

WIPO Coordination Committee

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AMENDMENTS TO STAFF REGULATIONS AND RULES

Document prepared by the Director General

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I. INTRODUCTION

1. A number of amendments to the Staff Regulations and to the Staff Rules are presented to the WIPO Coordination Committee for approval and for notification, respectively.
2. The ongoing review of the Staff Regulations and Rules allows the World Intellectual Property Organization (WIPO) to maintain a sound regulatory framework that adapts to and supports the changing needs and priorities of the Organization, while ensuring alignment with best practices in the United Nations (UN) common system.
3. Only one of the proposed amendments will result in an increase in staff costs, although minimal (i.e., the special salary increment for staff reassigned away from Headquarters). All the other amendments are either cost-neutral or will result in staff cost reductions, as the Organization actively focuses on ensuring that staff costs are contained.

II. AMENDMENTS TO THE STAFF REGULATIONS TO BE EFFECTIVE ON JANUARY 1, 2016 - FOR APPROVAL

4. A detailed description of the proposed amendments to the Staff Regulations is provided in Annex I. The main amendments, including those with a financial impact, are summarized below:

Regulation 3.14 – Education Grant

5. Presently, Regulation 3.14(a) specifies that a staff member whose “duty station is not in his or her home country shall be entitled ... to an education grant.” It is proposed to amend this Regulation to specify that only staff members not “residing or serving” in their home country will be eligible for education grant. The intention of this amendment is to ensure consistency with the purpose of education grant, which is “to cover part of the additional cost of educating a staff member’s children arising from the staff member’s *expatriation*” (International Civil Service Commission (ICSC)), and to align with rules and practices in other organizations of the UN common system. The consequence of the amendment is that staff members whose duty station is not in their home country but who nevertheless reside in their home country will no longer be entitled to an education grant.
6. It is further proposed to add a new paragraph (f) to preserve the rights of the staff members who entered the service of WIPO before the amendment to paragraph (a) was introduced.

New Staff Regulation 3.25 – Special Salary Increment

7. It is proposed to introduce a new allowance to provide a short-term financial incentive for staff mobility to external offices. The allowance, which is non-pensionable and equivalent to a maximum of up to three salary steps, will only concern a small number of staff and therefore result in a negligible increase in staff costs. Only staff in the Professional and higher categories who are reassigned away from Headquarters to a post at the same grade will be eligible for the allowance. Nationals of the country of the duty station and staff members whose initial appointment is in a duty station away from Headquarters will not be eligible. Payment of the allowance will be discontinued after five years of continuous service at the same duty station, or if the staff member is reassigned to Headquarters, or if the staff member is promoted, whichever is earlier.

Regulation 5.3 – Home Leave

8. Presently, under Regulation 5.3, staff who are not locally recruited and who “perform their duties outside the country in which they have their home” are entitled to home leave. It is proposed to amend Regulation 5.3 to state that staff who “reside and serve” outside their home country will be entitled to home leave. The intention of this amendment is to ensure consistency with the purpose of home leave as defined in the Regulation (i.e., to allow the staff member to maintain contact with his or her home country), and to align with rules and practices in other organizations of the UN common system. The consequence of the amendment is that staff members who serve outside their home country but reside in that country will no longer have an entitlement to home leave.

9. A special transitional measure to be implemented *via* an Office Instruction would enable staff members holding fixed-term, continuing or permanent appointments with the International Bureau before January 1, 2016, and residing but not serving, at the time, in their home country to have one last entitlement to home leave.

Regulation 9.7 – Notice of Termination

10. It is proposed to amend Regulation 9.7 to clarify that no termination notice or compensation *in lieu* thereof shall be given in case of summary dismissal.

Regulation 9.9 – Repatriation Grant

11. It is proposed to amend Regulation 9.9 to state that only staff “residing, by virtue of their service with the International Bureau, outside their home country” will be eligible for repatriation grant. The intention of this amendment is to ensure consistency with the purpose of the repatriation grant as defined by the ICSC, and to align with rules and practices in other organizations of the UN common system. The consequence of the amendment is that staff members who serve outside their home country but reside in that country will no longer have an entitlement to a repatriation grant.

12. It is further proposed to add a transitional provision to preserve the rights of the staff members who entered into the service of WIPO before the amendment was introduced and who were, at the time, residing but not serving in their home country, enabling them to retain the entitlement to repatriation grant for the years and months of service undertaken up until December 31, 2015.

