

Revision of the Staff Regulations and Staff Rules of WIPO

*An overview of the differences and the rationale for all changes between the text of the proposed SRR
For Reference Purposes Only*

Coordination Committee

INTRODUCTION**Scope and Purpose**

(a) The Staff Regulations 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 personnel policy for recruitment and administration of the Secretariat. The Director General, in his capacity as chief administrative officer, shall, in accordance with Regulation 12.2, establish such Staff Rules consistent with these principles as he considers necessary. The application of these Regulations and Rules shall be the responsibility of the Director General.

(a**bis**) For the purposes of these Regulations and Rules, “staff members” or “staff” shall refer to all staff members of the International Bureau whose contractual relationship is established by a letter of appointment subject to the Staff Regulations approved by the WIPO Coordination Committee and pursuant to Article 9, paragraph 7 of the WIPO Convention, as amended from time to time.

(b) Except where otherwise stated, the Staff Regulations and Rules shall apply to all staff members of the International Bureau with the exception of:

(1) Staff specifically engaged for technical assistance projects ("project personnel") who normally serve in the field and are appointed for periods of less than one year or from one to five years; the conditions of recruitment and service applicable to this category of staff are the subject of specific Rules established by the Director General in the light of the conditions applicable within the United Nations common system;

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), or a fixed-term appointment (as defined in Regulation 4.17), or 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

Scope was redrafted in order to clarify who is a staff member and which Regulations apply to which types of staff members. The new scope lines up the SRR with the WIPO Strategic Realignment Program by focusing on transparency and accountability.

Current Text

Proposed Text

Comments

(c) the Director General shall decide, in each case, to which posts part-time employment may apply, and shall determine by means of specific rules the particular 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.

full-time employment.

Regulation 0.1

Regulation 0.2

Abbreviations

Abbreviations

(a) International Bureau = Secretariat of the Organization as provided for in Article 9 of the Convention Establishing the World Intellectual Property Organization (WIPO).

(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).

No substantive change.

(b) Coordination Committee = body established in accordance with Article 8 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

Regulation 0.3

Currencies and Rate of Exchange

Currencies and Rate of Exchange

(a) All amounts due to staff members stationed at Geneva shall be calculated and paid in Swiss francs; the amounts expressed in dollars of the United States of America in the Staff Regulations and Rules shall be the equivalent of the said amounts in Swiss francs at the official rate of exchange of the United Nations in force at the date on which payment is due.

(a) All amounts due to staff members stationed in Geneva shall be calculated and paid in Swiss francs; the amounts expressed in dollars of the United States of America in the Staff Regulations and Rules shall be the equivalent of the said amounts in Swiss francs at the official rate of exchange of the United Nations in force at the date on which payment is due.

No change

(b) All amounts due to staff members stationed in a country other than Switzerland shall be calculated and paid in the currency of their duty station.

(b) All amounts due to staff members stationed in a country other than Switzerland shall be calculated and paid in the currency of their duty station.

(c) Notwithstanding paragraphs (a) and (b), above, staff members may elect to have their travel advances and settlement of their travel expenses claims made in United States dollars.

(c) Notwithstanding paragraphs (a) and (b), above, staff members may elect to have their travel advances and settlement of their travel expenses claims made in United States dollars.

Current Text

Proposed Text

Comments

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 with the interests of the International Bureau only in view.

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 1.1

No change

Regulation 1.2

Assignment of Staff Members

Staff members shall be assigned to posts according to the needs of the International Bureau, due account being taken of their qualifications as far as possible. The Director General may detach a staff member, with the latter's consent, for the performance of temporary duties outside the International Bureau; such detachment shall in no way affect the application of these Regulations with respect to the rights and obligations of the staff member concerned.

Regulation 1.2

Assignment of Staff Members

Staff members shall be assigned to posts 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

Regulation 1.2

No substantive change – terminology refined and updated. In accordance with Regulation 0.1(c), it is noted that the Regulation does not apply to temporary staff members.

apply to temporary staff members.

Regulation 1.3

Working Hours

While the whole time of staff members is at the disposal of the International Bureau, the normal working week, for staff members in full-time employment, 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.

Rule 1.3.1 – Working Days

(a) [Working Days] Subject to paragraphs (b) and (c), every Monday, Tuesday, Wednesday, Thursday and Friday shall be working days.

(b) [Holidays] Each of the following 10 holidays shall be non-working days: January 1, January 2, Good Friday, Easter Monday, Ascension Day, Whit Monday, Jeûne Genevois, Eid-al-Adha, December 25 and December 26.

(c) [Compensatory Non-Working Days] Where December 25 of a given year falls on a Saturday, December 24, 27, 30 and 31 of that year shall be compensatory non-working days.

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 Days

(a) Subject to paragraphs (b) and (c), 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) At Headquarters, each of the following 10 holidays shall be non-working days: January 1, January 2, Good Friday, Easter Monday, Ascension Day, Whit Monday, Jeûne Genevois, Eid-al-Adha, December 25 and December 26. At other duty stations the official holidays shall be established taking account local conditions and the practices of other locally based organizations of the United Nations common system.

(c) Where December 25 of a given year falls on a Saturday, December 24, 27, 30 and 31 of that year shall be compensatory non-working days. Where December 25 of a given year falls on a

New reference to other duty stations to consider WIPO's external offices in different countries around the world.

Current Text

Proposed Text

Comments

Where December 25 of a given year falls on a Sunday, December 27 and 30 of that year shall be compensatory non-working days. Where December 26 of a given year falls on a Saturday, December 24 and 31 shall be compensatory non-working days.

Sunday, December 27 and 30 of that year shall be compensatory non-working days. Where December 26 of a given year falls on a Saturday, December 24 and 31 shall be compensatory non-working days.

(d) [Presence on Working Days] Every staff member shall be present at work on every working day, except in the case where leave is authorized (Rule 1.3.3(d), Rule 3.9.3(d) and Chapters V and VI).

(d) Every staff member shall be present at work on every working day, except when leave is authorized.

Rule 1.3.2 – Working Time

Rule 1.3.2 – Working Time

(a) [Flexible Working Time] Working time for any staff member following the system of flexible working time (Rule 1.3.3 shall, subject to the application of that Rule, 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 1.3.3(b)(i).

(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.

A number of the provisions regarding working hours have been moved to the level of Office Instructions, as they contained procedural details which were not necessary at the level of the Regulations and Rules.

(b) [Fixed Working Time] Working time for any staff member following the system of fixed working time (Rule 1.3.4) shall be 40 hours per week, not including the lunch break. In that system, the daily working time shall be 8 hours as provided for in Rule 1.3.4(b).

(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(a).

A new paragraph (e) stresses the consequences of abusing the flexitime system, in order to ensure that staff members are aware of their duty to use the system responsibly.

(c) [Weeks with Less than Five Working Days] Where during any week, there are one or more holidays or compensatory non-working days (Rule 1.3.1(b) and (c)), the weekly working time shall be reduced by as many times 8 hours as the number of such days is during that week.

(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 8 hours as provided for in Rule 1.3.4.

(d) [Weeks with Absences on Authorized Leave] Where during any week, the staff member is on authorized leave (Rule 1.3.3(d), Rule 3.9.3(d) and Chapters V and VI), the weekly working time shall be reduced by 8 hours for each day, and by 4 hours for each half day, of such leave.

(e) [Exceptional Presence at Work] Independent of what is provided in paragraphs (a) and (b), any staff member shall be present at work whenever he is requested to do so on account of the exigencies of the service.

(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, and 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

Rule 1.3.3 – Flexible Working Time

(a) [Authorization] Any staff member requesting and authorized to do so by the Director General shall follow the system of flexible working time. Such authorization may be revoked or suspended by the Director General at any time if the exigencies of the service require that the staff member follow the system of fixed 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) [Time of Presence at Work] Any staff member following the system of flexible working time shall be present at work on each working day:

(b) The procedures for the use of the flexible working time system shall be prescribed in an Office Instruction.

(i) during the four and a half hours of the two “core periods”, that is, from 9.15 a.m. to 11.45 a.m. and from 2.15 p.m. to 4.15 p.m., and

(ii) for three and a half hours – or where the flexibility provided in paragraph (d) permits it, for less or more than three and a half hours – but not before 7 a.m. and not after 8 p.m., and not during the lunch break.

(c) [Recording of Presence at Work] The staff member shall record, in a time recording device provided for this purpose, the

time of the day (hour and minute) when he starts and ends his presence at work at Headquarters before lunch break and when he starts and ends his presence at work at Headquarters after the lunch break. If the duration of the lunch break so recorded is less than 30 minutes, the lunch break shall be considered as if it had lasted 30 minutes from the time it had started. If no lunch break has been recorded, the end/start of the core hours (i.e., 11.45 a.m. and 2.15 p.m.) will automatically be registered. Any staff member who interrupts his presence at work at Headquarters for reasons other than for the lunch break (for example, for professional reasons in Geneva outside Headquarters or for a medical appointment) shall also record in the said device the time of the day (hour and minute) when he starts and ends the interruption. The details, including the procedure where the recording device is out of order, shall be fixed in Office Instructions.

(d) [Debit and Credit of Working Time] At the end of each week, the time spent present at work shall be verified. If such time is less than 40 hours (reduced as required pursuant to Rule 1.3.2(c) and (d)), the staff member shall be “debited” with the difference, and if such time is more than 40 hours, the staff member will be “credited” with the difference, provided that:

(ii) the debiting shall take place after deduction of any accumulated credit, including credit leave, and after adding any accumulated debit, shown at the end of the preceding week; if the net result is more than 10 debit hours, the difference shall be considered as unauthorized absence (Rule 1.3.6);

(iii) the crediting shall take place after deduction of any accumulated debit, and after adding any accumulated credit, shown at the end of the preceding week; if the net result is more than 16 credit hours, the credit carried over to the next week shall be 16 hours and the difference shall be forfeited..

In calculating any debit or credit, no account shall be taken of any overtime as defined in Rule 3.9.1. Any staff member who has to his credit between four and 16 hours may,

Current Text

with previous written authorization of his supervisor, be absent from work for one half-day before or after the lunch break and shall, for such absence, be debited by four hours, or he may be absent from work for a full day, and shall be debited by eight hours for such absence, provided that staff members working full-time may take credit leave at intervals of two weeks, and staff members working 80 percent or 50 percent at intervals of three weeks, and also that there are no more than nine such full-days absences, which may be taken in four-hour or eight-hour portions, in any calendar year.

Rule 1.3.4 – Fixed Working Time

(a) [Applicability] Any staff member not following the system of flexible working time shall follow the system of fixed working time.

(b) [Time of Presence at Work] Any staff member following the system of fixed working time shall be present at work on each working day from 8.15 a.m. to 12.15 p.m. and from 2 p.m. to 6 p.m. unless absence is authorized under Rule 1.3.5.

(c) [Change from Flexible to Fixed Working Time] Any staff member following the system of flexible working time may, subject to at least two weeks' notice, elect to follow the system of fixed working time as of the first working day of the month following the date of notice.

Proposed Text

Rule 1.3.4 – Fixed Working Time

Any staff member following a fixed schedule shall have a daily working time of 8 hours excluding lunch break, according to the schedule agreed upon with the supervisor. The schedule shall respect the “core hours” for the fixed working time: 9.15. to 12.00, and 14.15 to 17.00. The lunch break shall be of at least 30 minutes duration.

Comments

The core hours have been revised to provide more flexibility, in order to meet staff and operational needs.

A number of the provisions regarding working hours have been moved to the level of Office Instructions, as they contained procedural details which were not necessary at the level of the Regulations and Rules.

Current Text

Rule 1.3.5 – Authorized Absences

(a) [Definition] Absence from the Headquarters Building is authorized in the cases and under the conditions provided for in paragraphs (b), (c), (d), (e) and (f) and where leave is authorized (Rule 1.3.3(d), Rule 3.9.3(d) and Chapters V and VI).

(b) [Absence for Professional Reasons in Geneva] Absence from the Headquarters Building on official business in Geneva shall be considered as presence at work. The procedural details shall be fixed in Office Instructions.

(c) [Absence on Missions Outside Geneva] Where a staff member is on WIPO mission outside Geneva, he shall be considered as present at work for eight hours per working day, provided that any such staff member in the General Service category shall be present at work at the times indicated by his supervisor. The latter shall keep a record, countersigned by the staff member, of the period during which the staff member was required to be present and was present at work, for the purposes of certifying any overtime.

(d) [Absence for Participating in United Nations Courses] Absence for authorized participation in a class of a course organized by the United Nations Office or a specialized agency

Proposed Text

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.

Comments

A number of the provisions have been moved to the level of Office Instructions, as they contained procedural details which were not necessary at the level of the Regulations and Rules. Reference is made to office premises instead of Headquarters to consider WIPO's external offices in different countries around the world.

Current Text

Proposed Text

Comments

at Geneva shall be regarded as authorized absence if the class is actually attended. Where the staff member follows the system of flexible working time, the time spent at the course shall be considered as time spent at work for as long as it lasts; travel time to and from the course shall not be understood to be working time. The procedural details shall be fixed in Office Instructions.

(e) [Absence for Medical Appointment] Absence for medical appointment shall be regarded as authorized absence. Where the staff member follows the system of flexible working time, the time spent at the medical appointment is considered as presence at work up to a maximum of two hours. The procedural details shall be fixed in Office Instructions.

(f) [Absence for Exceptional and Important Reasons] Any absence for an exceptional and important reason of a staff member following the system of flexible working time requires, if the absence is wholly or in part during a core period, that the staff member takes due account of the demands of work and consult the supervisor. The time of absence shall be regarded as authorized but shall not be considered as time spent at work, and shall be deducted from the annual credit balance of hours intended for that purpose. Any absence that goes beyond that credit balance shall cause the disciplinary measures provided for in Chapter X to be applied

Rule 1.3.6 – Unauthorized Absences

(a) [Definition] Any absence from work during a period during which presence at work is required (including an absence referred to in Rule 1.3.3(b) and Rule 1.3.4(b), and any absence in excess of the maximum time allowed for exceptional and important reasons under Rule 1.3.5(f) shall be considered as unauthorized absence.

(b) [Sanctions] Unauthorized absence shall give rise to the application of the disciplinary measures provided in Chapter X.

Rule 1.3.6 – Unauthorized Absences

(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 shall give rise to the application of the disciplinary measures as provided for in Chapter X.

No substantive change

Current Text

Proposed Text

Comments

Rule 1.3.7 – Special Working Hours

Rule 1.3.7 – Special Working Hours

(a) If the exigencies of the service or the particular nature of a post 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.

(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 the flexible working hours or in those governing the fixed working hours.

(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

Regulation 1.4

Instructions from External Sources

Instructions from External Sources

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

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.

No change

Regulation 1.5

Regulation 1.5

Conduct

Conduct

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.

(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

This Regulation was re-drafted to ensure greater social responsibility on the part of WIPO staff, and to clearly incorporate the ICSC code of conduct, which is applicable to all staff members, as well as to make clear that discrimination, harassment and other forms of abuse would be treated as disciplinary matters.

abuse the power and authority vested in them.

(c) The Standards of Conduct of the International Civil Service, promulgated by the International Civil Service Commission (ICSC), applies to all staff members.

(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.

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 at the workplace or in connection with official functions, is prohibited.

This is a new Rule that strengthens the International Bureau's commitment to a safe and harassment free work place.

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 Organization's property by staff members is permitted.

This Rule codifies the practice of allowing staff to use their work stations etc., for limited personal use.

Regulation 1.6

Activities and Interests Outside the International Bureau

(a) Staff members:

Regulation 1.6

Activities and Interests Outside the International Bureau

(a) Staff Members:

No substantive change – paragraph (d) has been slightly re-formulated for

Current Text

Proposed Text

Comments

(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;

(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;

increased clarity.

(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:

(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;

(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

(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.

(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.

(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.

(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.

(d) Any staff member who, in the course of his duties, has occasion to deal with a matter involving a business or other concern in which he or his spouse or a dependent family member holds a financial interest, shall inform the Director General of the extent of that interest. In the case he has knowledge that a non-dependent child, parent or sibling holds a financial interest in such a business or other concern, he shall also inform the Director General of the existence of that interest.

(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

(e) The ownership of shares in a company shall not be held to

Current Text

Proposed Text

Comments

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.

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:

(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.

- (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 in respect of themselves, their spouses and dependent family members. Such declarations shall be filed upon appointment and at designated intervals. Such declarations shall remain confidential.

(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 dependent 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 deems appropriate, including, where necessary, the requirement to file a declaration as prescribed in paragraph (g),

(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.

Current Text

Proposed Text

Comments

above.

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

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

Regulation 1.7

Regulation 1.7

Communication of Information

Communication of Information

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.

(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 the 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 Audit and 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

This Regulation has been amended to take into account WIPO's new whistle blower policy. The Regulation is high level and is meant to link the staff to the policies that are being implemented by IAOD and the Chief Ethics Officer.

retaliation. 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.

Rule 1.7.1 – Confidential Documents, Information or Material

Rule 1.7.1 – Confidential Documents, Information or Material

Where, by virtue of the provisions of any international agreement administered by the Organization, the International Bureau is entrusted with the task of maintaining the confidential nature of any document, information or material, the Director General may issue special instructions specifying the duties of staff members in respect of the custody of or access by any third parties to such document, information or material and the means of identification of the staff member or staff members concerned. Any material concerning such identification shall be under the control of staff members designated for that purpose by the Director General, shall be used only within the International Bureau and shall not be made accessible to any person or authority outside the International Bureau.

Where, by virtue of the provisions of any international agreement administered by the Organization, 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 approved 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

Regulation 1.8

Honors and Gifts

Honors and Gifts

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 is not incompatible with the staff member's status as an international civil servant. Where the Director General himself is involved, the approval shall be granted by the Coordination Committee.

(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

This Regulation has been amended to incorporate provisions against improper gifting between staff members.

Current Text

Proposed Text

Comments

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

Regulation 1.9

Political Activities

Political Activities

No change

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.

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 in a Political Party

(a) Notwithstanding their obligations to the International Bureau, staff members' membership in a political party is permitted, provided that such membership does not entail action, or an obligation to take action, by the staff member contrary to 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.

This Rule has been added to ensure that staff members will not be penalized for exercising their rights as citizens of their home country.

(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

Regulation 1.10

Privileges and Immunities

Privileges and Immunities

No change.

(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.

(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.

Current Text

Proposed Text

Comments

(b) Staff members in New York shall enjoy the privileges and immunities specified in any United States law and regulations 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 are conferred in the interests of the International Bureau. They do 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 with the interest of the International Bureau only in view, 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, as the case may be) in the presence of the Director General or his authorized representative; the document relating thereto shall be signed in his

(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 are conferred in the interests of the International Bureau. They do 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 International Civil Service Commission Standards of Conduct of the International Civil Service, 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

This Regulation has been amended to firmly establish the link with the conduct required of international civil servants under the ICSC Standards of conduct, as well as to clarify that a new declaration has to be made after a break in service that exceeds three months.

Current Text

Proposed Text

Comments

presence or in the presence of his authorized representative and placed in the file of the staff member. The Director General shall take the oath or make the declaration of loyalty before the General Assembly.

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.

This Rule has been added to make clear staff member's requirements to obey local laws.

CHAPTER II

CHAPTER II

CLASSIFICATION OF POSTS

CLASSIFICATION

Regulation 2.1

Regulation 2.1

Classification

Classification

Regulation 2.1 defines the classification of posts. It is based on the existing Regulation, with further detail added, elaborating WIPO practice.

(a) The importance of the duties and responsibilities attaching to each grade shall be determined by the Director General in the light of the standards for staff in the Professional and Special categories used by the other intergovernmental organizations of the United Nations common system and, for staff in the General Service category, the common standards for Geneva or for New York, and after having sought the advice of a Classification Committee designated by him. The Committee shall be composed of four persons: a chairman, who must be a person with experience of staff matters in intergovernmental organizations and who must not be a staff member of the International Bureau, and three 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 of the International Bureau, or his representative. The grading standards, fixing the level of duties and responsibilities and the requisite qualifications, shall be brought to the notice of the staff.

(a) The nature of the duties and responsibilities attaching to each grade shall be determined by the Director General in light of the standards for staff in the Director, Professional, National Professional Officer, and categories used by the other intergovernmental organizations of the United Nations common system and, for staff in the General Service category, the common standards for Geneva or for New York. The grading standards, fixing the level of duties and responsibilities and the requisite qualifications, shall be brought to the notice of the staff.

Reference to the Classification Committee has been removed here to reflect the practice of using the Committee for encumbered post reclassification only.

Current Text

Proposed Text

Comments

(b) The Director General shall determine the place of each post within the following classification:

Deputy Director General and Assistant Director General categories : unclassified.

Special Category : D-2, D-1.

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

General Service Category: G7, G6, G5, G4, G3, G2 and G1

(b) The Director General shall determine the place of each post within the following classification. 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: 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 Organization, other than those of Deputy Director General and Assistant Director General, according to the nature and level of the duties and responsibilities of the posts and the qualifications required of the staff who occupy them. These provisions shall include the application of the classification standards set by the ICSC. The Classification Committee provided for in Regulation 2.2 shall receive twice yearly reports on the findings and activities of all such classifications.

(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 does not apply to temporary staff members.

Explicit reference is now made to the use of the ICSC standards in line with UN requirements.

In order to increase transparency, the Classification Committee will now be provided twice yearly reports on classification activities.

To reflect the professionalization of the classification function, internal or external classification experts are to be used.

Regulation 2.2

Reclassification of Posts

The Chapter on Classification and Reclassification was entirely redrafted. In line with the core values of accountability for results and governance responsibility, Chapter II

(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 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.

(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;

has been split into three Regulations. This creates transparency for the staff as well as an efficient administrative framework for the International Bureau.

