspended for the duration of the recess.

Rule 11.5.2 – Filing of an Appeal ¹¹⁹

(a) No appeal shall be filed before the Appeal Board until all applicable processes have been exhausted.

(b) An appellant who wishes to appeal against a decision taken under Regulation 11.4, or a disciplinary decision taken under Rule 10.1.2, shall submit his or her appeal in writing to the Chair of the Appeal Board within ninety (90) calendar days from the date of his or her receipt of the decision.

(c) An appeal which is not filed within the time limits specified above shall not be receivable; the Appeal Board may however waive the time limits in exceptional circumstances.

Rule 11.5.3 – Procedure before the Appeal Board ¹²⁰

(a) A staff member wishing to appeal ("the appellant") shall set down his or her arguments in writing and address them to the Chair of the Appeal Board; the Chair shall promptly transmit a copy of the appeal to the Director General who shall, subject to the provisions of paragraphs (c) and (d), below, reply in writing.

(b) The appellant who submits an appeal shall at all times be entitled to obtain the assistance of any person whom he or she may choose.

(c) If the Chair considers an appeal to be clearly irreceivable or devoid of merit, he or she may instruct the Secretary to forward it to the Director General for information only, pending consideration by the Appeal Board pursuant to paragraph (d) below.

(d) When the Appeal Board takes up such an appeal, it may either recommend to the Director General to dismiss it summarily as irreceivable or devoid of merit, or else order that the procedure prescribed below be followed.

(e) The parties to the appeal may jointly request a suspension of the proceedings before the Appeal Board, in particular with a view to reaching a settlement of the dispute. The suspension may be granted by the Board, at its discretion. Such suspension shall not exceed ninety (90) calendar days.

(f) The Director General shall have sixty (60) calendar days from the date of receipt of the appeal to submit his or her reply, a copy of which shall be transmitted to the appellant.

(g) The appellant may submit a rejoinder within thirty (30) calendar days from the date of receipt of the Director General's reply, a copy of which shall be transmitted to the Director General, and the Director General may submit a surrejoinder within thirty (30) calendar days from the date of receipt of the rejoinder, a copy of which shall be transmitted to the appellant.

¹¹⁹ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

¹²⁰ Amended with effect from January 1, 2016 (please refer to Information Circulars Nos. 30/2015 and No. 38/2015).

- (h) Upon receipt of the Director General's reply, or in the case that a rejoinder and surrejoinder are submitted, the pleadings shall be considered closed upon receipt of the reply or surrejoinder, as the case may be. Neither party shall file any further submissions without having first obtained authorization from the Appeal Board to file an additional submission (which authorization should only be granted in exceptional circumstances). Where the Appeal Board considers that new facts raised in a surrejoinder warrant a response from the appellant, it may invite the appellant to respond to the surrejoinder.
- (i) The Appeal Board shall have the discretion to extend the foregoing deadlines in exceptional circumstances.
- (j) Where the Appeal Board determines that an appellant has manifestly abused the proceedings before it, it may recommend the award of costs against him or her.
- (k) The conclusions and recommendations of the Appeal Board should, so far as practicable, be communicated in writing to the Director General within sixty (60) calendar days of the close of pleadings. The opinions and recommendations of the Appeal Board shall be advisory in character. The Director General shall give them full consideration when taking the final decision. In cases where the Director General departs from the recommendations of the Appeal Board, the decision shall indicate the reasons for any such departure. The Director General shall take a final decision within sixty (60) calendar days from receipt of the conclusions and recommendations of the Appeal Board and promptly communicate that decision to the appellant (together with the conclusions and recommendations of the Appeal Board) and to the Chair of the Appeal Board.
- (l) The Appeal Board shall prepare an annual report to the Director General, setting out a summary of the appeals received redacting the names of the appellants. The Director General shall make such report available to staff.

Rule 11.5.4 – Calculation of Time Limits

Time limits shall be calculated in accordance with Annex VI, "Calculation of time limits for the purposes of Chapter X and Chapter XI."