Other Amendments

13. Other amendments which are less substantive in nature (e.g., to correct an error or inconsistency, clarify a provision, or address a gap) will also be made to the following Regulations, as detailed in Annex I:

Regulation 1.7	–	Communication of Information
Regulation 2.1(g)	–	Classification of Posts
Regulation 2.2	–	Reclassification of Posts
Regulation 3.1(c)	–	Salaries
Regulation 3.2(a)	–	Dependency
Regulation 3.4(g)	–	Dependency Allowances for Staff Members in the General Service and National Professional Officer Categories
Regulation 3.11(d)	–	Special Post Allowance
Regulation 4.9	–	Recruitment
Regulation 4.19(a)	–	Permanent Appointments

Regulation 4.20	–	Performance Appraisal
Regulation 5.2(f)	–	Special Leave
Regulation 9.2	–	Termination
Regulation 9.3	–	Abandonment of Post
Regulation 9.4	–	Termination for Reasons of Health
Regulation 9.8	–	Termination Indemnity
Regulation 9.12	–	Grant on Death
Regulation 9.15(a)	–	Separation Remuneration
Regulation 12.1(b)	–	Amendments to the Regulations
Regulation 12.4	–	Acquired Rights
Regulation 12.5	–	Transitional Measures

14. The WIPO Coordination Committee is invited to approve the amendments to the Staff Regulations, as provided in detail in Annex I, as well as the special transitional measure mentioned in paragraph 9 above.

III. AMENDMENTS TO THE STAFF RULES AND RELATED ANNEXES TO BE EFFECTIVE ON JANUARY 1, 2016 - FOR NOTIFICATION

15. A detailed description of the amendments to the Staff Rules that will become effective on January 1, 2016, is provided in Annex II. The main amendments, including those with a financial impact, are summarized below:

New Rule 1.5.3 – Intellectual Property Rights

16. New Rule 1.5.3 will be added to clarify that all intellectual property rights created by a staff member as part of his or her official duties or in the course of his or her employment will belong to WIPO.

Rule 4.3.1(b) – Transfers

17. Rule 4.3.1(b), which concerns transfers to a post one grade below the staff member's grade and which was introduced in January 2013 at the Administration's initiative, will be deleted as it is inconsistent with rules and practices in other organizations of the UN common system. This notwithstanding, a transfer will normally be to a post classified at the same grade as that of the staff member, as provided in Rule 4.3.1(a).

Rule 5.2.1 – Special Leave for Temporary Staff Members

18. Rule 5.2.1 will be amended to allow for three days of special leave with full pay (compassionate leave) to be granted to temporary staff on the death of a close family member.

Rule 7.3.13 – Travel-Related Entitlements for Temporary Staff Members

19. Rule 7.3.13 will be amended to clarify the travel-related entitlements for temporary staff members. In particular, a new provision will be added on the loss of entitlement to return travel (similar to the provision applicable to staff on fixed-term, continuing and permanent appointments), and the duration of the entitlement to shipment expenses on separation has been limited to one year after separation from service instead of two.

Rule 12.2.3 – Authentic Texts of Regulations and Rules

20. Rule 12.2.3 will be amended to clarify what will happen in case of conflict between the French and English texts, i.e., the originally drafted English version will prevail over the French version.

Other Amendments

21. Other amendments which are less substantive in nature (e.g., to correct an error or inconsistency, clarify a provision, or to align the text with changes made to regulations) will also be made to the following rules, as detailed in Annex II:

Rule 1.3.1	–	Working Days
Rule 2.2.1	–	Implementation of a Reclassification Decision
Rule 3.6.2	–	Advancement within Grade for Temporary Staff Members
Rule 4.20.1	–	Performance of Staff Members
Rule 6.2.1(d)	–	Medical Insurance
Rule 6.2.2(g)	–	Sick Leave and Special Leave for Prolonged Illness
Rule 6.2.7	–	Health Protection and Insurance for Temporary Staff Members
Rule 7.3.9(a)	–	Loss of Entitlement to Removal Expenses
Rule 9.2.2(b)	–	Termination of Appointments of Temporary Staff Members
Rule 9.3.1	–	Abandonment of Post by Temporary Staff Members
Rule 9.8.1	–	Termination Indemnity for Temporary Staff Members
Rule 9.9.1	–	Repatriation Grant
Rule 10.1.2	–	Procedure
Rule 11.4.2(a)	–	Administrative Resolution of Rebuttal of Performance Appraisals
Rule 11.5.1	–	Appeal Board
Rules 11.5.3	–	Procedure before the Appeal Board
Rule 12.2.2	–	Effective Date
Annex II, Article 1	–	Salaries
Annex VI	–	Calculation of Time Limits for the Purposes of Chapter X and Chapter XI

22. The WIPO Coordination Committee is invited to note the amendments to the Staff Rules as provided in detail in Annex II.