The Regulations spell out when a classification of a post may happen and what the result of a classification of an unencumbered post or the reclassification of an encumbered post may be.

Linking reclassification to organizational planning is a way to ensure that we make the most efficient use of our resources to deliver on expected results.

Greater clarity and transparency are ensured by establishing clear criteria for reclassification.

Posts are not classified in isolation. This allows a more proactive approach to ensure consistency across the Organization.

(3) lead to a higher grade than initially classified by a single grade within the category;

(4) lead to a higher grade than initially classified by more than one grade within the category or across categories.

(e) The Director General shall establish a Classification Committee which shall render advice with respect to the reclassification of encumbered posts. The Classification Committee shall be composed of three persons each with an alternate: a chairman, who must be a person with experience of 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 of the International Bureau, or his representative. The grading standards, fixing the level of duties and responsibilities and the requisite qualifications, shall be brought to the notice of the staff.

(f) This regulation and the rules thereunder shall not apply to temporary staff members.

Rule 2.2.1 – Implementation of Reclassification Decisions

(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 their

The composition of the Committee has been changed to increase efficiency and transparency in its decisions and procedure.

Rule 2.2.1 sets forth the detail of the reclassification process, including the concept of a competition resulting from a reclassification exercise.

This is to ensure that when a post is downgraded, the incumbent is not penalized.

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 member, the Human Resources Management Department [HRMD] shall make the effort to provide the staff member 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 G or P 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 requirement and his or her performance ratings in the PMSDS is effective or above for the two years preceding promotion. As a general rule, reclassification within the D 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 PMSDS is effective or above for the two years preceding promotion. In such an exceptional case, the Director General shall record the reasons 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 D 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 elects not to enter a competition for the reclassified post:

(1) Where the incumbent holds a fixed-term appointment or a permanent or continuing appointment, he or she shall be given the opportunity for a transfer of assignment to another post in accordance with Regulation 4.3, entitled

“Transfers,” pending the appointment of the successful candidate to the reclassified post. If within period before no suitable post is identified, the contract of the incumbent of the reclassified post shall be terminated in accordance with Regulation 9.2.

(d) In cases where the incumbent elects to enter the competition for the reclassified post, but another candidate is selected for the post:

(1) Where the incumbent holds a fixed-term appointment or a permanent or continuing appointment, he or she shall be given the opportunity for a transfer of assignment to another post in accordance with Regulation 4.3, “Transfers,” pending the appointment of the successful candidate to the reclassified post. If within the above period no suitable post is identified, the contract of the incumbent of the reclassified post shall be terminated in accordance with Regulation 9.2.

(e) No encumbered post shall be re-classified more than once with the same incumbent without initiating a competitive promotion process.

(f) The Director General shall have the authority to approve the promotion of staff members resulting from post reclassifications to and within the Professional Category and above. The Director of the HRMD shall have the authority to approve the promotion of staff members within the General Services Category.

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

Regulation 2.3

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

This is an entirely new Regulation and it is proposed in order to formalize the classification of the functions of temporary staff members.

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

(b) The Director General shall assign to each function a suitable grade in any of the following categories. 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: 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

(a) Staff members shall be remunerated by gross salaries, the amounts of which shall be subject to deductions for the purpose of internal taxation, as indicated in Regulation 3.16*bis*, 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

CHAPTER III

SALARIES AND ALLOWANCES

Regulation 3.1

Salaries

(a) Staff members shall be remunerated in 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

No substantive change.

Current Text

Proposed Text

Comments

(In force as from November 1, 1997)

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

Deputy Directors General

(In force as from October 1, 1992)

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

Assistant Directors General

(In force as from October 1, 1992)

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

(In force as from November 1, 1997)

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

(In force as from October 1, 1992)

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

Assistant Directors General

(In force as from October 1, 1992)

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

(c) Salary Scales in force for staff members shall be prescribed in Annex II.

Regulation 3.2

Dependency

(a) "Dependent spouse" shall be a spouse whose gross annual occupational earnings, if any, are less than or equal to the gross annual salary corresponding to the first step of grade G1 of the General Service category which is applicable to the spouse's place of work, and which is in force on January 1 of the year concerned. In the case of staff members in the Professional and higher categories, however, the said gross annual occupational earnings shall not be, at any place of work, less than the equivalent of 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. If the gross annual occupational earnings of the spouse exceed the relevant above-mentioned salary limits by an amount which is less

Regulation 3.2

Dependency

(a) A "dependent spouse" shall mean a spouse whose gross annual occupational earnings, if any, are less than or equal to the gross annual salary corresponding to the first step of grade G1 of the General Service category which is applicable to the spouse's place of work, and which is in force on January 1 of the year concerned. For staff members in the Professional and higher categories, however, the said gross annual occupational earnings shall not be, at any place of work, less than the equivalent of 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. If the gross annual occupational earnings of the spouse exceed the relevant above-mentioned salary limits by an amount which is less than the amount of the appropriate dependency

No substantive change.

than the amount of the appropriate dependency benefit payable for him, the spouse shall still be deemed to be a dependent, 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 dependent.

(b) "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 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, in respect of whom there is documentary evidence that legal adoption is not possible, and for whom the staff member has continuing legal responsibility.

(c) The staff member is required to produce satisfactory documentary evidence that he provides 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 the amount required for his or her support, and in any case a sum double that of the allowance under Regulation 3.12(A)(b) or (B)(d). A brother or sister

benefit payable to him or her, the spouse shall still be deemed to be a dependent, 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 dependent.

(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 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 are 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 the amount required for his or her support, and in any case a sum double that of the allowance under Regulation 3.3(b) or Regulation 3.4(d). 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

Current Text

Proposed Text

Comments

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 in respect of 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 satisfactory.

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.

(f) The subject matter of this Regulation and the rules there under shall not apply to temporary staff members unless otherwise prescribed by a rule.

Rule 3.2.1 – Dependency for Temporary Staff Members

The International Bureau shall recognize the dependent spouse and dependent children of temporary staff members, subject to the eligibility criteria prescribed in paragraphs (a), (b) (c) and (e) of the above regulation. The International Bureau shall not recognize the secondary dependants of temporary staff members.

Rule 3.2.1 has been added to reflect in the conditions of service of temporary staff the recognition of their dependent spouses and children and the granting of dependency allowances for the same.

Regulation 3.3

Initial Salary

A staff member shall be appointed at the starting salary of his grade unless the Director General decides that his experience and other qualifications for the duties and responsibilities attaching to his post justify a higher step in that grade. The Director General shall report to the following session of the Coordination Committee when he proposes to take such a decision.

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 there under shall not apply to temporary staff members unless otherwise prescribed by Rule 3.5.1 entitled "Initial Salary for Temporary Staff Members".

No substantive change, clarification added to reflect specificities of various appointment types.

Rule 3.5.1 – Initial Salary for Temporary Staff Members

Temporary staff members shall be appointed at the starting

Rule 3.5.1 has been added to apply the

salary of the equivalent grade at the level at which their function 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.

same principles to the fixing of the initial salary of temporary staff members as to that of fixed term under Regulation 3.3, to ensure consistency in the grading and salaries of staff.

Regulation 3.4

Regulation 3.6

Advancement within Grade

Advancement within Grade

(a) Subject to satisfactory service, staff members shall receive annual salary increases according to the steps provided in Regulation 3.1. However, for staff members of grade D-2 the interval shall be two years, for staff members of grade D-1 it shall be two years from step 4 onwards, for staff members of grade P-5 it shall be two years from step 10 onwards, for staff members of grade P-4 it shall be two years from step 12 onwards, for staff members of grade P-3 it shall be two years from step 13 onwards and for staff members of grade P-2 it shall be two years from step 11.

(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 of grade D-2 the interval shall be two years, for staff members of grade D-1 it shall be two years from step 4 onwards, for staff members of grade P-5 it shall be two years from step 10 onwards, for staff members of grade P-4 it shall be two years from step 12 onwards, for staff members of grade P-3 it shall be two years from step 13 onwards and for staff members of grade P-2 it shall be two years from step 11.

(b) The interval shall be reduced to ten months instead of one year, or 20 months instead of two years, in the case of staff members in the Professional and Special categories, except staff members in language posts, who have an adequate and confirmed knowledge of two of the following languages: Arabic, Chinese, English, French, German, Japanese, Russian and Spanish.

(b) The interval shall be reduced to ten months instead of one year, or 20 months instead of two years, in the case of staff members in the Professional and Director categories, except staff members in language posts, who have an adequate and confirmed knowledge of two of the following languages: Arabic, Chinese, English, French, German, Japanese, Korean, Portuguese, Russian and Spanish.

The new PCT publication languages Korean and Portuguese have been added to the list of languages for which an allowance may be granted, to encourage WIPO staff to gain proficiency in these languages.

(c) 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".

Rule 3.4.1 – Salary Increments

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

(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.

superiors.

(b) Periodical salary increments shall be effective as 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 when the staff member is promoted in accordance with the provisions of Rule 3.4.2. A staff member who resumes his duties after a period of leave without pay shall be entitled to a salary increment only as from the first day of the month in respect of which his 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 last increment. When a staff member whose service has not been satisfactory is moved to a post with a lower remuneration, he shall be entitled to a periodical salary increment only if his service in the latter post is satisfactory.

(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 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 Members

Temporary staff members shall be eligible for the award of one step in their grade from the second year of service.

Rule 3.6.2 – In the interests of equality and recognizing staff contribution, temporary staff members whose performance is effective shall be eligible for one additional step in their grade from the second year of service

Rule 3.4.2 – Salary on Promotion

(1) For staff members in the General Service category, during the year following promotion, the salary of a staff member in continuous service shall be so determined that he receives, in addition to the sum which he would have received if he had not been promoted, an amount corresponding to one step of his new grade; however, if the salary at the first step of

Rule 3.6.3 – Salary on Promotion

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

(a) For staff members in continuous service in the General Service category, during the year following promotion, salary shall be determined so that they receive, in addition to the sum which they would have received had they not been promoted, an amount corresponding to one step of their new grade; however, if the salary at the first step of the new grade gives them a greater

Current Text

the new grade gives him a greater increase, he shall be entitled to that salary. The step and the date of the periodical salary increment in the higher grade shall be fixed accordingly.

(2) If, as a result of promotion, a staff member loses his entitlement to non-resident allowance or language allowance, the amount involved shall be added to the salary which he received prior to promotion in order to determine, in accordance with paragraph (1) above, the step to which he is entitled and the date of his next periodical salary increment.

(3) For staff members in the Professional and higher categories, the step of a promoted staff member shall be the lowest in his new grade which will provide an increase in salary at least equal to that which would have resulted from the granting of two steps in his old grade. Subject to Regulation 3.4(b), the date of the periodical salary increment in the higher grade shall be the anniversary date of the promotion .

Regulation 3.4bis

Long-Service Step

Staff members in the General Service category, who have completed at least twenty 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.

Proposed Text

increase, they shall be entitled to that salary. The step and the date of the periodical salary increment in the higher grade shall be fixed accordingly.

(b) For staff members in the 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. Subject to Regulation 3.6(b), the date of the periodical salary increment in the higher grade shall be the effective date of the promotion.

(c) Where a staff member is promoted from the General Service 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:

(2) The net amount of any allowance which is pensionable and which the staff member received while serving in the General Service or related categories;

(3) Any post adjustment at the single rate applicable to the grade/step in the Professional category to which the staff member is promoted.

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

Regulation 3.7

Long-Service Step

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.

Comments

No substantive change.

Current Text

Regulation 3.5

Post Adjustment

(a) The 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 base salary at the dependency or single rate by a multiplier reflecting the post adjustment classification established for the duty station by the International Civil Service Commission, and the effective date of any change in the multiplier shall be as fixed by the said Commission.

(b) The "dependency rate" shall apply to any staff member who has a dependent spouse or at least one dependent child. The place of residence of the dependant is irrelevant. Whenever the dependency rate does not apply, the "single rate" shall apply.

(c) Where two staff members of WIPO entitled to post adjustment are spouses and they have, or one of them has, a dependent child, the dependency rate shall apply to the staff member having the higher remuneration and the single rate shall apply to the staff member having the lower remuneration.

(d) Where a staff member of WIPO has a spouse who is a staff member of another organization within the common system of the United Nations, where they are both entitled to post adjustment and they have, or one of them has, a dependent child, the dependency rate shall apply to the WIPO staff member if the other organization applies the single rate to the spouse, whereas the single rate shall apply to the WIPO staff member if the other organization applies the dependency rate to the spouse, it being understood that WIPO shall always seek to agree with the other organization that the dependency rate be applied to that one of the spouses who has the higher remuneration.

(e) While the salary of a staff member is subject to the post adjustment of his duty station during assignments for one year or more, the Director General may introduce alternative arrangements under

Proposed Text

Regulation 3.8

Post Adjustment

(a) The 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 base salary at the dependency or single rate 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) The "dependency rate" shall apply to any staff member who has a dependent spouse or at least one dependent child. The place of residence of the dependant is irrelevant. Whenever the dependency rate does not apply, the "single rate" shall apply.

(c) Where spouses are both entitled to post adjustment and at least one of them has a dependent child, the dependency rate shall apply to the staff member having the higher remuneration and the single rate shall apply to the staff member having the lower remuneration.

(1) Where a staff member has a spouse who is a staff member of another organization within the United Nations common system, where they are both entitled to post adjustment and at least one of them has a dependent child, the dependency rate shall apply to the staff member if the other organization applies the single rate to the spouse, whereas the single rate shall apply to the staff member if the other organization applies the dependency rate to the spouse, it being understood that the International Bureau shall always seek to agree with the other organization that the dependency rate be applied to that one of the spouses who has the higher remuneration.

(d) 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

Comments

No substantive change.

Current Text

Proposed Text

Comments

the following circumstances:

- (i) A staff member who is assigned to a duty station classified lower in the post adjustment schedule than the duty station in which he has been serving for more than twelve months may continue to receive, for up to six months, the post adjustment applicable to the former duty station while members of his immediate family (spouse and dependent children) remain at that duty station.

When a staff member is assigned to a duty station for less than twelve 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 assignment grant and the non-removal allowance under Rules 7.1.18(a) to (d) or, in lieu of the above, to authorize appropriate travel subsistence allowance in accordance with Rules 7.1.14 to 7.1.16

Regulation 3.5bis

Rental Subsidy

Internationally recruited staff members in the Professional and higher categories, with effect from April 1, 1983, and in the General Service category, with effect from September 1, 1983, shall be eligible to receive a rental subsidy for an amount and under such conditions as are established by the International Civil Service Commission. The details shall be set forth by Office Instruction.

Regulation 3.6

Non-Resident Allowance

- (a) Staff members in the General Service category who are not locally recruited within the meaning of Chapter IV and whose appointment took effect prior to September 1, 1983, shall receive a non-resident allowance which shall form part of their base salaries

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 assignment grant and the non-removal allowance under Rules 7.3.2(a) and (d) 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.

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.

No change.

The Regulation and Rule on non-resident allowance have been deleted, as there are no longer any General Service staff in service whose appointments took effect prior to September 1, 1983.

and shall be pensionable.

- (b) The non-resident allowance is 1,800 Swiss francs per annum.

Rule 3.6.1 – Non-Resident Allowance

The non-resident 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.

Regulation 3.7

Language Allowance

- (a) A pensionable language allowance may be paid to staff members in the General Service category who pass an examination organized for the purpose by the Director General and who demonstrate proficiency in one or two of the following languages: Arabic, Chinese, English, French, German, Japanese, Russian and Spanish. The allowance shall not be payable for the staff member's mother tongue nor for any language in which the Director General considers that the staff member is required to be fully proficient by the terms of his appointment.

- (b) The allowance is 4,788 Swiss francs (US\$ 3,222 in New York) per annum for proficiency in any two of the languages mentioned in paragraph (a) above, and 3,192 Swiss francs⁵ (US\$ 2,148 in New York⁶) per annum for proficiency in any one of them, subject to the provisions contained in the said paragraph.

Rule 3.7.1 – Language Allowance

- (a) Examinations for the award of language allowances shall be held at least once a year.

- (b) Staff members in receipt of 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

Regulation 3.10

Language Allowance

- (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. 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) 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.

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

Rule 3.7.1 – Language Allowance

- (a) Examinations for the award of language allowances shall be held at least once a year.

- (b) 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

As above, the new PCT publication languages Korean and Portuguese have been added to the list of languages for which an allowance may be granted, to encourage WIPO staff to gain proficiency in these languages.

Current Text

allowance.

(c) 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.

Regulation 3.8

Special Post Allowance

(a) A non-pensionable special post allowance shall be paid to any staff member who is temporarily required to assume the responsibilities and duties of an existing post of a grade higher than that of the post normally occupied by him. This allowance shall be payable as from the date on which the staff member has performed for a period of six months the duties of the higher-grade post which were entrusted to him.

(b) As an exceptional measure, when temporary additional work has to be performed, for example during conferences, the Director General is authorized to pay the special post allowance as 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 had been promoted to the grade of the post in which he is serving.

Proposed Text

in the languages for which they receive the allowance.

(c) 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.

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

Regulation 3.11

Special Post Allowance

(a) A non-pensionable special post allowance shall be paid to any staff member on a fixed-term, permanent or continuing contract who is temporarily required to assume the responsibilities and duties of a vacant post of a grade higher than that of the post he or she occupies. This allowance shall be payable as from the date the staff member has performed for a continuing period of six 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 is 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 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 reason and the steps planned to fill the vacant post in writing. In no event shall such further extension exceed 12 months.

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

Comments

A 12-month limit has been placed on the length of time that a Special Post Allowance may be granted (with an exceptional extension of 12 months). Beyond this time, the appropriate mechanism for recognizing additional responsibilities and duties at a higher level would be through reclassification. This will enable the Organization to accurately reflect its grade structure.

Current Text

Proposed Text

Comments

Regulation 3.9

Regulation 3.12.1

Overtime

Overtime

No substantive change.

(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 laid down in the Staff Rules.

(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, staff members in the Professional and higher categories who have been required to work overtime for substantial or recurrent periods may be granted compensatory leave.

(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 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 worked on the instructions of the superior responsible for the staff member concerned.

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

Rule 3.9.1 – Overtime

Rule 3.12.1 – Overtime

(a) [System of Flexible Working Time] For any staff member following the system of flexible working time, the following shall be regarded as overtime:

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

- (2) time spent at work on a non-working day;
- (3) time spent at work on a working day before 7 a.m. or after 8 p.m.;
- (4) time spent at work on a working day between 7 a.m. and 8 p.m. (outside the core periods and the lunch break) to the extent to which that time exceeds both 8 hours of time spent at work on that day and 40 hours of

- (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 of time spent at work on that day and 40 hours of time spent at work by the end of the week.

time 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:

(b) [System of Fixed Working Time] For any staff member following the system of fixed working time, the following shall be regarded as overtime:

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

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

(2) Time spent at work outside the working hours referred to in Rule 1.3.4.

(6) time spent at work outside the working hours referred to in Rule 1.3.4(b).

(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.

(c) [Requirements] 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 3.9.2 – Special Overtime and Ordinary Overtime

Rule 3.12.2 – Special Overtime and Ordinary Overtime

Overtime worked before 7 a.m. and after 8 p.m., or on Saturdays before 7 a.m. and after 1 p.m., or on Sundays or official holidays, shall be regarded as *special* overtime. Other overtime shall be regarded as *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 3.9.3 – Compensation for Overtime for Staff Members in the General Service Category

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. Such 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 superior responsible for the staff member concerned certifies that, owing to exceptional circumstances, 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. The staff member may, however, choose to be compensated in cash after a period of two months if the superior responsible for him certifies that the exigencies of the service have not permitted the grant of compensatory leave within that period. The part of overtime worked which exceeds 100 hours within the calendar year in accordance with special authorization procedures to be fixed by

(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

Current Text

Proposed Text

Comments

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.

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) The duration of 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.

(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 30 minutes being disregarded.

(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] 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.

(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 3.10

Regulation 3.13

Night Differential

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 8 p.m. and 7 a.m. shall receive a night differential in respect of the work performed during that period, provided that more than four hours of night work are performed in one calendar week.

(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.

No substantive change.

(b) Night differential shall be payable at a rate equal to 25 percent of the staff member's base salary.

(b) 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 night differential.

(c) Hours spent by a staff member on leave or on official travel shall not be taken into account in determining entitlement to night differential.

(d) Night differential shall not be paid for hours of work which

(d) Night differential shall not be paid for work which entitles the staff

Current Text

Proposed Text

Comments

entitle the staff member concerned to overtime payment or compensatory leave.

(e) In the calculation of 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 beyond 8 p.m. without a break for an evening meal, or to work overtime beyond 11 p.m., or to work at least two hours' overtime after a tour of duty ending later than 8 p.m., shall be paid an additional sum of 4.50 Swiss francs to cover the cost of refreshment during night work.

(g) The provisions of this Regulation shall not apply to staff members specifically engaged for night work.

Regulation 3.11

Education Grant

(a) Any staff member recruited internationally within the meaning of Regulation 4.5 whose duty station is not in his home country shall be entitled, within the limits prescribed by the Staff 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 at a full time schedule. The amount of the grant is specified in the Staff Rules.

(b) The grant shall be paid in respect of a child who is dependent on the staff member for main and continuing support to the end of the fourth year of post secondary school studies, 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 scholastic 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. Entitlement to the education grant may also result in entitlement to the travel costs referred to in paragraph (d), below, in respect of the same scholastic year.

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 Grant

(a) Any staff member recruited internationally within the meaning of Regulation 4.6 whose duty station is not 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 at a full time schedule. The amount of the grant is specified in the Staff Regulations and Rules.