Regulation 11.6

Litigious Appeal

After having exhausted all means available to him or her under Regulation 11.5, a staff member shall have the right to appeal to the Administrative Tribunal of the International Labour Organization ("Tribunal") in accordance with the conditions set forth in the Statute of that Tribunal.

Rule 11.6.1 – Administrative Tribunal

- (a) Any staff member, former staff member or a duly qualified beneficiary of the rights of a deceased official of the International Bureau shall have the right to appeal to the Tribunal, which is also competent to deal with cases affecting staff members of the International Bureau. Such appeals shall be made in accordance with the conditions set forth in the Statute of the Tribunal and in the agreement concluded between the Tribunal and WIPO.
- (b) The Tribunal shall be competent to hear complaints alleging non-observance, in substance or in form, of the terms of appointment of officials and the provisions of the Staff Regulations and Rules.

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(c) No appeal shall be made to the Tribunal before the appeal procedure within the International Bureau has been exhausted.

CHAPTER XII**GENERAL PROVISIONS****Regulation 12.1****Amendments to the Regulations** ¹²¹

- (a) The Director General may propose amendments to these Regulations. Such amendments shall enter into force after approval by the Coordination Committee. However, any amendment for the purpose of adapting certain provisions of the Staff Regulations to changes in the provisions concerning the staff of the United Nations or the organizations of the United Nations common system, and in particular to any adjustment of salaries and allowances within the common system as applied at the duty station, may be provisionally decreed and applied by the Director General, provided the required amounts can be covered by the budget.
- (b) Amendments shall be without prejudice to the acquired rights of staff members and to any condition of service specified in the letter of appointment or contract of a staff member. No amendment shall affect the application to a staff member of the provisions of the Staff Regulations in force up to the effective date of the amendment; amendments shall not have retroactive effect unless the terms of appointment of staff members would thereby be improved.

Regulation 12.2**Staff Rules**

- (a) The Director General shall establish the necessary provisions ("Staff Rules") for the implementation of these Regulations. The Director General may amend the Staff Rules.
- (b) The Director General shall report annually to the Coordination Committee on amendments made to the Staff Rules.

Rule 12.2.1 – Amendments and Derogations to Staff Rules

- (a) These Rules may be supplemented or amended by the Director General pursuant to the procedure described in Regulation 12.2, without prejudice to any condition of service specified in the letter of appointment of a staff member, and provided that any modification shall not affect the application to a staff member of the provisions of the Staff Rules in force up to the date of the modification; such modification shall have no retroactive effect.
- (b) Derogations to the Staff Rules may be made by the Director General provided that any such derogation is not inconsistent with the Staff Regulations; it must be agreed to by the staff member directly affected and must not, in the opinion of the Director General, be prejudicial to the interests of any other staff member or group of staff members.

Rule 12.2.2 – Authentic Texts of Regulations and Rules ¹²²

In case of conflict between the English and French texts of the Staff Regulations and Rules, the English version shall prevail.

¹²¹ Amended with effect from January 1, 2016 (please refer to Information Circular No. 30/2015).

¹²² *Ibid.*

Regulation 12.3**Interpretation of the Staff Regulations and Rules**

In case of doubt as to the interpretation of the modalities of application of the Staff Regulations and Rules, the Director General shall be guided by practice in the other organizations of the United Nations common system, as well as other intergovernmental organizations.

Rule 12.3.1 – Gender of Terms

References to staff members using the masculine gender shall apply also to women unless this is clearly inappropriate from the context.

Regulation 12.4**Acquired Rights**¹²³

Staff members who, immediately before the entry into force of these Regulations and Rules, would have received net total remuneration, the amount of which is higher than that which results from their new conditions of service shall continue to receive the higher amount until such time as improvements in their conditions of service cause their total net remuneration to equal or exceed it.