IV. AMENDMENTS TO THE STAFF RULES AND RELATED ANNEXES IMPLEMENTED BETWEEN JULY 1, 2014, AND JUNE 30, 2015 - FOR NOTIFICATION

23. The following amendments to the Staff Rules and to Annexes of the Staff Regulations and Rules were implemented between July 1, 2014, and June 30, 2015.

Annex II (Salaries and Allowances) of the Staff Regulations and Rules, Article 1 - Salaries (Office Instruction No. 10/2015)

24. By its resolution 69/251, the General Assembly of the United Nations approved the upward adjustment by 1.01 per cent of the base/floor salary scale for staff in the Professional and higher categories. The WIPO salary scales were adjusted accordingly, with effect from January 1, 2015. In accordance with established practice, the revised base/floor salary scale was implemented on a "no loss, no gain" basis. Consequently, post adjustment multipliers applicable at all duty stations were reduced by the same rate as the net base salary was increased. The total net remuneration amount (base salary plus post adjustment) therefore remained unchanged, except for very minor differences due to rounding. The adjustment of the

base/floor salary scale did not have any impact on the levels of pensionable remuneration for staff in the Professional and higher categories.

25. A corresponding amendment was made to Annex II, Article 1 “Salaries”, paragraph (a) of the Staff Regulations and Rules, which provides the salary scale for the Director General.

Staff Rule 6.2.2 - Sick Leave and Special Leave for Prolonged Illness (Office Instruction No. 78/2014)

26. Staff Rule 6.2.2 was amended with effect from January 1, 2015. Paragraph (e)(2) now includes a reference to the mobility and hardship allowance, while the reference to the non-resident’s allowance was deleted, as it is no longer applicable to any WIPO staff. Paragraph (i) was amended to delete the reference to “other satisfactory evidence” and “other supporting evidence,” since it is mandatory for a staff member to provide a medical certificate from a duly qualified medical practitioner in such circumstances.

Annex I (Glossary) of the Staff Regulations and Rules, Article 2(a)(11) – Definition of Spouse (Office Instruction No. 59/2014)

27. Under the former rules, a staff member’s marital status was determined by reference to the laws of the country of nationality of the staff member. Since the amendment entered into force on November 1, 2014, if a marriage, domestic or same-gender partnership is legally recognized under the law of the competent authority under which the marriage or partnership has been established, the International Bureau will recognize it for the purpose of the WIPO Staff Regulations and Rules. The person with whom the staff member is engaged under such marriage or partnership shall have the status of a spouse for all administrative purposes, including the granting of benefits and entitlements.

New Rule 4.9.4 - Reserve Lists, and Annex IV of the Staff Regulations and Rules, Article 3(g) - Rules of Procedure of Appointment Boards (Office Instruction No. 57/2014)

28. These amendments entered into force on November 1, 2014. The intention of the amendments is to enable candidates for WIPO competitions who are recommended by an Appointment Board but not appointed by the Director General to be placed on a reserve list. A candidate from a reserve list may be appointed without a new competition being held, if the same post, or a post at the same grade with similar functions, becomes vacant within one year of the candidate’s placement on the reserve list. An Office Instruction has been published to prescribe the conditions and procedures for the use of reserve lists (Office Instruction No. 58/2014).

29. The WIPO Coordination Committee is invited to note the amendments to the Staff Rules as provided in detail in Annex III.

[Annexes follow]