(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 fourth year of post secondary school studies, 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 scholastic 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. Entitlement to the education grant may also result in entitlement to the travel costs referred to in paragraph (d), below, for the same scholastic year.

No substantive change.

(c) A special education grant may be paid in respect of a staff member 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 in overcoming the disability. The amount of the grant is specified in the Staff Rules and is not cumulative to the grant payable under paragraph (a) above.

(d) The International Bureau may also pay, once in every scholastic year, the cost of the outward and return journey of each child who is dependent on the staff member for main and continuing support between the place where the educational institution which he attends is located and the staff member's duty station.

(e) An education grant may also be paid, under the conditions prescribed by the Staff Rules, 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.

Rule 3.11.1 – Education Grant

(A) Definitions

For the purposes of Regulation 3.11 and of this Rule:

(a) "Home country" shall mean the country of home leave of the staff member. 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) When the place of assignment is Geneva, the term "duty station" shall mean the area within a radius of 25 kilometers from Geneva.

(c) "Cost of attendance" shall include enrolment fees and the cost of prescribed textbooks, courses, examinations and diplomas, but not boarding fees, school uniforms and optional

(c) A special education grant may be paid to a staff member 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 grant is specified in the Staff Regulations and Rules and is not cumulative with the grant payable under paragraph (a) above.

(d) The International Bureau may also pay, once in every scholastic year, the cost of the outward and return journey of each child who is dependent on the staff member for main and continuing support between the place where the educational institution which he or she attends is located and the staff member's duty station.

(e) An education grant may also be paid, under the conditions prescribed by the Staff Regulations and Rules, 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 shall not apply to temporary staff members.

Rule 3.14.1 – Definitions

For the purposes of Regulation 3.14 and Rule 3.14.1 to Rule 3.14.5:

(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) When the place of assignment is Geneva, the term "duty station" shall mean the area within a reasonable commuting distance from Geneva.

(c) "Cost of attendance" shall include enrolment fees and the cost of prescribed textbooks, courses, examinations and diplomas, but not boarding fees, school uniforms and optional charges. The

Current Text

charges. The cost of attendance may, if justified by local conditions, include the cost of midday meals, surveillance during the midday break and the cost of daily group transportation, if these activities are provided by the educational institution.

(B) Limits of Eligibility

- (a) The education grant shall not be paid in respect of:
- (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 substitute for 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) private tuition, with the exception of:
 - (i) teaching of a language of the home country of the staff member when satisfactory school facilities for learning that language are not available at the duty station;
 - (ii) teaching of the language of the duty station when prescribed by the local school as a pre-condition for admitting the child to the grade corresponding to the grade he had reached before arrival at the duty station;
 - (iii) special coaching in a subject taught by the school or in any additional academic subject not included in the school curriculum but required by the educational

Proposed Text

cost of attendance may, if justified by local conditions, include the cost of midday meals, surveillance during the midday break and the cost of daily group transportation, if these activities are provided by the educational institution.

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

Rule 3.14.2 – Limits of Eligibility

- (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 substitute for 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 a language of the home country of the staff member when satisfactory school facilities for learning that language are not available at the duty station;
 - (ii) teaching of the language of the duty station when prescribed by the local school as a pre-condition for admitting the child to the grade corresponding to the grade he or she had reached

Comments

Current Text

institution for the pursuit of the child's subsequent education;

(iv) private tuition to supplement the correspondence courses allowable under Rule 3.11.1(B)(a)(3), above;

(v) special teaching or training for a disabled child within the scope of Regulation 3.11(c);

(5) vocational training or apprenticeship which either do not entail regular attendance at an educational institution or provide payment for the services rendered.

(b) The Director General shall decide in each case whether the education grant is to be paid for the teaching of the mother tongue. Any tuition listed under Rule 3.11.1(B)(a)(4), 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 family. The staff member will be required to present justification of the teacher's certification.

(C) Amount of the Grant

(a) The amount of the grant shall be computed at 75 per cent of admissible expenses up to the maximum specified in the table below [OMITTED], it being understood that the total amount of the grant in any one scholastic year shall not exceed the maximum shown in the same table in respect of each child who is dependent on the staff member for main and continuing support.

(b) In the case of attendance at an educational institution outside the duty station, admissible expenses shall be,

(1) if the institution provides board for the dependent child:

Proposed Text

before arrival at the duty station;

(iii) special coaching in a subject taught by the school or in any additional academic subject not included in the school curriculum but required by the educational institution for the pursuit of the child's subsequent education;

(iv) private tuition to supplement the correspondence courses allowable under Rule 3.14.2(a)(3), above;

(v) special teaching or training for a disabled child within the scope of Regulation 3.14(c);

(b) The Director General shall decide in each case whether the education grant is to be paid for the teaching of the language of the home country. 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 Grant

(a) The amount of the grant shall be computed at 75 per cent of admissible expenses up to the maximum specified in Annex II, it being understood that the total amount of the grant in any one scholastic year shall not exceed the maximum shown in Annex II, for each child who is dependent on the staff member for main and continuing support.

(b) For attendance at an educational institution outside the duty station, admissible expenses shall be,

(1) If the institution provides board for the dependent

Comments

the cost of attendance and board;

(2) if the institution does not provide board for the dependent child: the cost of attendance. However, in this case the staff member shall receive a lump sum in respect of boarding expenses as specified in the table below, plus 75 per cent of the cost of attendance, up to the corresponding maximum total grant shown in the same table.

(c) In the case of attendance at an educational institution in the area of the duty station, admissible expenses shall be the cost of attendance.

(d) Where attendance at an educational institution is for less than two thirds of the scholastic year, the amount of the grant shall be that proportion of the annual grant which the period of attendance bears to the full scholastic year.

(e) Where a staff member's period of service does not cover the full scholastic year, the amount of the grant shall be that proportion of the annual grant which the period of service bears to the full scholastic year. No prorating shall be made when the staff member dies while in service after the beginning of the scholastic year.

(f) The total education grant for private tuition activities listed under Rule 3.11.1 (B)(a)(4)(i) – (iv) and/or for authorized correspondence courses under Rule 3.11.1 (B)(a)(3) may be paid on the basis of 75 per cent of the actual costs up to a total maximum reimbursement per scholastic year in respect of each eligible child corresponding to 25 per cent of the applicable maximum amount of the education grant shown in the table below in the cases of individual tuition; in the cases of collective tuition (group of two or more children), payment shall be made on the basis of 75 per cent of the actual costs up to a total maximum reimbursement per scholastic year in respect of each eligible child corresponding to 12.5 per cent of the applicable maximum amount of the education grant shown in the table below.

(g) The amount of the special education grant referred to in Staff Regulation 3.11(c) shall be equal to 100 per cent of admissible expenses up to the applicable maximum grant shown in the table

child: the cost of attendance and board;

(2) If the institution does not provide board for the dependent child: the cost of attendance. However, in this case the staff member shall receive a lump sum for boarding expenses as specified in the table appearing in Annex II, plus 75 per cent of the cost of attendance, up to the corresponding maximum total grant shown in the same table.

(c) In the case of attendance at an educational institution in the area of the duty station, admissible expenses shall be the cost of attendance.

(d) Where attendance at an educational institution is for less than two thirds of the scholastic year, the amount of the grant shall be that proportion of the annual grant, the period of which attendance bears to the full scholastic year.

(e) Where a staff member's period of service does not cover the full scholastic year, the amount of the grant shall be that proportion of the annual grant, the period of which service bears to the full scholastic year. No prorating shall be made when the staff member dies while in service after the beginning of the scholastic year.

(f) The total education grant for private tuition activities listed under Rule 3.14.2(a)(5)(i) – (iv) and/or for authorized correspondence courses under Rule 3.14.2 (a)(3) may be paid on the basis of 75 per cent of the actual costs up to a total maximum reimbursement per scholastic year for each eligible child corresponding to 25 per cent of the applicable maximum amount of the education grant shown in Annex II, in the cases of individual tuition; in the cases of collective tuition (a group of two or more children), payment shall be made on the basis of 75 per cent of the actual costs up to a total maximum reimbursement per scholastic year for each eligible child corresponding to 12.5 per cent of the applicable maximum amount of the education grant shown in the same annex.

(g) The amount of the special education grant referred to in Regulation 3.14(c) shall be equal to 100 per cent of admissible expenses up to the applicable maximum grant shown in the annex

below for the special education grant.

(h) Advances equal to the estimated amount of the education grant may be granted as from the beginning of each scholastic year.

(i) Notwithstanding Staff Regulation 0.2(a) and (b), staff members may claim reimbursement of admissible expenses incurred in one of the currencies indicated in the table below either in the said currency or in the currency of their duty station. Payment of the amount reimbursable in the currency of their duty station will be made using the United Nations rate of exchange in force at the time that the expenses are incurred.

(D) Travel

Travel expenses between the educational institution and the duty station shall be paid by the International Bureau for each child who is dependent on the staff member for main and continuing support, subject to the following provisions:

(a) 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 dependants, or because the visit would be too short to justify the expenses involved.

(b) Travel expenses shall not normally be payable if the child attends the educational institution for less than two-thirds of the scholastic year.

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

for the special education grant.

(h) Advances equal to the estimated amount of the education grant may be advanced as from the beginning of each scholastic year.

(i) Notwithstanding Regulations 0.3, staff members may claim reimbursement of admissible expenses incurred in one of the currencies indicated in Annex II, either in the said currency or in the currency of their duty station. Payment of the amount reimbursable in the currency of their duty station will be made using the United Nations rate of exchange in force at the time that the expenses are incurred.

(j) This rule shall not apply to temporary staff members.

Rule 3.14.4 – Education Grant Travel

(a) Travel expenses between the educational institution and the duty station shall be paid by the International Bureau for each child who is dependent on the staff member for main and continuing support, 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 scholastic year.

(3) The 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. The amount paid shall not exceed the cost of such journey between the staff

member's recognized home and the duty station.

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

(E) Applications for Grants

Rule 3.14.5 – Applications for Grants

Staff members shall submit applications for education grant and advances related thereto in writing, together with such supporting evidence of estimated costs, presence and inscription, as the Director General may request.

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

Regulation 3.12

Regulation 3.3

Dependency Allowances

Dependency Allowances for Staff Members in the Professional and Higher Categories

(A) Staff members in the Professional and higher categories

Staff members in the Professional and higher categories shall be entitled to the following non-pensionable allowances under the conditions set forth below:

No substantive change. The amounts specified under the SRR are proposed to be moved to an Annex for ease of reference as well as maintenance.

(a) 2,785 Swiss francs (US\$ 2,929 outside Geneva) per annum in respect of each dependent child, except that the allowance shall not be paid in respect of the first dependent child if the staff member has no dependent spouse, in which case the staff member shall be entitled to the dependency rate of staff assessment provided for in Regulation 3.16bis(a)(1)(i).

(a) The amount as provided in Annex II, for each dependent child, except that the allowance shall not be paid for the first dependent child if the staff member has no dependent spouse, in which case the staff member shall be entitled to the dependency rate of staff assessment provided for in Regulation 3.19(a)(1).

(b) In addition to any amount payable pursuant to paragraph (a) above, 2,785 Swiss francs³ (US\$ 2,929 outside Geneva⁴) per annum in respect of a child who is determined to be physically or mentally disabled either permanently or for a period expected to be of long duration. If the child is a dependant in respect of whom the staff member is entitled to the dependency rate of staff assessment provided for in Regulation 3.16bis(a)(1)(i), only the amount pursuant to paragraph (a), above, shall be payable.

(b) In addition to any amount payable pursuant to paragraph (a) 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. If the child is a dependant in respect of whom the staff member is entitled to the dependency rate of staff assessment provided for in Regulation 3.19(a)(1), only the amount pursuant to paragraph (a), above, shall be payable.

(c) The allowance provided for under paragraph (a) above, increased, where applicable, by the amount of the allowance provided

(c) The allowance provided for under paragraph (a) above, increased, where applicable, by the amount of the allowance provided for under

Current Text

Proposed Text

Comments

for under paragraph (b) above, shall be reduced by the amount of any other dependency allowance received from the International Bureau, from another organization in the United Nations common system or from a national public authority, by the staff member or the staff member's spouse.

(d) Where there is no dependent spouse, 975 Swiss francs ³ (US\$ 1,025 outside Geneva ⁴) per annum in respect of one of the following persons: a dependent parent, a dependent brother or a dependent sister.

(B) Staff members in the General Service category

Staff members in the General Service category shall be entitled to the following non-pensionable allowances under the conditions set forth below:

(a) 6,526 Swiss francs (US\$ 3,336 in New York) per annum in respect of a dependent spouse, subject to the application of Regulation 3.2(a).

(b) 5,025 Swiss francs (US\$ 2,083 in New York) per annum in respect of each dependent child.

(c) Where there is no spouse, the allowance in respect of the first dependent child shall be 9,321 Swiss francs ⁵ (US\$ 2,879 in New York ⁷) per annum.

paragraph (b) above, shall be reduced by the amount of any other dependency allowance received from the International Bureau, from another organization in the United Nations common system or from a national public authority, by the staff member or the staff member's spouse.

(d) 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.

Regulation 3.4

Dependency Allowances for Staff Members in the General Service Category

Staff members in the General Service category shall be entitled to the following non-pensionable allowances under the conditions set forth below:

(a) The amount as provided in Annex II, per annum for a dependent spouse, subject to the application of Regulation 3.2(a).

(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.

No substantive change. The amounts specified under the SRR are proposed to be moved to an Annex for ease of reference as well as maintenance.

Current Text

Proposed Text

Comments

(d) In addition to any amount payable pursuant to paragraph (b) or (c) above, 5,025 Swiss francs (US\$ 2,083 in New York) per annum in respect of 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 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, from another organization in the United Nations common system or from a national authority, by the staff member or the staff member's spouse.

(f) Where there is no dependent spouse, 1,635 Swiss francs ¹ (US\$ 1,257 in New York) per annum in respect of one of the following persons: a dependent parent, a dependent brother or a dependent sister.

(g) Locally recruited staff members in the General Service category may be eligible for the reimbursement of the education levy applied by the Canton of Geneva, under conditions established by Office Instruction.

(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.

(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, from another organization in the United Nations common system or from a national authority, 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.

(g) Locally recruited staff members in the General Service category shall be eligible for the reimbursement of the education levy applied by the Canton of Geneva and the Canton of Vaud, under conditions to be prescribed by an Office Instruction.

Eligible staff will also be reimbursed for education levy in the canton of Vaud, to ensure equitable application within the duty station.

Regulation 3.13

Salary Advances

(a) Salary advances may be granted under the following circumstances and conditions:

(1) where a new staff member lacks sufficient funds on taking up his 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

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

No substantive change.

Current Text

Proposed Text

Comments

justification of his request.

of his or her request.

(b) Salary advances granted under subparagraphs (1) and (3) above may not exceed the amount of two months' salary.

(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.

(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 3.14

Regulation 3.16

Information Concerning Salaries

Information Concerning Salaries

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

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

No change.

Regulation 3.15

Regulation 3.17

Pensionable Remuneration

Pensionable Remuneration

(a) "Pensionable remuneration" – the basis for pension benefits and for contributions of the International Bureau and of staff members to the Pension Fund – shall, subject to the terms of the staff member's appointment, and subject to paragraph (b) of the Regulation 6.1 be the amount defined in the Regulations of the United Nations Joint Staff Pension Fund.

(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, and subject to paragraph (b) of Regulation 6.1, be the amount defined in the Regulations of the United Nations Joint Staff Pension Fund.

No substantive change.

(b) Where, as a result of a variation in the exchange rate between the Swiss and the United States currencies, the amount of the pensionable remuneration of a staff member, whose appointment took effect before October 1, 1975, as expressed in Swiss francs would, for any given month, be less than for the preceding month, the latter amount shall continue to be the amount of the pensionable remuneration until the month for which, for any reason, the staff member's pensionable remuneration reaches the amount applicable prior to the said variation.

(b) Where, as a result of a variation in the exchange rate between the Swiss and the United States currencies, the amount of the pensionable remuneration of a staff member, whose appointment took effect before October 1, 1975, as expressed in Swiss francs would, for any given month, be less than for the preceding month, the latter amount shall continue to be the amount of the pensionable remuneration until the month for which, for any reason, the staff member's pensionable remuneration reaches the amount applicable prior to the said variation.

(c) Where promotion of a staff member from the General Service category to the Professional category results in a reduction of his pensionable remuneration, the staff member concerned shall continue

(c) Where promotion of a staff member from the General Service category 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

Current Text

Proposed Text

Comments

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 salary in the Professional category exceeds the aforementioned level.

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.

(d) 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 Members

The above regulation shall apply to temporary staff members with the exception of paragraph (c).

Regulation 3.16

Deductions from Salary

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 3.15;
- (b) contributions to the medical insurance scheme;
- (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 dependent children ("family support orders") under the conditions outlined 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 deduction for that purpose has been authorized by the Director

Regulation 3.18

Deductions from Salary

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;
- (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 dependent 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 deduction for that purpose has been authorized by the Director General

No substantive change.

General and the staff member concerned.

and the staff member concerned.

Regulation 3.16bis

Regulation 3.19

Internal Taxation

Internal Taxation

Each staff member shall be subject to internal taxation at the following rates:

Each staff member shall be subject to internal taxation at the following rates:

No substantive change.

(a) For staff members in the Professional category and above:

(a) For staff members in the Professional category and above:

(1) Tax rates used in conjunction with gross salaries

(1) Tax rates used in conjunction with gross salaries: for staff members with dependants:

(i) Rates for staff members with dependants:

<u>Assessable Annual Amounts</u>	
(in US dollars)	(per cent)
first \$ 50,000	15.0
next \$ 50,000	21.0
next \$ 50,000	27.0
remaining assessable amounts	30.0

<u>Assessable Annual Amounts</u>	
(in US dollars)	(per cent)
first \$ 50,000	15.0
next \$ 50,000	21.0
next \$ 50,000	27.0
remaining assessable amounts	30.0

(ii) Rates for staff members without dependants:

(2) Tax rates used in conjunction with gross salaries for staff members without dependants:

(i) Assessable amounts for staff members with neither a dependent spouse nor a dependent child will be equal to the difference between the gross salaries at different grades and the corresponding net salaries at the single rate.

(ii) The rates for staff members with dependants shall apply to any staff member to whom the dependency rate of post adjustment applies under Regulation 3.8, and the rates for staff members without dependants shall apply to any

Assessable amounts for staff members with neither a dependent spouse nor a dependent child will be equal to the difference between the gross salaries at different grades and the corresponding net salaries at the single rate.

The rates for staff members with dependants shall apply to any staff member to whom the dependency rate of post adjustment

Current Text

Proposed Text

Comments

applies under Regulation 3.5, and the rates for staff members without dependants shall apply to any staff member to whom the single rate of post adjustment applies under the said Regulation.

staff member to whom the single rate of post adjustment applies under the said Regulation.

(2) Tax rates for purposes of pensionable remuneration and pensions

(3) Tax rates for purposes of pensionable remuneration and pensions

<u>Assessable Amounts</u> (in US dollars)	(per cent)
up to \$20,000 per year	11.0
\$20,001 to \$40,000 per year	18.0
\$40,001 to \$60,000 per year	25.0
\$60,001 and above per year	30.0

<u>Assessable Amounts</u> (in US dollars)	(per cent)
up to \$20,000 per year	11.0
\$20,001 to \$40,000 per year	18.0
\$40,001 to \$60,000 per year	25.0
\$60,001 and above per year	30.0

(b) For staff members in the General Service category:

(b) For staff members in the General Service category:

Rates for pensionable remuneration and gross salaries purposes

(1) Rates for pensionable remuneration and gross salaries purposes

<u>Assessable Amounts</u> (in US dollars)	(per cent)
up to \$20,000 per year	19.0
\$20,001 to \$40,000 per year	23.0
\$40,001 to \$60,000 per year	26.0
\$60,001 and above per year	31.0

<u>Assessable Amounts</u> (in US dollars)	(per cent)
up to \$20,000 per year	19.0
\$20,001 to \$40,000 per year	23.0
\$40,001 to \$60,000 per year	26.0
\$60,001 and above per year	31.0

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

The amounts to which the percentage rates apply shall be the equivalent in Swiss francs of the above mentioned US dollars amounts at the time the salary scales come into effect

Regulation 3.17

Regulation 3.20

Taxes

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

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

No change.

Current Text

Proposed Text

Comments

having their headquarters in Geneva.

their Headquarters in Geneva.

Regulation 3.18

Regulation 3.21

Representation Allowance

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.

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.

No change.

Regulation 3.19

Regulation 3.22

Submission of Claims and Recovery of Overpayments

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 or Staff Rules shall lapse two years after the date on which the staff member would have been entitled to the payment.

(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.

No substantive change.

(b) The International Bureau shall be entitled to recover any payment which was not due. However, except where the irregularity 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 as from the date of the last overpayment, but the right to recovery shall be limited to the amount of overpayments made in the twelve 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 twelve months.

(b) The International Bureau shall be entitled to recover any payment which was not due. However, except where the irregularity 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 3.20

Beneficiaries

(a) In the event of the death of a staff member, all amounts standing to his credit shall, unless otherwise provided in the Staff Regulations and Staff 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 on a form and in accordance with a procedure established by the Director General. Such payment shall release the International Bureau from all further liability in respect of any amounts so paid.

(b) If more than one beneficiary is designated by a staff member, the share of any beneficiary who predeceases 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 designation.

(c) If no designated beneficiary survives the staff member or the designation of beneficiary referred to in paragraph (a) above has not been made or has been revoked, the payment shall be made to his estate.

(d) In appropriate cases, the Director General may authorize the payment of funeral expenses out of the amounts standing to the credit of a deceased staff member.