Regulation 12.5**Transitional Measures**¹²⁴

(a) For individuals in service under a temporary appointment as at January 1, 2013, who had served less than five years with the International Bureau as of January 1, 2012, under General Service short-term contracts, Consultant contracts, Special Labor Contracts and T contracts for Translators and Revisers (subject to the agreement with the Association Internationale des Traducteurs de Conférence (AITC)):

(1) the two-year time limit prescribed in Regulation 4.16 shall not apply. However, their service shall be subject to a time limit of five years to be counted as of January 1, 2013, and to the age limit for retirement prescribed in Regulation 9.10;

(2) they shall continue to enjoy the benefits, allowances, and entitlements prescribed in paragraph (c) below, to the extent prescribed by their previous contracts, and provided for in their most recent contract with the International Bureau before becoming staff members.

(b) For individuals in service under a temporary appointment as at January 1, 2013, who had served five years or longer with the International Bureau as of January 1, 2012, under General Service short-term contracts, Consultant contracts, Special Labor Contracts and T contracts for Translators and Revisers (subject to the AITC agreement):

(1) the two-year time limit prescribed in Regulation 4.16 shall not apply. Additionally, no time limit shall apply to their service, subject to the age limit for retirement prescribed in Regulation 9.10;

¹²³ Amended with effect from January 1, 2016 (please refer to Information Circular No. 30/2015).

¹²⁴ Amended with effect from January 1, 2014, January 1, 2016 and January 1, 2017 (please refer to Office Instruction No. 43/2013 and Information Circulars Nos. 30/2015 and 34/2016).

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- (2) they shall be regarded as internal candidates for the purposes of competitions held by the International Bureau;
- (3) they shall continue to enjoy the benefits, allowances, and entitlements prescribed in paragraph (c) below, to the extent prescribed by their previous contracts, and provided for in their most recent contract with the International Bureau before becoming staff members.
- (c) The individuals described in paragraphs (a) and (b) above shall continue to enjoy the following benefits, entitlements, and allowances, to the extent prescribed by their previous contracts before January 1, 2013, for as long as they continue to serve with the International Bureau:
- (1) language allowance;
 - (2) removal and shipping expenses.
- (d) The International Bureau may offer a cash payment to settle any claims relating to benefits, entitlements, and allowances that may have accrued during a staff member's employment with the International Bureau prior to January 1, 2013. When agreed, such payments shall extinguish the related claims, without prejudice to the benefits, entitlements and allowances to which the concerned staff member is entitled under the present Staff Regulations and Rules.
- (e) For staff members holding permanent appointments with the International Bureau, the permanent appointment shall be maintained for the duration of the staff member's service with the International Bureau.
- (f) Requests for reclassifications of posts submitted prior to January 1, 2013, shall be processed under the Regulations and Rules in force at the time when those requests were initially submitted.
- (g) Any matter or procedure initiated under Chapter X and Chapter XI of the Staff Regulations and Rules applicable prior to the entry into force of the amendment of Chapter X and Chapter XI and Staff Regulation 8.2, including the Staff Rules thereunder, on January 1, 2014, shall be concluded under the Staff Regulations and Rules or Office Instruction in force at the time when that matter or procedure was officially commenced.
- (h) Notwithstanding Regulation 3.14(a), staff members holding fixed-term, continuing or permanent appointments with the International Bureau before January 1, 2016, and residing but not serving, at the time, in their home country, and who are in receipt of an education grant in relation to expenses incurred up to and including December 31, 2016, shall continue to receive the education grant until the dependent child completes the educational stage of the educational institution in which he or she was enrolled as at December 31, 2016, provided all other eligibility requirements are met. For the purpose of this provision, "educational stage" shall mean primary, secondary or post-secondary level of education.
- (i) Notwithstanding Regulation 9.9(a), staff members holding fixed-term, continuing or permanent appointments with the International Bureau before January 1, 2016, and residing but not serving, at the time, in their home country shall retain the entitlement to repatriation grant for the years and months of service up until December 31, 2015, subject to the other eligibility conditions specified in the rule thereunder.
- (j) Notwithstanding Regulation 9.9, staff members holding fixed-term, continuing or permanent appointments with the International Bureau as at December 31, 2016, shall retain the entitlement to repatriation grant in accordance with the grant schedule applicable as at December 31, 2016, up to the number of years of service accrued on that date.