AMENDMENTS TO THE STAFF REGULATIONS TO BE EFFECTIVE ON JANUARY 1, 2016

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
<p>Regulation 1.7</p> <p>Communication of Information</p>	<p>[...]</p> <p>(d) Protection by the International Bureau against retaliation will be extended to staff members provided that the staff member has made the report through established internal channels, unless there is an exceptional and demonstrable reason indicating that the use of established internal channels carries the risk of aggravation of the wrongdoing (including the failure to act on the report in a reasonable time or concealment of the wrongdoing), threatens the preservation of the staff member's anonymity or there is a justifiable apprehension of retaliation. 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.</p> <p>(e) Paragraphs (b), (c), and (d) above shall be applied without prejudice to the staff member's obligations prescribed in paragraph (a) above and Rule 1.7.1 below.</p>	<p>[...]</p> <p>(d) Protection by the International Bureau against retaliation will be extended to staff members provided that the staff member has made the report through established internal channels, unless there is an exceptional and demonstrable reason indicating that the use of established internal channels carries the risk of aggravation of the wrongdoing (including the failure to act on the report in a reasonable time or concealment of the wrongdoing), threatens the preservation of the staff member's anonymity or there is a justifiable apprehension of retaliation. 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.</p> <p><u>(e) Reports, statements or claims which are intentionally and knowingly false or misleading or made with reckless disregard for accuracy of the information shall be regarded as serious misconduct.</u></p> <p>(e)(f) Paragraphs (b), (c), and (d) and (e) above shall be applied without prejudice to the staff member's obligations prescribed in paragraph (a) above and Rule 1.7.1 below.</p>	<p>Regulation 1.7(d) concerns protection against retaliation. The last sentence of this paragraph is deleted and a new paragraph (e) is added to clarify that false or misleading statements in general, and not only those made in the context of claims of retaliation, would amount to serious misconduct.</p>
<p>Regulation 2.1(g)</p> <p>Classification of Posts</p>	<p>(g) This Regulation shall not apply to temporary staff members.</p>	<p>(g) This Regulation shall not apply to temporary staff members positions.</p>	<p>To correct an error. Posts or positions are classified, not individuals.</p>
<p>Regulation 2.2</p> <p>Reclassification of Posts</p>	<p>[...]</p> <p>(e) The Director General shall establish a Classification Committee which shall provide advice with respect to the reclassification of encumbered posts. [...]</p>	<p>[...]</p> <p>(e) The Director General shall establish a Classification Committee which shall provide advice to advise him or her with respect to the reclassification of encumbered posts and shall make</p>	<p>Paragraph (e) is amended to clarify that the Director General is the competent authority to make a decision on reclassification requests.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	(f) This Regulation and the rules thereunder shall not apply to temporary staff members.	<u>a decision after having given consideration to the advice of the Committee.</u> [...] (f) This Regulation and the rules thereunder shall not apply to temporary staff members positions, project posts, and posts funded from funds-in-trust and cooperation agreements.	Paragraph (f) is amended to correct an error (posts may be reclassified, not individuals) and clarify that temporary positions, and also project posts and posts funded from funds-in-trust and cooperation agreements, may not be reclassified.
Regulation 3.1(c) Salaries	(c) Salary Scales in force for staff members shall be prescribed in Annex II.	(c) Salary s Scales in force for staff members shall be published as prescribed in Annex II.	To correct an error. Annex II does not contain the salary scales. It prescribes where the salary scales are to be found, namely, on the WIPO Intranet.
Regulation 3.2(a) 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, at any place of work, exceed 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 benefit payable to him or her, the spouse shall still be deemed to be a dependant, but the amount in excess shall be deducted from the appropriate dependency benefit. In the case of legal separation, the Director General shall decide in each case whether the spouse is deemed to be a dependant.	(a) A “dependent spouse” shall mean: <u>(1) For staff members in the General Service and National Professional Officer categories,</u> a spouse whose gross annual occupational earnings, if any, <u>do not exceed</u> 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 <u>at the closest United Nations duty station in the country of</u> the spouse's place of work, and which is in force on January 1 of the year concerned. <u>(2) For staff members in the Professional and higher categories, however, a spouse whose</u> the said gross annual occupational earnings shall not, at any place of work, exceed the equivalent of, <u>if any, do not exceed the higher of:</u> <u>(i) the amount determined under sub-paragraph (1); or</u> <u>(ii) the gross annual salary corresponding to the first step of grade G2 of the General Service category, in force on January 1 of the year concerned in New York.</u> <u>(3) 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 benefit payable to him or</u>	To clarify the text.