Regulation 3.23

Beneficiaries

(a) In the event of the death of a staff member, all amounts standing to his or her credit 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 predeceases 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 beneficiary 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 standing to the credit of a deceased staff member.

No substantive change.

Regulation 3.24Mobility and Hardship

- (a) The mobility and hardship scheme is composed of three allowances: mobility, hardship and non-removal. Mobility and hardship shall be paid as prescribed by the Director General by Office Instruction on the basis of conditions and procedures agreed among the international organizations in the United Nations common system and promulgated by the ICSC.
- (b) Official duty stations shall be categorized according to conditions of life and work and on the basis of criteria agreed among the international organizations concerned for classifying official stations. Headquarters, North American and European official stations and similar designated locations shall be categorized H official stations, whereas all other official stations shall be categorized from A to E.
- (c) A staff member appointed or reassigned to a new duty station for one year or more may be paid a mobility and hardship allowance. The amount of this allowance, if any, shall be determined by the Director General, taking into account in particular the length of the staff member's continuous service in the United Nations common system, the number and category of duty stations at which he or she has previously served, the length of time served at each duty station, the degree of difficulty of life and work at each duty station and whether or not the staff member has an entitlement to a removal of his or her household goods at the expense of the International Bureau.
- (d) After five years of continuous service at the same duty station, payment of the mobility element and of the "household non-removal" element of the mobility and hardship allowance shall be discontinued.
- (e) The revised level of the hardship, mobility and non-removal allowances are set in Annex II.
- (f) This regulation shall not apply to temporary staff members.

New Regulation 3.24 is proposed to ensure that WIPO's policies are aligned with those of the other organizations of the UN common system, to encourage mobility between organizations.

Current Text

Proposed Text

Comments

CHAPTER IV

CHAPTER IV

**PRINCIPLES GOVERNING RECRUITMENT,
APPOINTMENT AND PROMOTION**

**PRINCIPLES GOVERNING RECRUITMENT,
APPOINTMENT AND PROMOTION**

Regulation 4.1

Regulation 4.1

General Principles

General Principles

The paramount consideration in the recruitment of staff and in the determination of conditions of service shall be the necessity of securing for the International Bureau the services of persons with the highest standards of efficiency, competence and integrity.

The paramount consideration in the recruitment and appointment of staff members shall be the necessity of securing 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.

This Regulation has been revised to reflect WIPO's commitment to non-discrimination, social accountability and working as one.

Regulation 4.2

Regulation 4.2

Geographical Distribution

Geographical Distribution

(a) Due account shall be taken of the importance of recruiting staff on as broad and fair a geographical basis as possible, and preference should be given, other qualifications being equal, to candidates from regions of the world which are not represented or insufficiently represented.

(a) Due regard shall be paid to the importance of recruiting staff members on as wide a geographical basis as possible.

This Regulation has been revised in order to make the WIPO requirements for geographical distribution of posts consistent with those of the United Nations.

(b) This principle shall not apply to posts in the General Service category.

(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 category and staff members recruited locally in non-Headquarters offices.

Regulation 4.3

Regulation 4.3

Promotions and Transfers

Transfers

(a) "Promotion" shall mean the advancement of a staff member to a post of higher grade as a result either of reassignment, following a competition, or reclassification of the post to which he is assigned.

(a) A staff member may be transferred whenever the interests of the International Bureau so require. Due consideration shall be given to respecting the staff member concerned.

The Regulation on Transfers has been revised to allow greater transparency and to strengthen due process.

(b) Any staff member shall be entitled to promotion as a result of

(b) Any staff member may at any time request consideration for a

Current Text

Proposed Text

Comments

the reclassification of the post to which he is assigned, provided he has the required qualifications and his performance is satisfactory.

(c) "Transfer" shall mean the assignment of a staff member to another post without promotion. A transfer may be effected without having recourse to a competition.

(d) Any staff member may be transferred whenever the interests of the International Bureau so require. Any staff member may at any time request consideration for transfer in his own interest.

(e) Without prejudice to the recruitment of fresh talent, staff in service shall be given reasonable promotion possibilities.

transfer in his or her own interest.

(c) A transfer shall be to a post classified at the same grade as that of the staff member and with comparable responsibilities. The staff member must have the required qualifications for the post.

(d) The reasons for the transfer shall be communicated to the staff member in writing.

(e) Exceptionally, the incumbent may be transferred, subject to his or her written consent, to a post classified one level below the grade of the post. In such a case, the staff member shall retain his or her grade at the personal level.

(f) This regulation shall not apply to temporary staff members.

Regulation 4.3

Promotions

(a) "Promotion" shall include the advancement of a staff member to a post of higher grade as a result either of reassignment following a competition, or reclassification of the post to which he or she is assigned.

(b) Every staff member shall be entitled to promotion as a result of the reclassification of a post within his or her category of not more than one grade higher than the post to which he or she is assigned, provided he or she has the qualifications and his or her performance is satisfactory.

(c) Without prejudice to the recruitment of fresh talent, fixed term, permanent or continuing, staff members shall be given reasonable promotion possibilities.

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

This Regulation was assembled from elements of previously existing Regulations and Rules, and re-organized into a single Regulation for logic and consistency.

Current Text

Proposed Text

Comments

Regulation 4.4

Regulation 4.5

Local Recruitment

Local Recruitment

(a) The conditions according to which a staff member shall be regarded as having been locally recruited shall be determined by the Staff Rules.

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

Regulation 4.4 (b) was revised and relocated to proposed Rule 4.5.1 below.

(b) Staff members regarded as having been locally recruited shall not be entitled to the allowances and benefits provided for in Regulation 4.5.

Rule 4.4.1 – Local Recruitment

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

(a) Any staff member in the General Service category who is a national of the country of the duty station or who is recruited from within a radius of 25 km. from the duty station shall be regarded as locally recruited.

(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 host country or within reasonable commuting distance of the Headquarters and, notwithstanding national boundaries, irrespective of their nationality and of the length of time they may have been in the host country. The allowances and benefits available to staff members in the General Service shall be set by the Director General. The above provision applies *mutatis mutandis* to non-Headquarters offices.

The proposed amendment to this Rule removes the out-dated 25 kilometer commuting limit for locally recruited staff, and takes into account that WIPO has duty stations outside of Geneva.

(b) A staff member locally recruited in accordance with paragraph (a) above shall cease to be regarded as such if he is promoted to the Professional category.

(b) 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.

(c) A staff member in the General Service category who enjoyed non-local status while serving in an international organization within a radius of 25 km. from the duty station shall maintain non-local status if he commences service with the International Bureau without an interruption of service or after an interruption of service not exceeding thirty-one days following separation from service from the other international organization.

Regulation 4.5

Regulation 4.6

International Recruitment

International Recruitment

Staff members other than those recruited locally within the meaning of Regulation 4.4 shall be regarded as having been

(a) Staff members other than those who have been locally recruited pursuant to Regulation 4.5 shall be considered as having been

The Regulation has been revised based on the changes to WIPO's structure over the last

Current Text

internationally recruited. Subject to specific Regulations and Rules, internationally recruited staff members shall normally be entitled to the following allowances and benefits: payment of travel expenses on appointment, assignment to another duty station and on separation from service, for themselves and their dependents; removal of household effects; home leave; education grant; repatriation grant and rental subsidy. Staff members in the General Service category who are not locally recruited and whose appointment took effect prior to September 1, 1983, are in addition entitled to non-resident allowance.

Proposed Text

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, assignment grant, home leave, education grant, assignment to another duty station, 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 will 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 category for which candidates are not available locally, staff members who have been recruited 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 Members

(a) Temporary staff members other than those who have been locally recruited pursuant to Regulation 4.5 shall be considered as having been internationally recruited.

Comments

thirty years. The addition of WIPO regional offices and the growth of WIPO filing services require more detail in order to provide certainty for both the staff and International Bureau. The new proposed Rule for the international recruitment of temporary staff is found below.

(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 will 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 category 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.

(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 4.6

Nationality

(a) For the purposes of the Staff Regulations, the International Bureau shall recognize only one nationality for each staff member.

(b) For the purposes of the Staff Regulations, a staff member having several nationalities shall be regarded as a national of the country to which he is bound by the closest ties.

Regulation 4.7

Race, Sex, Religion

Selection of staff members shall be made without distinction as

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.

No substantive change.

Removed to 4.1.

The principle of non-

to race, sex or religion.

Rule 4.7.1 – Employment of Members of the Same Family

(a) Except where another person with equal qualifications is not available, the International Bureau shall not appoint the father, mother, son, daughter, brother or sister of a staff member.

(b) Staff members who are spouses or who bear to one another any of the relationships specified in paragraph (a) above shall not be assigned to the same service if one of the posts is subordinate to the other in the line of authority.

(c) If two staff members become recognized as spouses, their entitlements and benefits shall be modified in accordance with the relevant provisions; however, other terms and conditions of their appointment shall not be affected.

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 who bears to another staff member any of the relationships specified in the paragraphs above:

(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 participating in the United Nations common system of salaries and allowances. Where both spouses are staff members and maintain separate households because they are assigned to different duty stations, the 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.

discrimination has been reflected in Regulation 4.1, General Principles.

Moved to Regulation 4.9 Recruitment. This Rule has been revised to take into account the new family related policies of the United Nations system and to clarify responsibilities and practices on cases where more than one family member is employed by the International Bureau.

Regulation 4.8**Selection and Recruitment of Staff Members**

(a) Staff members shall be appointed by the Director General; however, he shall appoint the Deputy Directors General after approval by the Coordination Committee. Appointments to posts as Assistant Directors General shall be made by the Director General taking into account the advice of the Coordination Committee.

(b) As a general rule, recruitment for posts in the Professional and higher categories shall be made on the basis of a competition. Vacancies shall be brought to the attention of the staff of the International Bureau and the Administrations of Member States, with details as to the nature of the posts to be filled, the qualifications required and the conditions of employment.

(c) Vacancies in grades G1 to G7 shall be filled, on a competitive basis, by the appointment of candidates residing as close to the duty station as possible; where this is not feasible, the vacant posts shall be advertized on a competitive basis, as provided for in paragraph (b) above, but recruitment shall be made with due regard to its financial implications.

(d) Unless in exceptional cases a staff member's experience or qualifications (demonstrated in a field other than the one in which he hitherto performed his duties, or proven by an appropriate examination) justify other measures, the promotion of a staff member to the grade immediately above that of the post currently occupied by him may not be considered unless he has spent the following minimum periods in his grade:

- (1) one year, for staff members in the Professional category;
- (2) six months, for staff members in the General Service category.

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 Audit and Oversight Division shall be appointed taking into account the advice of the WIPO Coordination Committee and the WIPO Independent Audit and Oversight Committee.

Regulation 4.9**Recruitment**

(a) As a general rule, recruitment shall be made on the basis of a competition. Vacancies in the Professional and higher categories shall be brought to the attention of the staff members of the International Bureau and the Member States, with details as to the nature of the functions to be filled, the qualifications required and the conditions of employment.

(b) Vacancies in grades G1 to G7 shall be filled, on a competitive basis, by the appointment of candidates residing as close to the duty station as possible; where this is not feasible, the vacant posts shall be advertized on a competitive basis, as provided for in paragraph (a) above, but recruitment shall be made with due regard to its financial implications.

(c) 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.

(d) 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".

The current Regulation has several unrelated concepts in it. These have been disaggregated in the new Regulations.

Paragraph (a) of the old Regulation is now proposed to be Regulation 4.8. Recruitment has been moved to Regulation 4.9. The Regulation now states clearly that conditions for boards are set by the Director General and that this Regulation does not apply to temporary staff who are subject to different and lighter recruitment practices because of the temporary nature of their appointment. The details of the Rule for recruitment of temporary staff are found below.

Rule 4.9.3 – Recruitment of Temporary Staff Members

- (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.
- (c) When certain services in the Professional category and also specific positions in the General Service category are envisaged under Funds-in-Trust or co-operation agreements between the International Bureau and national and regional intellectual property offices, or Member State governments, the Director General may proceed with appointments without having recourse to a competition. Staff members recruited according to this procedure shall be granted temporary appointments pursuant to these Regulations and Rules.
- (d) During their service, temporary staff members appointed under a Funds-in-Trust agreement shall not apply for any vacancies at the International Bureau.
- (e) Following the completion of their service under the Funds-in-Trust agreement, such former temporary staff members shall not be employed by the International Bureau for a minimum period of 12 months following the date of their separation from service.

Rule 4.8.1 – Appointments under Funds-in-Trust Agreements

When certain services in the Professional category and also specific posts in the General Service category are envisaged under funds-in-trust agreements or co-operation arrangements between the International Bureau and national and regional intellectual property offices, or Member State Governments, the Director General may proceed with appointments without having recourse to a competition. Staff members recruited according to this procedure shall be granted fixed-term appointments not exceeding three years, which shall

Rule 4.9.2 – Appointments under Funds-in-Trust and other Special Agreements

- (a) When certain services in the Professional category and also specific posts in the General Service category are envisaged under Funds-in-Trust or co-operation agreements between the International Bureau and national and regional intellectual property offices, or Member State governments, the Director General may proceed with appointments without having recourse to a competition. Staff members recruited according to this procedure shall be granted fixed-term appointments not exceeding three years, which shall not be extended or converted to a continuing

This Rule has been revised to ensure that the rules governing “Funds-in Trust” appointments are clear in their parameters.

Current Text

not be extended or converted to a permanent appointment.

Regulation 4.9

Appointment Boards

(a) The Director General shall set up Appointment Boards to advise him in all cases where a vacancy has been the subject of a competition in the General Service, Professional or Special category.

(b) Each Appointment Board shall consist of a chairman and three members, whose grade shall be not lower than that of the vacant post, appointed by the Director General. One of the three members shall be the Director of the Human Resources Management Department, or his representative. One of the remaining two members shall be the hiring manager, the other one shall be designated from a list of names submitted by the Staff Council. 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.

(c) The Human Resources Management Department shall provide a secretary to the Appointment Board.

(d) The Director General shall establish the Rules of Procedure for Appointment Boards. The deliberations of Appointment Boards shall be secret.

Proposed Text

appointment.

(b) During their service, staff members appointed under a Funds-in-Trust agreement may apply for any vacancies at the International Bureau as external candidates.

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

Regulation 4.10

Appointment Boards

(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, Professional or Special category.

(b) Each Appointment Board shall consist of a chairman and three members, whose grade shall be not lower than that of the vacant post, appointed by the Director General. One of the three members shall be the Director of the 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, the other one shall be designated from a list of names submitted by the Staff Council. 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. The Board shall consider, in addition to the candidatures submitted, all staff members in the grade immediately below that of the vacancy, due consideration being given to seniority.

(c) The Human Resources Management Department shall provide a secretary to the Appointment Board.

(d) The Director General shall establish the Rules of Procedure for Appointment Boards. The deliberations of Appointment Boards shall be secret.

(e) This regulation shall not apply to temporary appointments except as specified in the rules of these Staff Regulations and Rules. The selection procedures for temporary appointments shall be prescribed by

Comments

This Regulation has been revised to require the Director of Human Resources to submit a list of nominated alternates to the Staff Council for comment and to make clear the requirement for confidentiality on panels.

the Director General in Annex III.

Regulation 4.10

Regulation 4.11

Medical Examination

Medical Examination

The Director General shall take the necessary steps to ensure that staff members meet the required medical standards at the time of their appointment and during their service with the International Bureau.

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 the rule entitled "Medical Examination of Temporary Staff Members".

Rule 4.10.1 – Medical Examination

Rule 4.11.1 – Medical Examination

- (a) No appointment shall be made until a doctor designated by the Director General has issued a medical certificate to the effect that the candidate is free from any disability or disease which might interfere with the proper discharge of his duties.
- (b) Staff members may be required to undergo medical examination from time to time to satisfy the medical adviser that they are free from any ailment which might endanger the health of others or interfere with the proper discharge of their duties.
- (c) Staff members leaving for or returning from missions may also be required to undergo medical examination and receive such inoculations as the medical adviser considers necessary.
- (d) The Director General may require a staff member to undergo a medical examination on separation from service with the International Bureau.

- (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 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 they go on or after he or she returns from official travel.

This Regulation was revised for clarity.

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

New, lighter requirements were put in place for temporary staff, in line with the fact that their appointments only last a

Current Text

Proposed Text

Comments

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 affects the staff member's ability to perform his or her official functions.

maximum of two years.

Regulation 4.11

Information Requested of Staff Members and Obligation to Supply such Information

Staff members shall be responsible on appointment for providing the Director General with the information necessary for the purpose of determining their status and entitlements under the Staff Regulations, or for taking the administrative measures required by their appointment.

Rule 4.11.1 – 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 Staff Rules.

(b) A staff member who intends to acquire the status of permanent resident in a country other than that of his nationality, or who intends to change his nationality, shall inform the Director General accordingly before such change of status or nationality becomes final.

(c) A staff member who is arrested or charged with an offense other than a minor traffic violation, or is a defendant in a criminal action, or is convicted, fined or imprisoned for any offense other than a minor traffic violation, shall so inform the

Regulation 1.13

Information Requested of Staff Members and Obligation to Supply such Information

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, or 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 promptly the Director General 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.

This Regulation was moved to Chapter I, under Duties, Rights and Obligations of a staff member.

Revised for clarity.

No change

Current Text

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 his appointment which are relevant to his suitability, or concerning facts which are relevant to his integrity, conduct and service as a staff member.

Regulation 4.12

Letter of Appointment

(a) On appointment, each staff member shall receive a letter of appointment signed by the Director General or by his duly authorized representative.

(b) The letter of appointment shall state:

(1) that the appointment is governed by the Staff Regulations and Staff Rules, subject to any subsequent modification of those texts;

(2) the type and duration of the appointment;

(3) the nature, category and grade of the post, and the initial salary;

(4) the effective date of the appointment and the date of taking up duties;

(5) any special conditions to which the appointment may be subject.

(c) A copy of the Staff Regulations and Staff Rules shall be transmitted to the staff member together with his letter of appointment. The latter 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 laid down in the Staff Regulations and Staff Rules, and that he accepts the appointment as offered to him.

Proposed Text

(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.

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.

(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.

Comments

The Regulation on Letter of Appointment was revised to place emphasis on policy elements rather than operational details.

Current Text

Proposed Text

Comments

(d) The effective date of the appointment shall be confirmed by a notification when the staff member takes up his duties. The notification shall be signed by the Director General or by his duly authorized representative.

(e) The letter of appointment of the Director General shall be signed by the Chairman of the General Assembly.

Rule 4.12.1 – Effective Date of Appointment

Rule 4.12.1 – Effective Date of Appointment

(e) The appointment of locally recruited staff members shall take effect on the day they take up their duties.

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.

This Regulation was revised to clarify on what date an appointment takes effect.

(f) The appointment of internationally recruited staff members shall take effect from the date on which they enter into official travel status to assume their duties or, if no official travel is involved, from the date on which they take up their duties.

Regulation 4.13

Regulation 4.13

Re-Employment

Reappointment and Reinstatement

The conditions under which a staff member may be reappointed or reinstated shall be as follows:

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.

This Regulation has been revised to take into account the difference in re-employment when this takes place by way of a new appointment or by way of re-instatement to a previous appointment. The separate Rules for each type of re-employment will provide more clarity for staff with respect to their rights.

(f) Subject to the provisions of Regulation 1.2, a former staff member shall, on re-appointment, be regarded as becoming a staff member for the first time.

(g) Exceptions may be made to this Regulation if a former staff member is reinstated within twelve months of separation from service, or is reinstated after retirement for reasons of disability or after separation from service owing to reduction of staff.

Rule 4.13.1 – Reappointment

(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 as 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, 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.

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

Current Text

Proposed Text

Comments

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

Types of Appointment

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

(b) Deputy Directors General and Assistant Directors General shall be granted fixed-term appointments.

Regulation 4.14bis

Temporary Appointments

(a) Temporary appointments under Regulation 4.14(a) are appointments granted for a period of up to 12 months. Any such appointment may, at the discretion of the Director General, be extended one or several times provided that the cumulative length of

Regulation 4.15

Types of Appointment

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

(b) Deputy Directors General and Assistant Directors General shall be granted fixed-term appointments.

Regulation 4.16

Temporary Appointments

(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 several times provided that the cumulative length of the temporary appointment does not exceed a period of two

No change

This Regulation was revised in order to take into account the completion of the first phase of the SRR project. It has been amended to reflect that all Rules affecting temporary employees

Current Text

Proposed Text

Comments

the temporary appointment does not exceed a period of five years.

(b) Selection procedures for temporary appointments shall be established by the Director General.

(c) Notwithstanding references contained elsewhere in the Staff Regulations and Staff Rules, the allowances and benefits for temporary appointments shall be fixed exclusively by the Director General in an Office Instruction. A temporary appointment does not confer any right or entitlement, or any expectancy of a right or entitlement, which is not fixed explicitly by the Director General in this Office Instruction.

(d) Persons having reached the maximum cumulative length of five years for a temporary appointment may not be re-employed on a temporary appointment by the Organization for a period of at least one year.

(e) No initial temporary appointment or any extension thereof shall carry with it any expectancy of, nor imply any right to, (further) extension.

(f) The Director General shall establish special transitional measures for persons holding short-term contracts with five or more years of continuous service on January 1, 2012.

years.

(b) Selection procedures for temporary appointments shall be prescribed by the Director General.

(c) A temporary appointment does 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.

(e) No initial temporary appointment or any extension thereof shall carry with it any expectancy of, nor imply any right to, further extension.

Rule 4.16.1 – Probationary Period

(a) A staff member with an initial temporary appointment of between six to 12 months shall have a probationary period of two months. A staff member with an initial temporary appointment of less than six months shall have a probationary period of two weeks.