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(k) Staff members in the Professional and higher categories whose salary levels were higher than those at the maximum step of their grade upon conversion to the unified salary scale on January 1, 2017, shall remain at that salary level until such time as the staff member is promoted or separated from service. Such salaries and the corresponding pensionable remuneration amounts shall be maintained by the ICSC and adjusted as necessary.

(l) Staff members in receipt of the dependency rate of salary in respect of a dependent child as at December 31, 2016, shall receive with effect from January 1, 2017, a transitional allowance provided that the child is still recognized as a dependant on January 1, 2017. The dependent child allowance provided for in Regulation 3.3 shall not be paid concurrently in that case. The transitional allowance shall amount to six per cent of the net salary plus post adjustment the first 12 months, then shall be reduced by one percentage point of the net salary plus post adjustment every 12 months thereafter. When the amount of the transitional allowance becomes equal to or less than the amount of the dependent child allowance, the latter shall be payable in lieu. The transitional allowance shall be discontinued earlier if the child in respect of whom it was payable is no longer recognized as a dependant or if the staff member becomes entitled to the dependent spouse allowance. In addition to the transitional allowance, the staff member shall be entitled to the amount provided in Annex II for a child who is determined to be physically or mentally disabled either permanently or for a period expected to be of long duration.

(m) Staff members in receipt of the mobility allowance as at December 31, 2016, and who are not entitled to the mobility incentive shall continue to receive the allowance up to five years at the same duty station or until the staff member moves to another duty station, whichever is earlier.

(n) Staff members who moved before January 1, 2017, and who chose the option of non-removal of household goods shall continue to receive the non-removal allowance for up to five years at the same duty station or until the staff member moves to another duty station, whichever is earlier.

Regulation 12.6

Delegation of authority¹²⁵

The Director General may delegate the authority vested in him or her by the Staff Regulations and Rules under such terms as he or she deems desirable.

¹²⁵ Regulation added as an amendment with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014).

ANNEX I
GLOSSARY**Article 1 – Force of Glossary**

This glossary shall serve as guidance in case of a dispute over the meaning of any terms defined in the Staff Regulations and Rules. Where any of these terms are specifically defined in a regulation or rule, the definition prescribed there shall take precedence over the definition prescribed by this glossary.

Article 2 – Glossary ¹²⁶

The following terms shall be defined:

- (a) “Alternate” shall mean a designated representative who is authorized to act on behalf of someone else for a precisely defined function.
- (b) “Commuting Distance” shall mean the distance in kilometers between the staff member’s local residence and the duty station.
- (c) “National Professional Officer” shall mean a staff member who is locally recruited at a non-Headquarters duty station to perform professional functions requiring local expertise.
- (d) “Program Manager” shall mean a senior officer to whom the Director General delegates authority for the implementation of one or more programs in the Program and Budget of the International Bureau.
- (e) “Spouse” shall mean a person with whom the staff member is engaged in a marriage, domestic, or same-sex partnership that is legally recognized under the laws of the competent authority under which the marriage or partnership has been established.

¹²⁶ Amended with effect from November 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 59/2014 and Information Circular No. 34/2016).

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ANNEX II

SALARIES AND ALLOWANCES

Article 1 – Salaries ¹²⁷

The salary scales for the Director General and for staff appointed in the Director and higher categories, the Professional category, the National Professional Officer category and the General Service category shall be located on the WIPO Intranet.