(b) During the probationary period, a contract can be terminated by either party at anytime either with or without cause.

are proposed to be promulgated at the Rule level. Additionally, the maximum length of the Temporary appointment has been reduced to two years.

Current Text

Regulation 4.15

Fixed-Term Appointments

- (a) Fixed-term appointments under Regulation 4.14(a) are appointments granted for a period of not less than one year and not more than five years. All initial appointments shall be for a fixed term. Any such appointment may, at the discretion of the Director General, be extended one or several times for periods not exceeding five years.
- (b) Fixed-term appointments under Regulation 4.14(b) 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.
- (c) Fixed-term appointments under Rule 4.8.1 shall be for a period whose minimum and maximum duration are set under the terms of the relevant funds-in-trust agreement, not exceeding three years.
- (d) No initial fixed-term appointment or any extension thereof shall carry with it any expectancy of, nor imply any right to, (further) extension or conversion to a permanent appointment.

Proposed Text

Regulation 4.17

Fixed-Term Appointments

- (a) A fixed-term appointment may be granted for a period of one year or more, but not more than 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 performance, conduct and suitability to international civil service.
- (c) Fixed-term appointments 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 Rule 4.9.2 shall be for a period whose minimum and maximum duration 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. Fixed-term appointments for projects shall never exceed five years. The holders of such appointments shall not be eligible for a non-project related fixed-term appointment for a period of one year after the expiration of their fixed-term project related appointment.
- (f) A fixed-term appointment does not carry any expectancy, legal or otherwise, of renewal or conversion, irrespective of the length of service.

Comments

This Regulation was revised for clarity and readability. Paragraph (e) is newly added to codify the common UN system practice of hiring "Project Personnel" for a limited period for a specialized project.

Current Text

Regulation 4.15bis

Continuing Appointments

Continuing appointments under Regulation 4.14(a) are appointments of unlimited duration. The Director General shall prescribe which staff members are eligible for consideration for continuing appointments.

Proposed Text

Regulation 4.18

Continuing Appointments

- (a) Continuing appointments are appointments of unlimited duration. A continuing appointment may be granted to a staff member in the Director, Professional or General Service category who has completed at least three 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.

Comments

This Regulation is newly drafted to provide a framework for the continuing appointment which replaces the permanent appointment for staff hired since January 1, 2012. The move to a continuing appointment demonstrates WIPO's commitment to greater accountability in governance.

Regulation 4.16

Permanent Appointments

- (a) Permanent appointments are appointments of unlimited duration. A permanent appointment may be granted to a staff member in the Special, Professional or General Service category who has completed at least three years of continuous service, whose qualifications, performance and conduct have fully demonstrated his suitability as an international civil servant and who has shown that he meets the standards required under Regulation 4.1.

Regulation 4.19

Permanent Appointments

- (a) Permanent appointments are appointments of unlimited duration. A permanent appointment may be granted to a staff member in the Special, Professional or General Service category who has completed at least three 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.

No substantive change

Current Text

Proposed Text

Comments

(b) Permanent appointments shall be granted at the discretion of the Director General.

(b) Permanent appointments shall be granted at the discretion of the Director General.

Rule 4.16.1 - Inter-Organization Transfers

In the case of a transfer from the United Nations or another agency of the United Nations system of organizations, the period of service referred to under paragraph (a) of Regulation 4.16 may, at the discretion of the Director General, be reduced taking into account the length of service of the staff member with the releasing organization.

Regulation 4.14

Inter-agency movements

(a) Inter-agency movements are 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 the Inter-Agency Mobility Accord, or any equivalent accord, to the movement of staff members to or from another agency of the United Nations, even when such agency is not a signatory of the arrangements by which the Accord is made for general application.

(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 the United Nations or another agency of the United Nations common system, 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.

This Regulation is newly drafted and reflects WIPO's continued commitment to work within the UN system's human resources framework.

Current Text

Proposed Text

Comments

Regulation 4.17

Deleted

Regulation 4.18

Periodical Reports

The Director General shall establish a system of periodical reports, covering periods of not more than one year, on the performance and conduct of each staff member and the possibility of using his services in a more appropriate manner. Periodical reports shall be signed by the superiors of the staff member concerned and shall be brought to his attention.

Regulation 4.20

Performance Appraisal

All staff members, including Deputy Directors General and Assistant Directors General, are accountable to the Director General for the proper discharge of their functions. Performance appraisal is fundamental to the career development of staff members. Their performance shall be appraised periodically to ensure that the required standards of performance and conduct are met. The subject matter of this regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by the rule entitled "Performance Appraisal of Temporary Staff Members".

This Regulation and the subsequent Rules were promulgated in order to codify the new enhanced staff appraisal system that has come into force at WIPO. The appraisal system is part of WIPO's commitment to good governance and accountability.

Rule 4.20.1 – Performance of Staff Members

(a) Staff members shall be evaluated through performance appraisal mechanisms that shall assess their performance and conduct in order to ensure accountability and professional development. The evaluation shall be made 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 the staff members.

Rule 4.20.2 – Performance Appraisal of Temporary Staff Members

(a) Temporary staff members who have completed at least one year of continuous service shall be evaluated through the performance appraisal mechanism established for staff members

The Rule was promulgated in order to create a more nimble system of appraisal for temporary staff members.

on temporary appointments.

(b) A temporary staff member 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, a performance evaluation shall be undertaken in a performance evaluation mechanism established for temporary staff members.

(c) Further details on the performance evaluation for temporary staff members shall be prescribed by the Director General.

CHAPTER V

ANNUAL, SPECIAL AND HOME LEAVE

Regulation 5.1

Annual Leave

(a) Staff members 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 as far as possible be taken into account.

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".

A new maximum of 15 days of annual leave accrued in a given year can be carried forward to the next calendar year. Furthermore, the number of days of annual leave which may be accumulated has been reduced from 90 to 60. These measures are being implemented to encourage staff to take their leave, in the interests of their well-being.

A transitional measure had been proposed to enable staff with a large amount of accumulated leave to reduce it over a five year period, so that the leave is not lost.

Rule 5.1.2 has been added to formalize the policy and procedure regarding annual leave for temporary staff members.

Rule 5.1.1 – Annual Leave

(a) Entitlement to annual leave shall accrue during the entire period for which a staff member receives full pay, subject to the provisions concerning special leave; however, no leave shall accrue while the staff member is suspended from his duties 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) Annual leave may be taken in units of days or half days.

(d) Annual leave may be accumulated, provided that not more than 90 days of such leave shall be carried forward from one calendar year to the next.

(e) Any absence from duty not specifically covered by other provisions shall be deducted from the accrued annual leave of the staff member concerned; if he has no accrued annual leave, his absence shall be regarded as unauthorized leave, and he shall not be entitled to either salary or allowances during the period of such absence.

(f) In exceptional circumstances, a staff member may be granted advance annual leave up to a maximum of ten working days, provided his service with the International Bureau is expected to continue for a period longer than that necessary to accrue entitlement to the leave so advanced.

(g) 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 annual leave at the place from which he was recalled shall be entitled to reimbursement of his travel expenses to and from that place. When by reason of his duties the provisions of paragraph (d) above cannot be applied to a staff member in such a situation, the annual leave

Rule 5.1.1 – Annual Leave

(a) Entitlement to annual leave shall accrue during the entire period for which a staff member receives full pay, subject to the provisions concerning special leave; however, no leave shall accrue while the staff member is suspended from his or her duties 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 January 1, 2018. 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.

due to him shall be carried forward to the following year.

(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 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. When by reason of his or her duties the provisions of paragraph (e) above cannot be applied to a staff member in such a situation, the annual leave due shall be carried forward to the following year.

Rule 5.1.2 – Annual Leave for Temporary Staff Members

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

(b) Regulation 5.1.1, “Annual Leave,” shall apply to temporary staff members subject to the following provisions:

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

(2) Entitlement to annual leave shall accrue during the entire period for which a staff member receives full pay, subject to the provisions concerning special leave; however, no leave shall accrue while the staff member is suspended from his or her duties without pay.

(3) 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.

(4) 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.

(5) 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.

(6) A maximum of 15 days of accrued annual leave may be paid at the end of an appointment or carried over in case of extension.

Regulation 5.2

Regulation 5.2

Special Leave

Special Leave

(a) Special leave with full or partial pay, or without pay, may be granted by the Director General to staff members for studies or research in the interest of the International Bureau or for any other exceptional and important reason, other than 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.

(a) Special leave with full or partial pay, or without pay, 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, other than 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.

A reference has been added to leave for "family-related reasons", to emphasize the Organization's support towards staff members' work-life balance.

Through this new provision, the Organization may support staff who are nearing retirement and who wish to exercise special leave, by ensuring their pension benefits are protected.

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

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

(c) With the exception of Special leave for cases of prolonged illness under Rule 6.2.2, staff members shall not accrue service credits towards annual, home and maternity leave, periodical salary increment, termination indemnity and repatriation grant during periods of one or more full months of special leave with partial pay or without pay. No contribution shall be paid by the International Bureau towards the staff member's pension or medical insurance during such periods. Periods of less than one full month of such leave shall not affect the rates of accrual; nor shall continuity of service be considered broken by periods of special leave.

(c) With the exception of special leave for cases of prolonged illness under Rule 6.2.2, staff members shall not accrue service credits towards annual, home and maternity leave, periodical salary increment, termination indemnity and repatriation grant during periods of one or more full months of special leave with partial pay or without pay. 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 such leave shall not affect the rates of accrual; nor shall continuity of service be considered broken by periods of special leave.

Paragraph (e) clarifies under what circumstances a staff member may and may not be granted special leave to provide services to his or her government.

(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 achieving age 55 years and 25 years of contributory service, or who are over that age and within two years of 25 years of contributory service.

(e) Special leave shall not be authorized for governmental 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) The subject matter of this regulation and the rules thereunder 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

Normally, special leave will 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. The interests of the service to which the staff member concerned is assigned must, however, be safeguarded.

Rule 5.2.1 formalized the policy on special leave for temporary staff.

Regulation 5.3

Regulation 5.3

Home Leave

Home Leave

A staff member not locally recruited who performs his duties outside the country in which he has his home shall be entitled, once every two years, to take home leave at the expense of the International Bureau, using his accrued annual leave, so that he 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.

Staff members not locally recruited who perform their duties 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.

Rule 5.3.1 – Home Leave

Rule 5.3.1 – Home Leave

(a) A staff member meeting the required conditions shall be entitled to home leave if the Director General expects that he 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 first home leave, his expected length of service

(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

No substantive change.

must be at least 30 months as from the date of his 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 takes up duties, in accordance with the following provisions:

(1) The country of a staff member's recognized home shall be the country of which he is regarded as a national in accordance with Regulation 4.6. 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 maintained his normal residence in such other country for a prolonged period immediately preceding his appointment, that he continues to have close family or personal ties in that country, and that his 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 the place where he last resided in the country of his recognized home prior to his appointment, unless the staff member can produce satisfactory evidence that his closest ties were in another place in the same country.

(3) If a staff member served with another public international organization immediately before his appointment, the place of his recognized home shall be determined as though his entire previous service with the other organization had been with the International Bureau.

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 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

(d) The Director General may decide, either on his 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 considers:

(1) that the original determination 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 his recognized home, if the Director General considers that family circumstances or reasons beyond his 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 is appointed or in which entitlement is acquired.

(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, a staff member 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 his return from his 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 his home leave beyond the calendar year in which it falls due, such delayed leave may be taken without altering the time of his next and succeeding home leave entitlements, provided that not less than 12 months

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.

(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 decide that exceptional circumstances arising from the exigencies of the service make it necessary for a staff member's home leave to be

of qualifying service elapse between the date of the staff member's return from the delayed home leave and the date of his next home leave departure. However, should the Director General 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 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 next home leave departure.

(j) A staff member may be required to take his home leave in conjunction with travel on official business, due regard being paid to his personal interests and those of his family.

(k) Subject to the provisions of Chapter VII, a staff member authorized to travel on home leave shall be entitled to travel time for himself and to payment of outward and return travel expenses for himself and his eligible dependants for the journey between his official duty station and the place of his recognized home, or any other place in the same country provided that this does not result in additional expenditure for the International Bureau.

(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 the staff member and his dependants from travelling together.

(m) If staff members are spouses and are employed by an organization within the common system of the United Nations and entitled to home leave, each shall have the choice either of exercising his own home leave entitlement or of accompanying

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 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 within the United Nations common system 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

Current Text

his spouse. The staff member accompanying his spouse shall be allowed travelling time not exceeding that which would have been authorized had he chosen to exercise his 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 in 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 his recognized home. The Director General may request a staff member, on his return from home leave, to furnish satisfactory evidence that this requirement has been fully met.

Proposed Text

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.

Comments

CHAPTER VI

SOCIAL SECURITY

Regulation 6.1

Pension Fund

(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.

CHAPTER VI

SOCIAL SECURITY

Regulation 6.1

Pension Fund

(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.

No substantive change.

Current Text

Proposed Text

Comments

(b) Notwithstanding paragraph (a) above:

(1) subject to subparagraph (2), any staff member whose appointment took effect before October 1, 1975, shall participate in the United Nations Joint Staff Pension Fund and, for the purposes, if any, provided for in the Regulations and Rules of the WIPO Pension Fund, in the WIPO Pension Fund;

(2) any staff member whose appointment took effect before October 1, 1975, and who, on January 1, 1977, had the status of depositor (“*déposant*”) in the WIPO Pension Fund, shall only participate in the WIPO Pension Fund.

(c) 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 and/or the WIPO Pension Fund depending on the staff member's status according to paragraph (a) or (b) above.

Regulation 6.2

Health Protection

In addition to the provision made pursuant to Regulation 6.1, the Director General shall establish a scheme of social security for the staff which shall provide in particular for health protection, sick leave and maternity leave, as well as reasonable compensation in the event of illness, accident or death attributable to the performance of official duties on behalf of the International Bureau.

(b) Notwithstanding paragraph (a) above:

(1) Subject to the subparagraph below, any staff member whose appointment took effect before October 1, 1975, shall participate in the United Nations Joint Staff Pension Fund and, for the purposes, if any, provided for in the Regulations and Rules of the WIPO Pension Fund, in the WIPO Pension Fund;

(2) Any staff member whose appointment took effect before October 1, 1975, and who, on January 1, 1977, had the status of depositor (“*déposant*”) in the WIPO Pension Fund, shall only participate in the WIPO Pension Fund.

(c) 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 and/or the WIPO Pension Fund depending on the staff member's status according to paragraph (a) or (b) above.

Regulation 6.2

Health Protection

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, accident 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”.

Current Text

Proposed Text

Comments

Rule 6.2.1 – Medical Insurance

Rule 6.2.1 – Medical Insurance

- (a) “Medical insurance scheme” shall mean the insurance scheme the conditions of which are laid down in the contract entered into by WIPO and Van Breda & Co. Int.
- (b) For the purposes of this Rule, dependants shall be deemed to comprise:
- (1) the spouse;
 - (2) dependent children as defined in paragraph 3.2(d) and 3.2(f) of Part C of the Administrative Manual;
 - (3) one of the following persons: a dependent parent, a dependent brother, or a dependent sister.
- (c) Participation in the medical insurance scheme is compulsory for every staff member except for those working outside Headquarters. The Director General may, on request, authorize a staff member not to participate in the medical insurance scheme when he 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 according to the following table:

- (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 paragraph 3.2(d) and the Administrative Manual;
 - (3) One of the following persons: a dependent parent, a dependent brother or a dependent sister.
- (c) Participation in the medical insurance scheme is 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 according to the following table:

Reference to WIPO’s current service provider “Van Breda & Co. Int” has been replaced with the generic term “selected service provider”, in order to allow for potential changes in the future as appropriate.

The reference to “except for those working outside Headquarters” has been deleted, as the medical cover is provided in all WIPO duty stations.

Current Text

Proposed Text

Comments

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

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

(e) 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

(e) 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 Illness

Rule 6.2.2 – Sick Leave and Special Leave for Prolonged Illness

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

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

Section headings have been added for the purposes of greater clarity for staff, given the complexity and wide scope of the Rule.

- (1) All sick leave must be approved on behalf of the Director General.
- (2) Staff members shall be responsible for informing

- (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

Current Text

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.

(3) 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.

(4) 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.

(5) A staff member who, pursuant to paragraphs (3) or (4), 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 arrangement.

(6) Except with the authorization of the Director General, no staff member shall be granted 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 is unable to perform his duties and stating the probable duration of his 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 his initial absence from duty.

(7) Where a staff member has taken a total of seven working days of sick leave and/or leave for family-related

Proposed Text

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

(1) Staff members may take a total of seven working days of 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, 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

(1) Except with the authorization of the Director General, no staff member shall be granted 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 initial absence from duty.

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

(1) A staff member who, pursuant to paragraphs (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

Comments

Clarification is provided in respect of the number of uncertified sick leave/family leave days that may be taken consecutively, for purposes of greater clarity for staff.

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, if annual leave is exhausted, charged as special leave without pay.

(8) Staff members who, in accordance with paragraphs 3 or 4, 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, assignment grant, rental subsidy and non-resident's allowance.

(9) A staff member who has exhausted all entitlements to paid sick leave, and also all his accrued annual leave entitlements, may in exceptional circumstances apply to the Director General through the Director of the Human Resources Management Department for special leave for prolonged illness.

(10) Special leave for prolonged illness with full or partial pay, or without pay, may be granted by the Director General. The purposes for which such special leave may be granted shall normally be to provide a bridge to the 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 United Nations Joint Staff Pension Fund (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

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 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, assignment grant, rental subsidy and non-resident's allowance.

(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 the HRMD for special leave for prolonged illness.

(4) Special leave for prolonged illness with full or partial pay, or without pay, may be granted by the Director General. 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.

Current Text

member is assigned must, however, be safeguarded.

(11) Periods of sick leave, whether on full or half pay, and periods of special leave for prolonged illness, whether on full or partial pay, shall not affect the accrual of service credits towards periodical salary increment, annual, home and maternity leave, termination indemnity and repatriation grant.

(12) A staff member may at any time be required to submit a medical certificate as to his state of health or to undergo examination by a medical practitioner designated by the Director General. If the Director General is satisfied that the staff member on sick leave or on special leave for prolonged illness is able to resume his duties, he may refuse to grant further sick leave or special leave for prolonged illness or cancel the leave already granted; however, if the staff member so requests, the matter shall be referred to an independent practitioner or a medical board acceptable to both the Director General and the staff member.

(13) 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.

(b) 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 or other satisfactory evidence is produced. In such circumstances, the staff member shall be responsible for submitting his request for sick leave together with the medical certificate or other supporting evidence as soon as possible and in any event as soon as he resumes his duties.

(c) A staff member shall immediately notify the medical adviser of the International Bureau of any case of contagious disease occurring in his household, or of any quarantine order affecting him. A staff member who, as a result of such circumstances, is asked not to attend the office shall receive his full salary and other emoluments for the period of authorized

Proposed Text

(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.

(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 or on special leave for prolonged illness is able to resume his or her duties, the Director General may refuse to grant further sick leave or special leave for prolonged illness 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

Comments

New reference has been added to clarify that a staff member may be directed not to attend the office if a medical condition impairs his or her ability to perform official functions - this is in the interests of both the staff member's health and the good functioning of the Organization.

Current Text

Proposed Text

Comments

absence.

(d) Entitlement to sick leave shall lapse on expiration of a staff member's appointment.

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.

(h) Periods of sick leave, whether on full or half pay, and periods of special leave for prolonged illness, whether on full or partial pay, shall not affect the accrual of service credits towards periodical salary increment, annual, home and maternity leave, termination indemnity and repatriation grant.

(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 or other satisfactory evidence is produced. In such circumstances, the staff member concerned shall be responsible for submitting a request for sick leave together with the medical certificate or other supporting evidence as soon as possible and in any event as soon as duties are resumed.

(j) Entitlement to sick leave shall lapse on expiration of a staff member's appointment.

A medical board is introduced to review decisions regarding sick leave, formalizing the Organization's practice regarding sick leave review, in order to ensure consistency and fair treatment of staff members.

Rule 6.2.3 – Maternity Leave

Rule 6.2.3 – Maternity Leave

(a) A staff member who must take maternity leave:

(1) shall be entitled to absent herself from her duties for the six weeks prior to the date of confinement provided a medical certificate, stating the projected date of confinement, is accepted by the medical adviser. Absence from duty prior to confinement shall not be compulsory until two weeks prior to the expected date of confinement; however, a staff member who wishes to work during the period of six to two weeks prior to the expected date of confinement shall submit a medical

(a) A staff member who must take maternity leave:

(1) Shall be entitled to absent herself from her duties for the six weeks prior to the predicted date of delivery provided a medical certificate, stating the projected date of delivery, is accepted by the medical adviser. Absence from duty prior to the predicted date of delivery 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

Current Text

Proposed Text

Comments

certificate stating that she is fit for duty;

(2) shall not be authorized to work during the ten weeks following confinement;

(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;

(4) Any error on the part of the doctor or midwife as to the date of confinement shall not affect the staff member's entitlement to full pay up to the actual date of confinement.

(b) Resumption of duties after maternity leave shall be subject to authorization by the medical adviser on the basis of a medical certificate.

(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.

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) Resumption of duties after maternity leave shall be subject to authorization by the medical adviser on the basis of a medical certificate.

(d) 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.

(e) 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

Reference to post-maternity benefits have been incorporated, including time off for breast feeding, in order to formalize WIPO's existing practice, in line with best practices in other organizations of the UN common system and in support of family friendly policies and work /life balance of staff.

This new rRIe has been added on paternity leave, to formalize WIPO's policy on this subject. The increase in entitlement from three days to four weeks is proposed, in line with ICSC recommendations and the practice in the UN common system, in support of family friendly policies and work/life

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.

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 Office Instruction.

Rule 6.2.7 – Health Protection and Insurance for Temporary Staff Members

(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

balance of staff.

This new Rule has been added on adoption leave, in line with ICSC recommendations and the practice in the UN common system, in support of family friendly policies and work /life balance of staff

This new Rule has been added on health protection for temporary staff members. Significant increases in benefits include an additional month of

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 will 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 absenting 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

paid maternity leave, an increase in paternity leave from three days to four weeks and adoption leave, in support of family friendly policies and work /life balance of staff. The Organization shall contribute the same percentage towards the health insurance premium for temporary staff as for fixed term staff, which represents an improvement in conditions for temporary professional staff.

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 duration of less than 12 months. Any further absences from duty within that year shall be 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 and periods of special leave for prolonged illness, whether on full or partial pay, shall not affect the accrual of service credits towards annual leave, maternity 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 consists of 16 weeks on full pay. The entitlement shall apply on a pro rata basis after six months of 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:

(1) The entitlement to paternity leave shall consist of four weeks, and shall apply to temporary staff members. The entitlement shall apply on a pro rata basis after six months of service.

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

(1) The entitlement to adoption leave shall consist of eight weeks. The entitlement shall apply on pro rata basis after six months of service.

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 and Removal 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.

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

This new Rule was drafted in order to ensure that travel related terminology was well defined, and that terms which are essential to calculate travel related entitlements were clearly

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, expositions, conventions and assemblies that arise from the official assignments, duties, and obligations of WIPO program delivery.

(5) Written Authorization (also "in written form" and "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 7.1.3 – Application of the Rules for Travel

Except in those cases where the International Bureau has promulgated 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:

established and had precise limits.

This Rule increases clarity and organization in the administration of the Regulations and Rules on travel by laying out a single framework and applying it *mutatis mutandis* to all 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.

This Rule and the Rule below rationalize the types of official travel that WIPO provides, and the classes of travel for staff members.

Rule 7.1.1 – Official Travel of Staff Members

(a) Subject to the conditions laid down in these 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) when travelling on official business;
- (3) on home leave;
- (4) on separation from service, in accordance with the relevant provisions.

(b) If, on separation from service, a staff member wishes to travel to a place other than the place of his recruitment or home

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

The policy on education grant travel has been incorporated into the text of the SRR.

Current Text

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 his recruitment or home leave.

Proposed Text

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.

Comments

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 is defined as the Official Travel undertaken by staff members in furtherance of their official duties.

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

In order to make these Regulations more transparent and understandable for staff members and administrators, the new SRR sections off travel-related entitlements from duty travel.

required, the authorization of the Director General is 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 Staff Members Travelling in the Same Aircraft

- (a) No more than 30 staff members from the United Nations common system may travel in 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.

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

All travel related entitlements have been consolidated into a single Regulation.

This Rule demarcates a clear line between official travel and all other forms of travel; the procedures for each are now easier to understand and apply.

conditions of travel for Non-Duty travel shall be prescribed by an Office Instruction.

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 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

Rule 7.1.2 – Official Travel of Dependants

(a) Subject to the conditions laid down in these Rules, the International Bureau shall pay the travel expenses of a staff member's dependants as defined in Rule 7.1.3 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 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 his dependants begins;

(3) following completion by the staff member of at least one year of continuous service, provided that his service with the International Bureau is expected by the Director General to continue for more than six months beyond the date on which the travel of his 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 had completed at least one year of continuous service;

(6) on journeys authorized pursuant to the provisions

relating to education grant.

(b) In the cases provided for in paragraph (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 arrival, and unless the Director General considers his departure as justified by exceptional circumstances, the amount of his travel expenses shall be deducted from the salary of the staff member concerned.

(c) In the cases provided for in paragraph (a)(1) to (3) above, the International Bureau shall pay the travel expenses to a staff member's dependants either from the place of recruitment or from the place of his recognized home. Should a staff member wish to bring any dependants to his 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 official duty station to the place to which he is entitled to return at the expense of the International Bureau.

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 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), the International Bureau shall only pay the travel expenses of a staff member's dependants if the staff member declares that the staff member and the dependants intend to reside at least six months at the duty station. If a dependant leaves the duty station within six months of his arrival, and unless the Director General finds 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.

(d) 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.

(e) In cases provided for in paragraphs (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.

Rule 7.1.3 - Dependants Eligible to Travel and Removal at the Expense of the International Bureau, and to the Installation Grant

Rule 7.3.4 - Dependants Eligible for Travel or Removal at the Expense of the International Bureau, and for the Installation Grant

(a) For the purposes of the payment of travel and removal expenses, as well as of the installation grant, dependants shall be deemed to comprise:

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

A totally disabled son or daughter of more than 21 years of age may also be considered a dependant for the purposes of this paragraph.

(b) The Director General may authorize payment of the one-way travel expenses of a child either to the staff member's duty station or to his home country when the child has passed the age up to which he is considered a dependant under Regulation 3.2 of the Staff 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.

(c) Notwithstanding Rules 7.1.2(a)(5) and 7.1.3(a), 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 7.1.4 – Loss of Entitlement to Return Travel

(a) A staff member who abandons his post or who resigns before completing one year of service or within six months following the date of his return from home leave shall not normally be entitled to payment of return travel expenses for himself or his dependants. The Director General may, however, authorize such payment if he considers that there are compelling reasons for so doing.

(a) For payment of travel and removal expenses, as well as of the assignment 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.

Current Text

(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 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 7.1.5 – Authority to Travel

All official travel shall be subject to prior written authorization by the responsible Program Manager; 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 Human Resources Management Department or his 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, but these must be subsequently confirmed in writing. A staff member shall be personally responsible for ascertaining that he has the proper authorization before undertaking travel.

Rule 7.1.6 – 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;

Proposed Text

(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 7.2.1 – 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 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.

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;

Comments

This Rule has been revised in order to clarify all the requirements to obtain permission to travel. This clarification makes obtaining authorization more efficient, and establishes better checks on the ticketing process.

<i>Current Text</i>	<i>Proposed Text</i>	<i>Comments</i>
<p>(3) expenses while in transit;</p> <p>(4) travel subsistence allowance;</p> <p>(5) fees for the issuance or renewal of passports and visas required for travel listed under Rule 7.1.1;</p> <p>(6) necessary additional expenses incurred during travel.</p> <p>(b) Staff members shall avoid any expenditure which would be considered unreasonable by a person travelling on personal business.</p>	<p>(3) Expenses while in transit;</p> <p>(4) Daily subsistence allowance;</p> <p>(5) Fees for the issuance or renewal of visas required for travel listed under this Regulation;</p> <p>(6) Necessary additional expenses incurred during travel.</p> <p>(b) Staff members shall avoid any expenditure which would be considered unnecessary or unreasonable by an average staff member travelling on Duty Travel.</p>	<p>This Rule has been revised to reflect contemporary practice (best routes are established electronically) and to protect the financial interests of the International Bureau while increasing accountability. It is hoped that greater flexibility in ticketing will allow the International Bureau to realize greater cost savings.</p>
<p><u>Rule 7.1.7 - Route, Mode and Conditions of Transportation</u></p>	<p><u>Rule 7.2.4 - Establishment of Route, Mode and Conditions of Transportation</u></p>	
<p>(a) Official travel shall in all instances be by a route, mode and standard of transportation approved in advance by the Director General.</p> <p>(b) Travel subsistence allowance, travel time and other entitlements shall not exceed those allowable for a journey by the route, mode and standard approved by the Director General. Staff members who wish to make special arrangements for reasons of personal convenience shall obtain prior authorization to do so, and bear all additional costs.</p>	<p>(a) Official travel shall in all instances be by a route, mode and standard of transportation approved in advance by the Director General.</p> <p>(c) Daily subsistence allowance, travel time and other entitlements shall not exceed those allowable for a journey by the route, mode and standard approved by the Director General.</p> <p>(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.</p>	
<p><u>Rule 7.1.8 – Route and Mode of Transportation</u></p>	<p><i>Rule 7.2.4 continued.</i></p>	
<p>(a) Travel shall be by the most direct and economical route and mode of transportation unless the Director General considers that the use of an alternative route or mode of transportation is in the interest of the International Bureau. In selecting an approved route for a particular journey the Director General shall, in addition to the transportation costs themselves, take into account the travel time involved, the cost of subsistence and other travel allowances, the availability of</p>	<p>(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 exigency 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</p>	

Current Text

Proposed Text

Comments

appropriate accommodations and the frequency and reliability of departures and arrivals.

(b) The Director General shall issue from time to time lists of approved travel routes between the duty stations and cities most commonly visited in the course of travel on official business or home leave. In addition to approved routes and modes of transportation for specific journeys, these lists shall specify standards of accommodation, maximum travel times, and allowances for terminal and transit expenses provided for under these Rules.

(c) When the Director General, in accordance with paragraph (a) above, has designated air travel as the normally approved mode of transportation for a particular journey, he may nevertheless authorize a staff member to use surface transport if he considers that there are special reasons to justify such authorization.

(d) When the Director General, in accordance with paragraph (a) above, has designated surface travel as the normally approved mode of transportation for a particular journey, he may nevertheless authorize a staff member to travel by air if the exigencies of the service so require, or if he considers that there are special reasons to justify such authorization.

Rule 7.1.9 – Travel Conditions

(e)

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 accommodations and the frequency and reliability of departures and arrivals.

(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.

(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

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

(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) All other staff members shall travel economy or tourist class, provided that 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 first class.

(3) Staff members, their spouses and dependent children, travelling below first-class 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) A staff member required to make an official

This Rule remains largely the same; small changes have been made to standardize travel by sea and to incorporate practices consolidated from existing policies into the SRR.

Current Text

Proposed Text

Comments

journey by air, or mostly by air,

(i) shall not normally be required to resume his duties within twelve hours of arriving at his destination if the scheduled flight time for the journey is between six and ten hours;

(ii) shall not normally be required to resume his duties within twenty-four hours of arriving at his destination if the scheduled flight time is more than ten hours; alternatively, at the discretion of the Director General, a stopover period not exceeding twenty-four hours may be granted. In the case of very long journeys, 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 shall, from time to time, adapt the above-mentioned rules in accordance with the conditions offered by the airline companies.

(c) When approved travel is by sea, accommodation shall be provided in accordance with the following general standards:

(1) For travel on official business, first-class accommodation with suitable facilities, or its equivalent, shall be provided.

(2) For travel on home leave, staff members in the Special and higher categories shall normally be provided with first-class accommodation, and other staff members with cabin-class accommodation, or their respective equivalents.

(d) In the case of all official travel by train, staff members shall be provided with appropriate accommodation including, for example, sleeper facilities where applicable.

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 the airline companies.

(c) The conditions for travel by sea or by train 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 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 7.1.10 – Travel by Automobile

(a) Staff members who are authorized to travel by automobile shall be reimbursed by the International Bureau at rates and under conditions established 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 km. a day.

(b) Reimbursement for travel within a radius of 56 km. (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 cost of daily commuting between a staff member's home and the place where he works shall not be reimbursable.

(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 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 accommodations authorized and actually used.

Rule 7.2.5 continued.

(d) When approved travel is by automobile, the following conditions shall apply:

(1) Staff members are not 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 cost of daily commuting between a staff member's home and the place where he or she works shall

The contents of this Rule have been reordered to increase clarity, and to incorporate the different modes and means of travel into one place. An additional section on rental cars has been added to accommodate the growing practice of the use of rental cars.

(c) The mileage rate established by the Director General shall be payable to only one of two or more persons making the same trip in the same automobile.

(d) The total of mileage reimbursement and travel subsistence allowance which a staff member may claim for any journey by automobile shall be limited to the maximum travel expenses to which he would have been entitled had he and his dependants traveled by the most economical route.

(e) Staff members are not 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.

Rule 7.1.11 – 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 in advance.

(b) When a staff member requests a standard of accommodation in excess of his entitlement under Rule 7.1.9, or is authorized to travel, for reasons of personal preference or convenience, by other than the approved route or mode of transportation as provided for under Rule 7.1.8, he shall be required to reimburse the International Bureau for any additional costs thus incurred before receiving his ticket.

not be reimbursable.

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

(5) The total of 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 engage a rental car, permission shall be sought in advance, according to procedures that shall be prescribed in an Office Instruction.

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 modifications can be made to the route, mode or conditions of transport as defined in Rule 7.2.4 without the prior consent, in writing, by the designated authorities and Safety and Security. 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.

This Rule has been revised to allow the International Bureau to more easily modify the means by which tickets are purchased, as well as to reflect practices consolidated from existing policies.

(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 will not be considered valid and travel will 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 is 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 United Nations expense;

Rule 7.1.12 – Terminal Expenses

(a) A staff member travelling to or from the duty station may claim 76 United States dollars² for himself and 26 United States dollars² 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 regarded as the terminal point. This terminal expenses allowance is 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 dollars² for each dependant.

This Rule has been revised to better protect the interests of the International Bureau by establishing a clear procedure and monetary caps for terminal expenses. It also clarifies when the grant of terminal expenses is allowed.

(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 stop-over 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.

(d) Notwithstanding the above paragraphs, for authorized travel to or from New York City, the amounts are 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.

(c) At official stopovers, reimbursement of expenses as described in paragraph (a) above may be claimed up to a maximum of 76 United States dollars² for a staff member and 26 United States dollars² for each dependant. No terminal expenses or any other expenses shall be paid in respect of an intermediate stop which is not authorized, 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 connection³.

(d) Notwithstanding paragraphs (a), (b) and (c), above, for authorized travel to or from New York, the amounts are 126 United States dollars² for a staff member and 42 United States dollars² for each dependant.

Rule 7.1.13 - Expenses while in Transit

(a) The travel subsistence allowance provided for below shall not be payable for travel by sea. A staff member authorized to travel by sea shall be entitled to a fixed amount to cover such outlays as he will normally be obliged to make on board ship. The amount 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

Deleted.

expense of the International Bureau.

(b) 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.

Rule 7.1.14 - Travel Subsistence Allowance

(a) A staff member authorized to travel at the expense of the International Bureau shall, except during travel by sea, receive a subsistence allowance. The latter shall vary according to the category of the post to which the staff member is assigned and is determined according to the areas which he is to visit on the basis of the schedule established for that purpose by the International Civil Service Commission (subject to the application of a special rate in accordance with Rule 7.1.15).

(1) The rates indicated in the afore-mentioned schedule shall apply to staff members in the Professional and General service categories.

(2) The rates applicable to staff members in the Special category shall be the same as those established by the United Nations for the said category.

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

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

(5) The rates applicable to the Director General shall correspond to those established by the United Nations for Under-Secretaries-General, plus 9.45 percent.

(b) In exceptional and compelling circumstances, the

Rule 7.2.9 - Daily Subsistence Allowance

(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. The latter shall vary according to the category of the post to which the staff member is assigned and is 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 amount to cover such outlays as he or she will normally be obliged to make on board ship. The amount 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 Special category shall be the same as those established by the

This Rule now makes clear to staff members the exact circumstances under which Daily Subsistence Allowance will be granted. It further reduces administrative efforts and expedites the process for claiming the allowance.

Director General may authorize a reasonable increase in the travel subsistence allowance for a staff member who is required to accompany a senior official and whose official duties during travel require that he incur expenses which justify a substantial increase in the allowance applicable to his grade.

(c) The travel subsistence allowance shall be deemed to comprise the total contribution of the International Bureau towards such expenses as meals, lodging, gratuities and payment for miscellaneous services. When meals and/or lodging are provided free of charge by official sources, the standard rate of the travel subsistence allowance shall be reduced by 30 percent if meals are provided, by 50 percent if lodging is provided and by 80 percent if both meals and lodging are provided. Subject to Rule 7.1.17, any expenses incurred in excess of the allowance shall be borne by the staff member.

(d) A staff member shall receive, for each of his dependants authorized to travel at the expense of the International Bureau, an additional travel subsistence allowance at half the rate applicable to himself; however, no such allowance shall be payable in respect of travel by sea or travel undertaken in accordance with the provisions governing education grant.

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 per cent 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.

(e) Staff members shall receive, for each of their dependents 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 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 will 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 is also applicable to mission travel, excluding leave, when the mission is undertaken and the staff member uses his or her home for accommodation.

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

(f) The travel 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.

Rule 7.1.15 – Special Rates of Travel Subsistence Allowance

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.

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 7.1.16 – Calculation of Travel Subsistence Allowance

(a) Except during travel by sea, and subject to paragraph (c) of the Rule 7.1.14, the travel subsistence allowance shall be paid in accordance with the conditions set forth hereafter:

(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;

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

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 hereafter:

(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 accommodations 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;

This Rule has been drafted to ensure that the International Bureau pays Daily Subsistence Allowances only in those circumstances when it is warranted; this reduces possible abuses of the system.

Current Text

Proposed Text

Comments

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

- (i) for the day of departure;
- (ii) for each successive period of 24 hours (from midnight to midnight, according to local time);
- (iii) no allowance shall be paid for the day on which travel ends.

(b) The rate applicable shall be the one corresponding to the locality where the staff member concerned spends the night; however

(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.

(c) 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.

(d) When it is necessary, for the purpose of calculating the travel subsistence allowance payable, to specify the "hour of departure" and "hour of arrival", these terms shall mean the time when the train, vessel, or airplane actually left or arrived at its regular terminal.

(3) 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:
- (4) trips lasting fewer than 10 hours.
 - (5) 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 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 is 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 7.1.17 – Miscellaneous Travel Expenses

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 necessity 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 dollars². Such expenses, for which advance authorization shall as far as possible be obtained, shall normally be limited to:

- (a) use of local transportation other than on arrival;
- (b) telephone and telegraph messages on behalf of the International Bureau;
- (c) forwarding of authorized baggage by an appropriate agency;
- (d) rental of office space for official use;
- (e) stenographic or typewriting services or rental of typewriters for the preparation of official reports or correspondence;
- (f) transportation or storage of baggage or equipment used

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 necessity 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.

This Rule has been streamlined by moving procedural detail to the Office Instruction level.

on behalf of the International Bureau.

(b) In cases where advance authorization for necessary additional travel expenses is not practicable, all receipts and documents must 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 7.1.18 – Assignment Grant

(a) Subject to the conditions set forth below, a staff member who travels at the expense of the International Bureau on appointment or assignment to another duty station shall receive an assignment grant for himself and his dependants provided that his 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 the staff member for himself and his dependants immediately following their arrival at the duty station.

(b) The amount of the assignment grant shall, for the staff member himself, be equal to that of the travel subsistence allowance for 30 days after his arrival at his duty station.

(c) The assignment grant payable for a dependant whose travel expenses have been paid by the International Bureau shall be one-half the amount payable to the staff member concerned in accordance with paragraph (b) above.

(d) When a staff member travels at the expense of the International Bureau on appointment or assignment to another duty station but is not entitled to the payment of removal costs, he shall in addition to any amount payable under paragraphs (a) to (c), above, receive a non-pensionable annual lump sum from the month following the one of his taking up duties, but not

Rule 7.3.2 – Assignment Grant

(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 an assignment 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 dependents immediately following their arrival at the duty station.

(b) For the staff member concerned, the amount of the assignment grant shall be equal to that of the daily subsistence allowance for 30 days after arrival the duty station.

(c) The assignment grant payable for a dependant whose travel expenses have been paid by the International Bureau shall be one-half the amount payable to the staff member concerned in accordance with paragraph (b) above.

(d) When a staff member travels at the expense of the International Bureau on appointment or assignment to another duty station but is not entitled to the payment of removal costs, he or she shall in addition to any amount payable under paragraphs (a) to (c), above, receive a non-pensionable annual lump sum from the month following the one of his or her taking up duties, but not

This Rule was revised and restructured to improve clarity. The substantive points remain unchanged.

earlier than from the thirty-first day in service at the duty station. The amount of the lump sum shall correspond to US\$ 2,100 for staff members with dependants in the General Service category and at grades P-1 to P-3 in the Professional category and US\$ 1,580 for staff members without dependants. For staff members at grades P-4 and P-5 in the Professional category, the amounts are US\$ 2,630 and US\$ 1,970, respectively, and for staff members in the Special and higher categories, US\$ 3,150 and US\$ 2,360, respectively. The lump sum provided for staff members with dependants shall be payable regardless of the place of residence of the dependants. The lump sum will not be paid beyond 36 months after the date on which the staff member took up his service at the duty station and in no case beyond the date on which an eventual removal takes place. The Director General may, at his discretion, authorize the continued payment if he considers it to be in the interest of the International Bureau, but in no case beyond the date on which an eventual removal takes place. Staff members who are entitled to the payment of removal costs in accordance with Rule 7.1.25, but who choose not to undertake the removal, shall not normally benefit from the lump sum payment under this paragraph.

(e) Any staff member whose appointment took effect prior to January 1, 2007, shall receive, where applicable, the amount provided for under paragraph (d), above, according to its tenor on December 31, 2006, should the latter amount be higher than the amount provided for according to its present tenor.

The Director General may, at his discretion, authorize payment of all or part of an assignment grant under paragraphs (a) to (d), above, 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

(f) In cases where the staff member has not completed the period of service in respect of which an assignment grant has been paid to him, and unless the Director General considers

earlier than from the thirty-first day in service at the duty station. The amount of the lump sum shall correspond to the amounts set by the ICSC. The lump sum provided for staff members with dependants shall be payable regardless of the place of residence of the dependants. The lump sum will not be paid beyond 36 months after the staff member took up service at the duty station and in no case beyond the date on which an eventual removal takes place. The Director General may, at his or her discretion, authorize the continued payment if determined to be in the interest of the International Bureau, but in no case beyond the date on which an eventual removal takes place. Staff members who are entitled to the payment of removal costs in accordance with Rule 7.3.6 but who choose not to undertake the removal, shall not normally benefit from the lump sum payment under this paragraph.