Article 2 – Allowances ¹²⁸

(a) The amounts applicable for the purpose of the language allowance shall be the following:

	Swiss francs per annum (Geneva)	US dollars per annum (New York)
Proficiency in two languages	4,788	3,222
Proficiency in one language	3,192	2,148

(b) The amounts applicable for the purposes of the dependency allowance pursuant to Regulation 3.3 ¹²⁹, for staff members in the Professional and higher categories, shall be as follows:

	For staff who became eligible on or after January 1, 2009	Swiss francs per annum (Geneva)	US dollars per annum (New York)
1.	For each dependent child (as per Regulation 3.3(b)).	2,785	2,929
2.	For a dependent child who is determined to be physically or mentally disabled, in addition to any amount payable under Regulation 3.3(b) or (c) (as per Regulation 3.3(d)).	2,785	2,929
3.	For a dependent parent, a dependent brother or a dependent sister, where there is no dependent spouse (as per Regulation 3.3(f)).	975	1,025

¹²⁷ Amended with effect from January 1, 2014, November 1, 2014 and January 1, 2016 (please refer to Office Instructions Nos. 3/2014, 43/2013 and 55/2014 and Information Circular No. 30/2015).

¹²⁸ Amended with effect from November 1, 2014, September 1, 2016 and January 1, 2017 (please refer to Office Instruction No. 55/2014 and Information Circulars Nos. 34/2016 and 36/2016)..

¹²⁹ These amounts are subject to the conditions of Regulation 3.3.

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	For staff who became eligible between January 1, 2007 and December 31, 2008	Swiss francs per annum (Geneva)	US dollars per annum (New York)
1.	For each dependent child (as per Regulation 3.3(b)).	3,067	2,929
2.	For a dependent child who is determined to be physically or mentally disabled in addition to any amount payable pursuant to Regulation 3.3(b) or (c) (as per Regulation 3.3(d)).	3,067	2,929
3.	For a dependent parent, a dependent brother or a dependent sister, where there is no dependent spouse (as per Regulation 3.3(f)).	1,198	1,025
	For staff who became eligible prior to January 1, 2007	Swiss francs per annum (Geneva)	US dollars per annum (New York)
1.	For each dependent child (as per Regulation 3.3(b)).	3,181	2,929
2.	For a dependent child who is determined to be physically or mentally disabled, in addition to any amount payable pursuant to Regulation 3.3(b) or (c) (as per Regulation 3.3(d)).	3,181	2,929
3.	For a dependent parent, a dependent brother or a dependent sister, where there is no dependent spouse (as per as per Regulation 3.3(f)).	1,248	1,025

(c) The amounts applicable for the purposes of the dependency allowances under Staff Regulation 3.4 for staff members in the General Service and National Professional Officer categories, shall be as follows:

(1) Amounts applicable for General Service staff in Geneva:

		Swiss francs per annum (Geneva)
1.	For a dependent spouse (as per Regulation 3.4(a)).	7,939
2.	For each dependent child (as per Regulation 3.4(b)).	6,398
3.	For the first dependent child, if there is no spouse (as per Regulation 3.4(c)).	13,183
4.	For a dependent child who is determined to be physically or mentally disabled, in addition to any amount payable pursuant to Regulation 3.4(b) and (c) (as per Regulation 3.4(d)).	6,398
5.	For a dependent parent, a dependent brother or a dependent sister, where there is no dependent spouse (as per Regulation 3.4(f)).	2,515

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(2) The amounts applicable for General Service staff in duty stations other than Geneva and for National Professional Officers shall be located with the salary scales for the relevant duty stations on the WIPO Intranet.

ANNEX III**SELECTION PROCEDURES FOR TEMPORARY APPOINTMENTS**Article 1

This Annex shall apply to the selection of staff members for temporary appointments as prescribed by Rule 4.9.3, "Recruitment of Temporary Staff Members." This Annex shall apply equally to the extension of temporary appointments following a substantive change in function, as well as the extension of temporary appointments beyond six months that have not been filled by way of a competitive selection process.

Article 2

The International Bureau shall recruit temporary staff members in an impartial, objective, fair and transparent manner, taking into account the temporary nature of the functions to be performed and the contract offered.

Article 3

- (a) The Hiring Manager shall draft the Job Description (JD) for the temporary appointment. The JD shall accurately reflect the tasks, responsibilities, qualifications, experience, and competencies required for the position.
- (b) Once internal checks have been satisfied, the JD shall be circulated for signature by an authorized representative of the Chief Financial Officer as well as the Human Resources Management Department (HRMD).