(e) Any fixed term staff member whose appointment took effect prior to January 1, 2007, shall receive, where applicable, the amount provided for under paragraph (d) above, according to its tenor on December 31, 2006, should the latter amount be higher than the amount provided for according to its present tenor.

(f) The Director General may, at his or her discretion, authorize payment of all or part of an assignment grant under paragraphs (a) to (d) above, 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.

(g) If the staff member has not completed the period of service for which an assignment grant has been paid to him, and unless the Director General determines the departure is justified by

Current Text

the departure as justified by exceptional circumstances, the grant shall be adjusted proportionately and recovery shall be made by deduction from any amount due to him.

(g) If a dependant, in respect of whom an assignment grant has been paid in accordance with paragraph (c) above, resides less than six months at the duty station, and unless the Director General considers his departure as justified by exceptional circumstances, any assignment grant paid on his account shall be deducted from any amount due to the staff member concerned.

Rule 7.1.19 – Excess Baggage and Unaccompanied Shipments

(a) Baggage in excess of the amount specified in Rule 7.1.9(b)(3), 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 in

Proposed Text

exceptional circumstances, the grant shall be adjusted proportionately and recovery shall be deducted from any amount due to the staff member.

(h) If a dependant, for whom an assignment grant has been paid in accordance with paragraph (c) above, resides less than six months at the duty station, and unless the Director General determines the departure is justified by exceptional circumstances, any assignment grant paid on the dependant's account shall be deducted from any amount due to the staff member concerned.

(i) 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 an assignment 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 themselves and their dependents immediately following their arrival at the duty station.

(j) For the staff member concerned, the amount of the assignment grant shall, be equal to that of the travel subsistence allowance for 30 days after his or her arrival at the duty station.

(k) The assignment grant payable for a dependant whose travel expenses have been paid by the International Bureau shall be one-half the amount payable to the staff member concerned in accordance with paragraph (b) above.

Rule 7.3.7 – Excess Baggage and Unaccompanied Shipment

(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 in

Comments

This rule was redrafted and restructured to improve clarity. The substantive points remain unchanged.

paragraph (c) below.

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

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

(1) For home leave travel, the Organization shall reimburse the costs for surface shipment of 50 kg (110 lb) or 0.31 m³ (11 cubic feet) per person of unaccompanied baggage, or 10 kg (22 lb) excess baggage by air.

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

(iii) 200 kg (440 lb) or 1.24 m³ (44 cubic feet) of unaccompanied baggage on the first outward journey to, and the final return journey from, the educational institution, as well as on the occasion of a change of institution which involves travel;

(iv) 50 kg (110 lb) or 0.31 m³ (11 cubic feet) of unaccompanied baggage on education grant travel other than that mentioned in above.

(e) On appointment, transfer or separation from service, when the staff member is not entitled to removal expenses, he may be reimbursed expenses incurred in transporting personal effects and household goods 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

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 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 (110 lb) or 0.31 m³ (11 cubic feet) per person of unaccompanied baggage; or

(ii) 10 kg (22 lb) excess baggage by air.

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

(i) 200 kg (440 lb) or 1.24 m³ (44 cubic feet) of unaccompanied baggage on the first outward journey to, and the final return journey from, the educational institution, as well as on the occasion of a change of institution which involves travel; and

(ii) 50 kg (110 lb) or 0.31 m³ (11 cubic feet) of unaccompanied baggage on education grant travel other than that mentioned above.

(e) On appointment, transfer, or separation from service, when the staff member is not entitled to removal expenses, he or she may be reimbursed expenses incurred in transporting personal effects and household goods by surface, or by air if the latter mode of transportation is more economical, up to a maximum, including

vans, of:

1,000 kg (2,200 lb) or 6.23 m³ (220 cubic feet) for the staff member;

500 kg (1,100 lb) or 3.11 m³ (110 cubic feet) for the first dependant;

300 kg (660 lb) or 1.87 m³ (66 cubic feet) 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, he may be reimbursed expenses incurred in transporting 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:

450 kg (990 lb) or 2.80 m³ (99 cubic feet) for the staff member;

300 kg (660 lb) or 1.87 m³ (66 cubic feet) for the first dependant;

150 kg (330 lb) or 0.93 m³ (33 cubic feet) for every other dependant authorized to travel at the expense of the International Bureau,

provided that the total shall not exceed 1,200 kg (2640 lb) or 7.45 m³ (263 cubic feet) for the staff member and his dependants. The weight or volume of such shipment shall be deducted from the maximum weight or volume to which the staff member is entitled under paragraph (d) of Rule 7.1.25.

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

packaging materials but excluding crating and lift vans, of:

(1) 1,000 kg (2,200 lb) or 6.23 m³ (220 cubic feet) for the staff member;

(2) 500 kg (1,100 lb) or 3.11 m³ (110 cubic feet) for the first dependant;

(3) 300 kg (660 lb) or 1.87 m³ (66 cubic feet) 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, he or she may be reimbursed expenses incurred in transporting 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:

(1) 450 kg (990 lb) or 2.80 m³ (99 cubic feet) for the staff member;

(2) 300 kg (660 lb) or 1.87 m³ (66 cubic feet) for the first dependant;

(3) 150 kg (330 lb) or 0.93 m³ (33 cubic feet) for every other dependant authorized to travel at the expense of the International Bureau, provided that the total shall not exceed 1,200 kg (2640 lb) or 7.45 m³ (263 cubic feet) for the staff member and his dependants. The weight or volume of such shipment shall be deducted from the maximum weight or volume to which the staff member is entitled under paragraph (d) of Rule 7.2.5.

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

Current Text

dismantling or installing fixtures, or special packing.

(h) The conversion of the whole or part of the surface shipment entitlement, under paragraphs (d)(1), (d)(2), (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.

Proposed Text

(h) In cases where the shipment by air is not more economical than by surface the maximum authorized shall be:

(1) 225 kg (445 lb) or 1.40 m³ (49.5 cubic feet) for the staff member;

(2) 150 kg (330 lb) or .93 m³ (33 cubic feet) for the first dependant;

(3) 75 kg (165 lb) .46 m³ or (16 cubic feet) for every other dependant authorized to travel at the expense of the International Bureau.

(i) The conversion of the whole or part of the surface shipment entitlement, under paragraphs (b)(1), (b)(2) and (b)(3), (c) and (d) 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 paragraph above. In any event, the total weight and volume allowed for shipment by air shall not exceed 600 kg (1320 lb) or 3.22 m³ (131 cubic feet) for the staff member and his or her dependants.

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

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.

Comments

Current Text

Rule 7.1.20 - Insurance, Compensation for Loss of or Damage to Personal Effects Attributable to Service

(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 paragraph (e) below.

(b) In the case of unaccompanied shipments authorized under Rule 7.1.19 (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 kg 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 7.1.25 (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 Rules 7.1.19 and 7.1.25, 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.

(e) Staff members shall be entitled, within limits and under conditions laid down by the Director General, to reasonable

Proposed Text

Rule 7.3.10 – Travel-related Insurance

(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 paragraph (e) below.

(b) In the case of unaccompanied shipments authorized under Rule 7.2.14 (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 Rules 7.2.14 and 7.3.6, 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

Comments

This Rule was revised and restructured to improve clarity. The substantive points remain unchanged.

Current Text

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 7.1.21 – 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 these Rules. Any overpayment will be recovered from the next salary payment due to the staff member.

Rule 7.1.22 – 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, in so far as such expenses are not otherwise covered.

Rule 7.1.23 – Reimbursement of Travel Expenses

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 these Rules.

Proposed Text

performance of their official duties with the International Bureau.

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 will be recovered from the next salary payment due to the staff member.

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.

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 reserves 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;

Comments

This Rule was revised to consolidate previously scattered provisions on reimbursement of travel and removal expenses into a single Rule. A provision on fraud was added to protect the International Bureau and increase accountability within the Organization.

(3) Unauthorized changes to travel.

(c) All staff members must provide proof of travel by attaching a scanned document containing boarding passes, train tickets, and other forms of travel receipts. Staff members must retain the proof of travel receipts for a minimum period of 24 months.

(1) For reimbursement, all travel receipts must be in their original form or in a form verifiable by the travel administration. Informal receipts shall not be reimbursed.

(2) All travel receipts must be submitted within three weeks following the trip. If the travel claim is not submitted in time it will be assumed that the trip was not undertaken and the travel advance will 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 7.3.8 – Reimbursement of Travel and Removal Expenses

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

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 7.1.24 - 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 elected, reasonable expenses incurred for the interment or cremation may be reimbursed.

Current Text

Proposed Text

Comments

Rule 7.1.25 – Removal Expenses

(a) Subject to the conditions laid down in these 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) where the initial appointment or assignment was for a period of less than two years but where it is extended so that the appointment or assignment, taking into account the extension, will cover a period of at least two years counted from the date of initial appointment or assignment, upon such extension;

(3) 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

(b) In the cases provided for in paragraph (a)(1) and (2) 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 is entitled to take home leave, provided that such goods and effects were in his possession at the time of appointment and are being transported for his 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 deems appropriate.

(c) In the case provided for in paragraph (a)(3) 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 he 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 deems appropriate, provided the goods and effects were in the staff member's possession at

Rule 7.3.6 – Removal Expenses

(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) where the initial appointment or assignment was for a period of less than two years but where it is extended so that the appointment or assignment, taking into account the extension, will cover a period of at least two years counted from the date of initial appointment or assignment, upon such extension; 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.

(b) In the cases provided for in paragraph (a)(1) and (2) 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) 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

This Rule was revised and restructured to improve clarity. The substantive points remain unchanged.

the time of separation from service and are being transported for his 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 4,890 kg (10,800 lb) or 30.58 m³ (1,080 cubic feet), including packaging materials but excluding crating and lift vans, for staff members without dependants; and 8,150 kg (18,000 lb) or 50.97 m³ (1,800 cubic feet) for staff members with one or more dependants residing with them at their official duty station. A higher maximum may be set, however, in the case of a staff member with one or more dependants residing with him at his official duty station, if that staff member can establish that the amount of household goods and personal effects which he normally requires exceeds 50.97 m³ (1,800 cubic feet).

(2) The International Bureau shall not normally pay storage charges other than those normally included in transportation costs. When a staff member is assigned to a new duty station to which he has the entitlement to removal, the International Bureau may upon request pay the cost of storage of his household goods and personal effects during the period of his service at that duty station, limited to the volume set out in paragraph (d)(1) above, and for a maximum period of five years from the date of taking up the assignment. The cost of the storage shall not be higher than the estimated cost of a removal to and from the duty station. In such cases, the International Bureau shall not pay the costs of any removal to or from that duty station beyond unaccompanied shipments, pursuant to Rule 7.1.19(f).

(3) The International Bureau shall pay reasonable costs of packing, crating, carriage, uncrating, unpacking and insurance of shipments within the limits of authorized weight or volume, but shall not pay costs for adapting appliances, dismantling or installing fixtures or special

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 4,890 kg (10,800 lb) or 30.58 m³ (1,080 cubic feet), including packaging materials but excluding crating and lift vans, for staff members without dependants; and 8,150 kg (18,000 lb) or 50.97 m³ (1,800 cubic feet) for staff members with one or more dependants residing with them at their official duty station. A higher maximum may be set, however, in the case of a staff member with one or more dependants residing at his or her official duty station, if that staff member can establish that the amount of household goods and personal effects which he or she normally requires exceeds 50.97 m³ (1,800 cubic feet).

(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 their household goods and personal effects during the period of service at that duty station, limited to the volume set out in paragraph (d)(1) above, and for a maximum period of five years from the date of taking up the assignment. The cost of the storage shall not be higher than the estimated cost of a removal to and from the duty station. In such cases, the International Bureau shall not pay the costs of any removal to or from that duty station beyond unaccompanied shipments, pursuant to Rule 7.3.7.

(3) The International Bureau shall pay reasonable costs of packing, crating, carriage, uncrating, unpacking and insurance of shipments within the limits of authorized weight or volume, 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

packing.

(4) Transportation of household goods and personal effects shall be effected by such means as the Director General considers 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 transportation 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.

(e) This Rule shall not apply to staff members on mission, nor shall the International Bureau pay the costs for the removal of a staff member's household goods and personal belongings from one residence to another at the same duty station.

(f) Where both spouses are staff members entitled to removal of household goods and personal effects, the maximum weight and 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.

(g) Any staff member whose appointment took effect prior to July 1, 1990, shall continue to receive, where applicable, the assignment allowance provided for in Staff Rule 7.1.25 according to its tenor on June 30, 1990.

Rule 7.1.26 - Loss of Entitlement to Removal Expenses

(a) A staff member who abandons his post or resigns before completing two years of service shall not normally be entitled to payment of removal expenses. Such costs already paid may be adjusted proportionately and recovery made from other

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.

(e) This Rule shall not apply to staff members on mission, nor shall the International Bureau pay the removal costs of a staff member's household goods and personal belongings from one residence to another at the same duty station.

(f) Where both spouses are staff members entitled to removal of household goods and personal effects, the maximum weight and 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.

(g) Any staff member whose appointment took effect prior to July 1, 1990, shall continue to receive, where applicable, the assignment grant provided for in these Regulations and Rules according to its tenor on June 30, 1990.

(h) It shall be understood that for the purposes of removal and shipment that when a staff member is given a choice between volume and weight, they must choose the more economical of the two.

Rule 7.3.9 - Loss of Entitlement to Removal Expenses

(a) A staff member who abandons his or her post or resigns before completing two years of service shall not normally be entitled to payment of removal expenses. Such costs already paid may be adjusted proportionately and recovered from other

payments due to the staff member.

(b) The International Bureau shall not pay removal expenses if the removal has not taken place within two years after the date on which the staff member became entitled to removal under Rule 7.1.25, 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 household goods and personal effects.

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

payments due to the staff member.

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

Rule 7.3.13 – Travel Related Entitlements for Temporary Staff Members

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

(a) Travel and Removal 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 removal

This Rule is newly drafted to reflect travel related entitlements for temporary employees.

expenses, for himself or herself, and to travel expenses for the spouse and dependent children upon the 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. Regulation 7.1.3(a) shall apply for the definition of dependants for the payment of transportation expenses.

(3) Upon the extension of an initial appointment of less than 12 months resulting in an uninterrupted period of service of longer than 12 months, temporary staff members will be entitled to payment of travel and removal expenses for themselves as well as travel expenses for their spouse and dependent children. A removal shipment will 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

(1) If a dependant leaves the duty station within six months of his or her arrival, and unless the Director General considers his 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 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 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 dependant 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.

(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) Rule 7.3.9, "Loss of Entitlement to Removal Expenses" shall apply to temporary staff members, except for paragraph (a). A staff member who abandons his or her "post" (for temporary staff members this shall mean position) or resigns before completing the term of his or her temporary appointment shall not normally be entitled to payment of removal expenses. Such costs already paid may be adjusted proportionately and recovered from other payments due to the staff member.

(e) Rule 7.3.8, "Reimbursement of Travel and Removal Expenses," shall apply to temporary staff members.

(f) Rule 7.3.10, "Travel-related Insurance," shall apply to temporary staff members.

(g) Rule 7.3.11, "Illness or Accident during Travel," shall apply to temporary staff members.

(h) 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 Council

(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 allowances. The Staff Council shall be entitled to make proposals on such questions to the Director General on behalf of the staff.

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 Council

(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.

(c) Except in cases of urgency, general administrative

No substantive change.

Current Text

Proposed Text

Comments

(c) Except in cases of urgency, general administrative instructions or directions on questions within the scope of paragraph (b) above shall in advance be brought to the notice of the Staff Council 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.

instructions or directions on questions within the scope of paragraph (b) above shall in advance be brought to the notice of the Staff Council 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

Regulation 8.2

Staff Consultation

Staff Consultation

The Director General shall establish a joint administrative body with staff participation. This body shall advise the Director General on principles of personnel administration and general questions of staff welfare or any administrative matter which he may refer to it, and shall submit to him proposals for such amendments as it may wish to have made to the Staff Regulations or Staff Rules.

The Director General shall establish a joint administrative body with staff participation. This body shall advise the Director General on principles of personnel administration and general questions of staff welfare or any administrative matter which he or she may refer to it, and shall submit to the Director General proposals for such amendments as it may wish to have made to the Staff Regulations or Rules.

No substantive change.

Rule 8.2.1 – Joint Advisory Committee

Rule 8.2.1 – Joint Advisory Committee

(a) The joint administrative body provided for in Regulation 8.2 shall be a Joint Advisory Committee composed as follows:

(a) The joint administrative body provided for in Regulation 8.2 shall be a Joint Advisory Committee composed as follows:

(1) a chair, and one alternate chair who shall sit on the Committee when the full chair is unable to do so, designated by the Director General from among the staff members of the International Bureau;

(1) a chair, and one alternate chair who shall sit on the Committee when the full chair is unable to do so, designated by the Director General from among the staff members of the International Bureau;

Current Text

Proposed Text

Comments

- (2) two members and two alternates representing the staff; they must be staff members of the International Bureau;
 - (3) the head of the administrative services or his alternate;
 - (4) *ex officio*, as a non-voting member and as Secretary of the Committee, the Director of the Human Resources Management Department or his alternate.
- (b) Meetings of the Committee shall be convened as necessary, either upon convocation by the Director General or the Chair or at the request of at least two of its members.

- (2) two members and two alternates representing the staff; they must be staff members of the International Bureau;
 - (3) the head of the administrative services or his or her alternate;
 - (4) *ex officio*, as a non-voting member and as Secretary of the Committee, the Director of the HRMD or his alternate.
- (b) Meetings of the Committee shall be convened as necessary, either upon convocation by the Director General or the Chair or at the request of at least two of its members.

CHAPTER IX
SEPARATION FROM SERVICE

CHAPTER IX
SEPARATION FROM SERVICE

Regulation 9.1

Separation from Service

- (a) Termination of appointment;
- (b) Abandonment of post;
- (c) Resignation;
- (d) Expiration of appointment;
- (e) Retirement;
- (f) Death.

This new Regulation has been drafted to provide an overview of the structure of the Chapter.

Regulation 9.1

Termination

- (a)
 - (1) The Director General, giving his reasons therefor, may terminate the appointment of a staff member who holds a permanent appointment, if the exigencies of the service require abolition of the post or a reduction in staff, or if for reasons of health the staff member concerned is no longer able to perform

Regulation 9.2

Termination

- (a) The Director General, giving his or her reasons therefore, 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;

Current Text

Proposed Text

Comments

his duties, or if his performance or conduct prove unsatisfactory.

(2) The Director General may terminate the appointment of a staff member who holds a fixed-term appointment prior to its expiration date for any of the reasons specified in subparagraph (1) above, or for such other reason as may be specified in the letter of appointment.

(3) The Director General may terminate the appointment of a staff member who holds a permanent or a fixed-term appointment, without regard to the period of notice of termination, if the staff member abandons his post. The definition of what constitutes abandonment of a post and the procedure to be followed in such cases shall be fixed by the Director General in an Office Instruction.

(4) The Director General may also terminate the appointment of a staff member who holds a permanent or a fixed-term appointment, 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.

(5) Before termination of the appointment of a staff member of grade D-1 or above for any of the reasons indicated in subparagraphs (1) and (2) above, the Coordination Committee shall be consulted; the Director General shall take due account of the advice of that Committee.

(6) On the advice of the Coordination Committee, the General Assembly may terminate the appointment of the Director General if for reasons of health he is no longer able to perform his duties, if his performance or conduct prove unsatisfactory, or for such other reason as may be specified in his letter of appointment.

(2) If for reasons of health the staff member concerned is no longer able to perform his or her duties;

(3) If the staff member's performance or conduct prove unsatisfactory;

(4) If prior to the appointment of the staff member he or she made any false or misleading statement in his or her application form, or withheld any information relevant to his or her suitability that, if it had been known at the time of appointment, should have precluded appointment;

(5) If the staff member abandons his or her post;

(6) 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;

(7) If the staff member no longer has a post as a result of a reclassification:

(i) Fixed-term staff members terminated as a result of reclassification shall be terminated and given a termination indemnity pursuant to Regulation 9.8(a)(1).

(ii) Permanent or continuing staff members terminated as a result of reclassification shall be terminated and given a termination indemnity pursuant to Regulation 9.8(a)(6).

(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 or her performance or conduct prove unsatisfactory, or for such

As a result of the introduction of competition into reclassification of more than two grades or between categories, a staff member may no longer have a post. The amendments to this Regulation ensure the staff are informed of the possible result of competition for reclassification as well as their rights should this occur.

(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 holding permanent appointments shall be retained in preference to those holding fixed-term appointments.

(h) Appointments shall be terminated with due regard to competence, efficiency, conduct and length of service; all else being equal, appointments of staff members with the least family responsibilities shall be terminated first.

(i) Any staff member whose permanent 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 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.

The Director General shall report all cases of termination to the Coordination Committee

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 holding permanent or continuing appointments shall be retained in preference to those holding fixed-term appointments.

(f) 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:

- (1) Staff members holding permanent appointments;
- (2) Staff members holding continuing appointments;
- (3) Staff members holding fixed-term appointments.

(g) Appointments shall be terminated with due regard to competence, efficiency, conduct and length of service.

(h) 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 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.

(i) The Director General shall report all cases of termination to the Coordination Committee.

(j) 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 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 Temporary Staff Members

- (a) Rule 9.2.1, “Definition of Termination,” shall apply to temporary staff members.
- (b) The Director General, giving his or her reasons therefore, may terminate the appointment of a staff member who holds a temporary for any of the following reasons:
 - (1) during the probation period at anytime either with or without cause
 - (2) if the exigencies of the service require a reduction in staff;
 - (3) if for reasons of health the staff member concerned is no longer able to perform his or her duties;
 - (4) if the staff member’s performance or conduct prove unsatisfactory;
 - (5) if prior to the appointment of the staff member he or she made any false or misleading statement in his or her application form, or withheld any information relevant to his or her suitability that, if it had been known at the time of appointment, should have precluded appointment;
 - (6) if the staff member abandons his or her post;
 - (7) if such action is in the interests of the good administration of the International Bureau, and;
 - (8) provided the action is not contested by the staff

Rule 9.2.1 – the definition of termination has been added for the purposes of greater clarity for staff as to their rights, duties and obligations.

Rules 9.2.2 and 9.7.1 - The termination provisions for temporary staff are formalized in the interests of transparency and consistent application in staff rights, duties and obligations, and to ensure consistent application.

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 the 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

Abandonment of post is 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 his or her appointment shall be terminated without regard to the period of notice of termination and without indemnity 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 termination of his or her appointment. The subject matter of this regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 9.3.1 entitled "Abandonment of Post by Temporary Staff Members".

Rule 9.3.1 – Abandonment of Post by Temporary Staff Members

The above regulation shall apply to temporary staff members. The term "abandonment of post" shall apply to temporary staff members who have abandoned their position.

The new Regulation clarifies the definition of abandonment of post, to ensure greater clarity in staff rights, obligations and accountability

Current Text

Proposed Text

Comments

Regulation 9.2

Regulation 9.4

Termination for Reasons of Health

Termination for Reasons of Health

The services of a staff member may be terminated when he is unable to perform his duties or other duties which might reasonably be assigned to him, as a result of infirmity, illness or the weakening of his physical or mental faculties. Appropriate medical certificates shall be presented in such cases.

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

The new Regulation clarifies that an appointment cannot be terminated before the exhaustion of any sick leave to ensure that staff rights are safeguarded.

Regulation 9.3

Regulation 9.5

Resignation

Resignation

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

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

A definition of resignation has been added, for the purposes of greater clarity for staff in their rights, duties and obligations.

Regulation 9.4

Regulation 9.6

Notice of Resignation

Notice of Resignation

Unless otherwise specified in his letter of appointment, a staff member holding a 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.

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 thirty 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".

No substantive change. A new Rule has been added to address 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 on shorter notice.

Regulation 9.5

Notice of Termination

- (a) A staff member whose appointment is terminated pursuant to Regulation 9.1 or 9.2 shall be given such notice as is provided for in his letter of appointment or contract and such indemnity as provided for under the Staff Regulations and Staff Rules.
- (b) A staff member whose permanent 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 30 days' written notice of such termination or such notice as may be stipulated in his letter of appointment.
- (d) In lieu of notice, the Director General may authorize payment to the staff member whose appointment is terminated of compensation calculated on the basis of the salary and allowances which he would have received had his termination taken effect at the end of the notice period.

Regulation 9.7

Notice of Termination

- (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 letter of appointment.
- (d) In lieu of notice, the Director General may authorize payment to the 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) The subject matter of this regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by the rule entitled "Notice of Termination for Temporary Staff Members".

No substantive change. A new Rule has been added to address notice of termination for temporary staff members.

Rule 9.7.1 – Notice of Termination for Temporary Staff Members

- (a) A staff member holding a temporary appointment of six months who is terminated shall be given 30 days written notice. A staff member holding a temporary appointment of less than six months who 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 9.6

Termination Indemnity

- (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:

Regulation 9.8

Termination Indemnity

- (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:

The provision of termination indemnity constitutes a significant enhancement of the conditions of service for temporary staff (Rule 9.8.1)

Current Text

Proposed Text

Comments

Years of service	Months of separation remuneration as defined in Regulation 9.12bis	
	<u>Permanent appointments</u>	<u>Fixed-term appointments</u>
less than 1	Not applicable	
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
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

Years of service	Months of separation remuneration as defined in Regulation 9.13	
	<u>Permanent appointments</u>	<u>Fixed-term appointments</u>
less than 1	Not applicable	
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
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 9.12bis in effect at the time his appointment is terminated pursuant to Regulation 9.1 or 9.2.

(3) No indemnity shall be paid to:

- (i) a staff member who resigns, except where termination notice has been given and the termination date agreed upon;
- (ii) a staff member holding a fixed-term appointment who ceases duty on the expiration date specified in his

(2) The termination indemnity shall be calculated on the basis of the staff member's separation remuneration as defined in Regulation 9.13 in effect at the time his or her appointment is terminated pursuant to Regulation 9.1 or 9.2.

(3) No indemnity shall be paid to:

- (i) a staff member who resigns, except where termination notice has been given and the termination date agreed upon;
- (ii) a staff member holding a fixed-term appointment who ceases duty on the expiration date specified in his or her

Current Text

Proposed Text

Comments

letter of appointment;

- (iii) a staff member who is summarily dismissed;
- (iv) a staff member who abandons his post;
- (v) a staff member who is retired.

(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 service 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 considers it justified by the circumstances, pay to a staff member terminated under subparagraph (a)(4) of Regulation 9.1, a termination indemnity not more than 50 percent 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 appointment, regardless of 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) Any staff member whose appointment with the International

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 retired.

(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 service 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 terminated under subparagraph (a)(6) or (a)(7)(ii) of Regulation 9.2, a termination indemnity not more than 50 percent higher than that provided for in sub-paragraph (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

Bureau took effect prior to November 1, 1977, shall receive, where applicable, the indemnities provided for in Regulation 9.6 according to its tenor on October 31, 1977, should the amount of the latter indemnities be higher than that of the indemnities provided for in paragraphs (a) and (b) above.

result of an agreed termination of appointment or because of abolition of post or reduction in staff and who is within two years of age 55 years and 25 years of contributory service in the United Nations Joint Staff Pension Fund, or who is over that age and within two years of 25 years of contributory service, the Director General may place such staff member on special leave without pay for pension purposes pursuant to Regulation 9.2 under conditions to be prescribed by the Director General in an Office Instruction.

(1) The Organization will, on the written request of the staff member prior to being placed on special leave 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 will 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 is 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

(a) A termination indemnity for foreshortening of a temporary appointment applies to staff holding temporary appointments for a period exceeding six months and having at least one year of

continuous service.

(b) The termination indemnity is 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, except where termination notice has been given and the termination date agreed upon;

(2) Ceases duty on the expiration date specified in his letter of appointment;

(3) Is terminated for unsatisfactory service;

(4) Is dismissed for misconduct;

(5) Abandons his or her position;

(6) Has reached the maximum age limit for service in the International Bureau.

Current Text

Regulation 9.7

Repatriation Grant

(a) Staff members whom the International Bureau is bound to repatriate shall be entitled to a repatriation grant. The repatriation grant shall not be paid, however, to a staff member who is summarily dismissed or abandons his post. The conditions and definitions relating to eligibility for this grant shall be determined by the Staff Rules. The amount of the grant shall be proportional to years of 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 appointment and shall be calculated on the basis of the following table, it being understood that, if the period of continuous service away from the home country exceeds 12 years, the amount of the grant shall be the same as if that period had in fact been 12 years. 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 repatriation grant has been paid.

Proposed Text

Regulation 9.9

Repatriation Grant

Staff members whom the International Bureau is bound to repatriate shall be entitled to a repatriation grant. 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. The amount of the grant shall be proportional to years of 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 and shall be calculated on the basis of the following table, it being understood that, if the period of continuous service away from the home country exceeds 12 years, the amount of the grant shall be the same as if that period had in fact been 12 years. 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 repatriation grant has been paid. This regulation shall not apply to temporary staff members.

Comments

No substantive change.

Current Text

Proposed Text

Comments

Years of continuous service 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 9.12bis)

less than 1	nil	nil	nil
1	4	3	2
2	8	5	4
3	10	6	5
4	12	7	6
5	14	8	7
6	16	9	8
7	18	10	9
8	20	11	10
9	22	13	11
10	24	14	12
11	26	15	13
12 or more	28	16	14

Years of continuous service 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 1	nil	nil	nil
1	4	3	2
2	8	5	4
3	10	6	5
4	12	7	6
5	14	8	7
6	16	9	8
7	18	10	9
8	20	11	10
9	22	13	11
10	24	14	12
11	26	15	13
12 or more	28	16	14

(b) Any staff member whose appointment with the International Bureau took effect prior to November 1, 1977, shall receive, where applicable, the grant provided for in Regulation 9.7 and Rule 9.7.1 according to their tenor on October 31, 1977, should the amount of the latter grant be higher than that of the grant provided for in paragraph (a) above.

Rule 9.7.1 – Repatriation Grant

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

(a) The persons whom the International Bureau is “bound to repatriate” in terms of Regulation 9.7 shall be the staff members and their dependants in respect of whom, on separation from

Rule 9.9.1 – Repatriation Grant

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

(a) The persons whom the International Bureau is “bound to repatriate” in terms of Regulation 9.9 shall be the staff members and their dependants to whom, on separation from service, the

Current Text

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 9.7 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) Neither a locally recruited staff member, nor a staff member who abandons his post, nor a staff member whose duty station, at the time of separation, is in his home country, shall be entitled to repatriation grant.

(d) For the purposes of Regulation 9.7, dependants shall be deemed to comprise:

- (1) a spouse;
- (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 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 to return travel expenses

Proposed Text

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) Neither a locally recruited staff member, nor a staff member who abandons his post, nor a staff member whose duty station, at the time of separation, is in his home country, shall be entitled to repatriation grant.

(d) For the purposes of Regulation 9.9, dependants shall be deemed to comprise:

- (1) a spouse;
- (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 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 to return travel expenses shall not affect the entitlement to repatriation grant.

Comments

shall not affect the entitlement to repatriation grant.

(h) Payment of the repatriation grant shall be subject to the provision by the former staff member of evidence of relocation away from the country of the last duty station.

(i) Evidence of relocation shall consist of documentary evidence that the former staff member has established residence in a country other than that of the last duty station, such as a declaration by the immigration, police, tax or other authorities of the country, 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 considers 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) Notwithstanding paragraph (7) above, staff members already in service with the International Bureau before January 1, 1981, shall retain the entitlement to repatriation grant proportionate to the years and months of service qualifying for the grant which they already had accrued at that date without the necessity of production of evidence of relocation; the exercise of any additional entitlement accrued after that date shall, however, be subject to the conditions set out in paragraphs (7) and (8), above.

(l) 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 in respect of 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.

(h) Payment of the repatriation grant shall be subject to the provision by the former staff member of evidence of relocation away from the country of the last duty station.

(i) The former staff member shall provide documentary evidence that they have established residence in a country other than that of the last duty station, such as a declaration by the immigration, police, tax or other authorities of the country, 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) Notwithstanding the paragraph (h) above, staff members already in service with the International Bureau before January 1, 1981, shall retain the entitlement to repatriation grant proportionate to the years and months of service qualifying for the grant which they already had accrued at that date without the necessity of production of evidence of relocation; the exercise of any additional entitlement accrued after that date shall, however, be subject to the conditions set out in paragraphs (h) and (i), above.

(l) 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.

(m) This rule shall not apply to temporary staff members.

Current Text

Proposed Text

Comments

Regulation 9.8

Regulation 9.10

Age Limit (Retirement)

Age Limit for Retirement

- (a) Staff members whose appointments took effect on or after November 1, 1990, shall not be retained in service beyond the age of 62 years.
- (b) 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 years.
- (c) Notwithstanding paragraphs (a) and (b) above, the Director General may authorize, in specific cases, extension of these limits up to the age of 65 years if he considers it to be in the interest of the Organization.
- (d) Staff members whose appointment took effect prior to November 1, 1977, shall not be retained in service beyond the age of 65 years.
- (e) Retirement shall not be regarded as termination within the meaning of Regulations 9.1 and 9.2.

- (a) Staff members whose appointments took effect on or after November 1, 1990, shall not be retained in service beyond the age of 62 years.
- (b) 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 years.
- (c) Notwithstanding paragraphs (a) and (b) above, the Director General may authorize, in specific cases, extension of these limits up to the age of 65 years if he or she considers it to be in the interest of the Organization.
- (d) Retirement shall not be regarded as termination within the meaning of Regulations 9.2 and 9.4.

Current paragraph (d) had been deleted as there are no longer staff in service whose appointments took effect prior to November 1977.

Regulation 9.9

Regulation 9.11

Expiration of Fixed-Term Appointments

Expiration of Fixed-Term Appointments

- (a) Fixed-term appointments (within the meaning of Regulation 4.15) 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 9.1 and 9.2.

- (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.

No substantive change.

Current Text

Proposed Text

Comments

Regulation 9.10

Regulation 9.12

Grant on Death

Grant on Death

The provision of a grant to the dependants in the event of the death constitutes a significant enhancement of the conditions of service for temporary staff.

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

(a) In the event of the death of a staff member holding a permanent 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;
- (3) in the absence of any beneficiary referred to above, and provided that the staff member's appointment took effect prior to January 23, 1979, a dependent parent, a dependent brother or a dependent sister.

- (1) The spouse;
- (2) In the absence of a spouse, the dependent child or dependent children;
- (3) In the absence of any beneficiary referred to above, and provided that the staff member's appointment took effect prior to January 23, 1979, a dependent parent, a dependent brother or a dependent sister.

<u>Years of service with the International Bureau (as defined in Regulation 9.6)</u>	<u>Months of separation remuneration (as defined in Regulation 9.12bis)</u>
3 or less	3
4	4
5	5
6	6
7	7
8	8
9 or more	9

<u>Years of service with the International Bureau (as defined in Regulation 9.8)</u>	<u>Months of separation remuneration (as defined in Regulation 9.15)</u>
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.

(b) Where service exceeds three years, the grant shall be paid proportionately for completed months of service in excess of three years.

(c) Any beneficiary of a staff member whose appointment took effect prior to November 1, 1977, shall receive, where applicable, the grant provided for in Regulation 9.10 according to its tenor on October

(c) If there is no survivor as referred to under paragraph (a), no payment shall be made.

(d) In the event of the death of a staff member, the amount to which

Current Text

Proposed Text

Comments

31, 1977, should the amount of the latter grant be higher than that of the grant provided for in paragraphs (a) and (b) above.

(d) If there is no survivor as referred to under paragraph (a), no payment shall be made.

(e) In the event of the death of a staff member, the amount to which he would have been entitled under Regulation 9.12 (Commutation of Accrued Annual Leave) shall be paid in accordance with Regulation 3.20.

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 9.11

Regulation 9.13

Last Day for Pay Purposes

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:

(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 will be granted during the period of notice of resignation only for brief periods and taking into account the provisions of Regulation 9.12.

(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 will 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 fixed-term appointment, the date shall be that specified in the letter of appointment.

(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.

(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.

(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

(5) In the case of summary dismissal, the date shall be the date

Current Text

date of dismissal.

(6) In the case of death, the date shall be the date of death.

(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 sub-paragraphs (1), (2) or (3) above, or the estimated date of the staff member's arrival at his 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 9.12

Commutation of Accrued Annual Leave

(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 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 of salary (Regulation 3.1) and post adjustment (Regulation 3.5) and, for staff members in the General Service category, salary (Regulation 3.1) increased by the non-resident allowance (Regulation 3.6) and language allowance (Regulation 3.7), if payable.

(c) Any staff member whose appointment took effect prior to November 1, 1977, shall receive, where applicable, the amount provided for in Regulation 9.12 according to its tenor on October 31,

Proposed Text

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 sub-paragraphs (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

(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 of salary (Regulation 3.1) and post adjustment (Regulation 3.8) and, for staff members in the General Service category, salary (Regulation 3.1) increased by the language allowance (Regulation 3.10), if payable.

Comments

Has been added for the purposes of clarity as to how the last day for pay purposes is determined.

Current paragraph (c) has been deleted as there are no longer staff in service whose appointment took effect prior to

Current Text

Proposed Text

Comments

1977, should the latter amount be higher than the amount provided for in paragraphs (a) and (b) above.

1977.

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

Regulation 9.12bis

Regulation 9.15

Separation Remuneration

Separation Remuneration

(f) "Separation remuneration" – the basis for the calculation of any payments upon separation from service due pursuant to Regulations 9.6, 9.7 and 9.10 – shall be the amount determined in accordance with the following provisions:

(a) "Separation remuneration" – the basis for the calculation of any payments upon separation from service due 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) increased by the non-resident allowance (Regulation 3.6) and language allowance (Regulation 3.7), if payable;

(1) for staff members in the General Service category, the separation remuneration shall be the salary (Regulation 3.1) increased by the language allowance (Regulation 3.10), if payable;

(2) for staff members in the Professional and higher categories, the separation remuneration shall be the salary as defined in Regulation 3.1(a).

(2) for staff members in the Professional and Higher categories, the separation remuneration shall be the salary as defined in Regulation 3.1(a) with or without 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".

Reference to calculation with or without post adjustment has been added to provide some flexibility in determining the amount.

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 9.13

Regulation 9.16

Restitution of Advance Annual Leave

Restitution of Advance Annual Leave

A staff member who on separation from service has taken in advance more days of annual leave than those to which his length of service entitles him shall compensate the International Bureau

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 him shall compensate the International Bureau thereof.

No substantive change. A new Rule has been added to address the restitution of advance annual

Current Text

therefor. Such compensation shall take the form of either a cash payment by the staff member or a deduction from monies owed to him 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 is satisfied that there are exceptional or compelling reasons for so doing.

Proposed Text

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.

Comments

leave for temporary staff members.

Current Text

Proposed Text

Comments

Regulation 9.14

Certification of Service

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

**CHAPTER X
DISCIPLINARY MEASURES**

**CHAPTER XI
APPEALS**

Pending further revision,
chapters 10 and 11 will remain in
force as currently promulgated

Current Text

CHAPTER XII

GENERAL PROVISIONS

Regulation 12.1

Amendments to the Regulations

(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 Specialized Agencies 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 any condition of service specified in the letter of appointment or contract of a staff member, neither shall any amendment 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 may 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.

Proposed Text

CHAPTER XII

GENERAL PROVISIONS

Regulation 12.1

Amendments to the Regulations

(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 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.

Comments

No substantive change.

No substantive change.

Rule 12.2.1 – Amendments and Derogations to Staff Rules

(a) These Rules may be supplemented or amended by the Director General according to the procedure laid down 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 12.2.1 – Amendments and Derogations to Staff Rules

(a) These Rules may be supplemented or amended by the Director General pursuant to the procedure described by 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 – Effective Date

These revised Regulations and Rules shall enter into force on January 1, 2013, and shall supersede all corresponding provisions in force before that date.

Rule 12.2.3 – Authentic Texts of Regulations and Rules

The English and French texts of the Staff Regulations and Rules shall be equally authoritative. In case of conflict between the two versions the working papers of the Consultative Group for the Staff Regulations and Rules (as constituted in 2010 by an Office Instruction) shall be made available upon request to the International Bureau.

Current Text

Proposed Text

Comments

Regulation 12.3

Regulation 12.3

Interpretation of the Staff Regulations and Staff Rules

Interpretation of the Staff Regulations and Staff Rules

No substantive change.

In case of doubt as to the interpretation of the modalities of application of the Staff Regulations and Staff Rules, the Director General shall be guided by practice in the other intergovernmental organizations with their headquarters in Geneva or in New York.

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

Rule 12.3.1 – Gender of Terms

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

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

Regulation 12.4

Regulation 12.4

Acquired Rights

Acquired Rights

Staff members who, immediately before the entry into force of these Regulations, would have received net total remuneration in an amount 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 net total remuneration to equal or exceed it.

Staff members who, immediately before the entry into force of these Regulations and Rules, would have received net total remuneration in an amount 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 net total remuneration to equal or exceed it. Nothing in these Regulations or Rules shall be a derogation of any rights, benefits, entitlements, or allowances held before these Regulations and Rules came into force by staff members in the following categories: Staff members with a fixed-term appointment; Staff members with a permanent appointment; Staff members in the D category recruited as members of the Special Category.

Regulation 12.5

Regulation 12.5

Transitional Provision

Transitional Measures

For any staff member in service on the basis of a probationary period appointment granted before November 1, 1976, Regulations 4.14, 4.15 and 4.16(a), as well as any other relevant Regulations or Rules, shall be applicable according to their tenor on

October 31, 1976, until such time as the said staff member holds a permanent appointment or leaves the service of the International Bureau.

(a) For individuals in service under a temporary appointment at the date of entry into force of the present Staff Regulations and Rules, 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 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 the date of entry into force of these Regulations and Rules;

(2) they shall continue to enjoy the benefits, allowances, and entitlements prescribed in paragraph (d) 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 at the date of entry into force of the present Staff Regulations and Rules, 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.

(2) they shall be regarded as internal candidates for the purposes of competitions opened by the International Bureau.

(3) they shall continue to enjoy the benefits, allowances, and entitlements prescribed in paragraph (d) 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) For individuals in service under a fixed term appointment at the date of entry into force of the present Regulations and Rules, who were

holding a fixed term appointment as of December 31, 2011:

(1) Staff Regulation 4.19 "Permanent Appointments" shall be applicable according to its tenor until such time as the said individual holds a permanent appointment or leaves the services of the Organization.

(d) 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 as before the entry into force of these Regulations and Rules, for as long as they continue to serve with the International Bureau:

(1) Language allowance;

(2) Removal and shipping expenses;

(e) 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 the Staff Regulations and Rules presently in force. 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 Staff Regulations and Rules presently in force.

(f) For staff members holding permanent appointments with the International Bureau on the date of entry into force of the present Staff Regulations and Rules, the permanent appointment shall be maintained for the duration of the staff member's service with the International Bureau.

(g) Requests for reclassifications of posts submitted prior to the implementation of the present Staff Regulations and Rules will be processed under the Regulations and Rules in force at the time same the requests were initially submitted.