Article 4¹³⁰

In recruiting temporary staff members, the International Bureau shall endeavor to attract a diverse pool of candidates.

Article 5

- (a) Temporary positions of more than six months' duration shall be filled by way of a competitive selection process to be established by HRMD. HRMD and the Hiring Manager shall assess all candidates against the requirements of the JD. All shortlisted candidates shall meet the minimum requirements as outlined in the JD.
- (b) The Director General may authorize an exception to this Article if he or she considers it in the best interests of the International Bureau.

Article 6

Candidates for temporary positions of six months or less shall be jointly sourced by the Hiring Manager and HRMD. All shortlisted candidates shall meet the minimum requirements as outlined in the JD.

Article 7

Candidates who have been selected for a temporary appointment shall be subject to verification of the information they have provided on the application form.

¹³⁰ Amended with effect from January 1, 2017 (please refer to Information Circular No. 34/2016).

ANNEX IV**RULES OF PROCEDURE OF APPOINTMENT BOARDS**Article 1 – Definition

- (a) “Board” or “Boards” shall mean the “Appointment Board(s)” provided for in Regulation 4.10.
- (b) “Hiring Manager” shall mean the Program Manager responsible for the sector or the alternate proposed by the Program Manager to represent him/her.

Article 2 – Constitution ¹³¹

- (a) The Board shall be appointed in accordance with Rule 4.10.1(a), when a post is open to competition. Each Board shall be competent to handle one or more vacancies.
- (b) No staff member may serve on the Board if he or she is a candidate for the vacant post.
- (c) The Director General shall approve the membership of each Board prior to the commencement of its deliberations. The composition of an Appointment Board shall be four voting members as follows:
- (1) Chairperson (or alternate) as proposed by the Administration;
 - (2) Director of HRMD or his/her representative (or alternate); the persons nominated to be authorized representatives shall be listed and distributed to the Staff Council for comment;
 - (3) Hiring Manager (or alternate); and
 - (4) Member (or alternate) as designated from a list of names submitted by the Staff Council.
- (d) HRMD shall provide a non-voting Secretary to the Board.

Article 3 – Procedure ¹³²

- (a) The Secretary shall convene the Board, on behalf of the Chairperson and with the agreement thereof, after each member has been able to acquaint himself/herself appropriately with the file relating to the competition.
- (b) The Board shall deliberate on the basis of the individual application files submitted by the candidates, taking into account the nature of the duties involved and the qualifications required as described in the vacancy announcement. HRMD shall make an advance selection to be submitted to the Board.
- (c) In the case of competitions involving tests, the results of such tests shall be duly taken into account.
- (d) The Board may call for interview those candidates considered most promising after examination of all the documents relating to the competition.

¹³¹ Amended with effect from November 1, 2014 (please refer to Office Instruction No. 55/2014).

¹³² Amended with effect from November 1, 2014 (please refer to Office Instructions Nos. 55/2014 and 57/2014).

- (e) In cases where staff members have submitted applications, the Board may, if it considers it necessary, also examine their performance records.
- (f) In accordance with Rule 4.10.1(c), the deliberations of the Board shall be secret. Any breach of the secrecy concerning these deliberations or information on the individual application files of the candidates shall be governed by the relevant provisions of Chapter X of the Staff Regulations and Rules.
- (g) The Board shall submit its recommendations to the Director General in the form of a written report, the draft of which shall be prepared by the Secretary. The report shall be signed by the Chairperson and by each of the members of the Board. In so far as the standard of applications permits, the Board shall draw up a list of recommended candidates, with the reasons for such recommendations.
- (h) The Chairperson and the three other members shall have one vote when the Board deliberates on the selection of candidates and on the contents of its report. In the event of equally divided votes, the vote of the Chairperson shall prevail.
- (i) Any member who disagrees with the Board's recommendations shall have the right to express his/her opinion in writing, which shall be annexed to the report.
- (j) The Secretary shall bring these Rules of Procedure to the notice of the members of the Board.

ANNEX V¹³³**SPECIFIC RULES APPLICABLE TO STAFF MEMBERS IN PART-TIME EMPLOYMENT**

The Staff Regulations and Rules shall apply to staff members in part-time employment subject to the following rules:

- (a) the entitlements provided for in Regulations 3.1 (salaries), 3.3 and 3.4 (dependency allowances), 3.8 (post adjustment), 3.10 (language allowance), 3.14 (education grant), and 5.3 (home leave), and in the related staff rules and annexes of the Staff Regulations and Rules shall apply to staff members in part-time employment on a *pro rata* basis in relation to their employment rate;
- (b) the pensionable remuneration (Regulation 3.17), as well as the contribution of the International Bureau to the premiums due under the medical insurance scheme (Rule 6.2.1(d)) are the same for staff members in part-time employment as for staff members in full-time employment; however, contributions to the Pension Fund by the International Bureau and by staff members in part-time employment shall be calculated on a *pro rata* basis in relation to their employment rate, as also shall the length of their service for the purposes of benefits from the Pension Fund;
- (c) for the purposes of the application of Regulations 5.1 (annual leave), 9.8 (termination indemnity), 9.9 (repatriation grant), and 9.12 (grant on death), and the related staff rules, the length of service of staff members in part-time employment shall be calculated on a *pro rata* basis in relation to their employment rate; however, for the purposes of calculating the termination indemnity, repatriation grant and grant on death, the separation remuneration as defined in Regulation 9.15 shall not be prorated;
- (d) notwithstanding Regulation 3.12, the hours worked in excess of their normal working schedule by staff members in part-time employment shall be regarded as "overtime." However, for overtime worked by staff members of the General Service category in part-time employment within the limits of the normal working schedule of staff members in full-time employment, the duration of compensatory leave shall be equal to the number of hours of overtime worked, and compensation in cash shall be equivalent to the hourly salary corresponding to the grade and step of the staff member concerned.
- (e) Changes in the staff member's employment rate over the period in which any applicable service credit is accrued shall be taken into account in the calculation of the entitlements under subparagraphs (a) to (c) above.

¹³³ Amended with effect from May 1, 2014 and January 1, 2017 (please refer to Office Instruction No. 21/2014 and Information Circular No. 34/2016).

ANNEX VI¹³⁴**CALCULATION OF TIME LIMITS FOR THE PURPOSES OF CHAPTER X AND CHAPTER XI**

Time limits indicated in Chapter X and Chapter XI shall be calculated according to the following principles:

- (a) Time limits shall start on the day following the day on which the relevant event occurred, including the receipt of a document or communication of a decision. All dates and time limits shall be calculated based on the date at the headquarters of the International Bureau in Geneva.
- (b) When a time limit is expressed as a certain number of days, it shall expire on the day on which the last day of the count has been reached.
- (c) If the expiration of any time limit falls on a Saturday, Sunday or official WIPO holiday, it shall expire on the first working day thereafter.
- (d) When a time limit is suspended, the period of suspension is not included in the computation of time. Example: A staff member has filed an appeal before the Appeal Board and receives the Director General's reply to the appeal on December 15. The rejoinder should normally be submitted within 30 calendar days, that is, by January 14 of the next calendar year (Rule 11.5.3(g)). However, the Appeal Board has an annual recess during the holiday season from December 24 to January 4 (12 calendar days) and during the recess, all time limits before the Appeal Board are suspended for the duration of the recess (Rule 11.5.1(l)). In such a case, the time limit for the submission of the rejoinder is extended by 12 calendar days (i.e., the duration of the recess) and the rejoinder must be submitted by January 26 of the next calendar year. If January 26 is a Saturday, Sunday or WIPO official holiday, paragraph (c) above applies.

¹³⁴ Annex added as an amendment with effect from January 1, 2014 (please refer to Office Instruction No. 43/2013). Amended with effect from January 1, 2016 (please refer to Information Circular No. 30/2015).