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
		<p>her, the spouse shall still be deemed to be a dependant, but the amount in excess shall be deducted from the appropriate dependency benefit. In the case of legal separation, the Director General shall decide in each case whether the spouse is deemed to be a dependant.</p>	
<p>Regulation 3.4(g) Dependency Allowances for Staff Members in the General Service and National Professional Officer Categories</p>	<p>(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.</p>	<p>(g) locally recruited staff members in the General Service category shall be eligible for the reimbursement of 75 per cent of the education levy applied by the Canton of Geneva and the Canton of Vaud, under conditions to be prescribed by an Office Instruction.</p>	<p>To clarify that the education levy is not reimbursed in full. The percentage is consistent with the payment of education grant to staff in the Professional and higher categories.</p>
<p>Regulation 3.11(d) Special Post Allowance</p>	<p>(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.</p>	<p>(d) Any extension of the allowance beyond 12 months may only be authorized under exceptional circumstances, for example, in the event that the administrative procedures for filling the vacant post have not been completed. In the event that an extension beyond 12 months is required, the administration shall document the reasons therefor and the steps planned to fill the vacant post in writing. In no event shall such further extension exceed 12 months.</p>	<p>Paragraph (d) is amended to delete the reference to “steps planned to fill the vacant post”, as this is not always relevant. The obligation to document the process remains applicable.</p>
<p>Regulation 3.14 Education Grant</p>	<p>(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 on a full time basis. The amount of the grant shall be specified in the Staff Regulations and Rules.</p> <p>[...]</p>	<p>(a) Any staff member recruited internationally within the meaning of Regulation 4.6 whose duty station is not in his or her home country and not residing or serving in his or her home country shall be entitled, within the limits prescribed by the Staff Regulations and Rules, to an education grant for each child who is dependent on the staff member for main and continuing support and who regularly attends a school, university or similar institution on a full time basis. The amount of the grant shall be specified in the Staff Regulations and Rules.</p> <p>[...]</p>	<p>Paragraph (a) is amended to ensure consistency with the purpose of education grant, which is “to cover part of the additional cost of educating a staff member’s children arising from the staff member’s <i>expatriation</i>” (International Civil Service Commission), and to align with rules and practices in other organizations of the UN common system.</p> <p>The consequence of the amendment is that staff members whose duty station is not in their home country but who reside in their home country will no longer be entitled to an education grant.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	(f) This Regulation shall not apply to temporary staff members.	<p><u>(f) Notwithstanding paragraph (a) above, staff members holding fixed-term, continuing or permanent appointments with the International Bureau before January 1, 2016 and residing but not serving, at the time, in their home country shall retain the entitlement to an education grant.</u></p> <p>(f) (g) This Regulation shall not apply to temporary staff members.</p>	New paragraph (f) is added to preserve the rights of the staff members who entered the service of WIPO before the amendment to paragraph (a) was introduced.
<p>New Staff Regulation 3.25</p> <p>Special Salary Increment</p>		<p><u>(a) The Director General may grant a non-pensionable special salary increment to a staff member in the Professional and higher categories who is reassigned, for a period of at least one year, away from Headquarters to a post at the same grade. The special salary increment shall be an amount equivalent to up to a maximum of three steps in the staff member's grade.</u></p> <p><u>(b) Payment of the special increment shall be discontinued after five years of continuous service at the same duty station, or if the staff member is reassigned to Headquarters, or if the staff member is promoted, whichever is earlier.</u></p> <p><u>(c) If the staff member does not complete one year of service away from Headquarters, and unless the Director General determines that this is justified by exceptional circumstances, the amount of the special increment shall be recovered from the staff member.</u></p> <p><u>(d) Nationals of the country of the duty station and staff members whose initial appointment is in a duty station away from Headquarters shall not be eligible for the special increment.</u></p> <p><u>(e) This Regulation shall not apply to temporary staff members.</u></p>	New Regulation to provide a short-term financial incentive for mobility to external offices.
<p>Regulation 4.9</p> <p>Recruitment</p>	(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	(a) As a general rule, recruitment shall be made on the basis of a competition. Vacancies in the Professional and higher categories	The second sentence in paragraph (a) is deleted and

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	<p>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 fulfilled, the qualifications required and the conditions of employment.</p> <p>(b) Vacancies in the National Professional Officer category shall be filled on a competitive basis by the appointment of candidates who shall normally be nationals of the country of the duty station and who shall be recruited locally, subject to the exception specified in Regulation 4.6(d).</p> <p>(c) Vacancies at 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 advertised on a competitive basis, as provided for in paragraph (a) above, but recruitment shall be undertaken with due regard to its financial implications.</p> <p>(d) [...]</p>	<p>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 fulfilled, the qualifications required and the conditions of employment.</p> <p><u>(b) Vacancies to be filled by competition shall be published on WIPO's recruitment website.</u></p> <p>(b) (c) Vacancies in the National Professional Officer category shall be filled on a competitive basis by the appointment of candidates who shall normally be nationals of the country of the duty station and who shall be recruited locally, subject to the exception specified in Regulation 4.6(d).</p> <p>(c) (d) Vacancies at grades G1 to G7 in the General Service category shall be subject to local recruitment pursuant to Staff Rule 4.5.1, unless in exceptional cases it is decided to proceed with an international recruitment 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 advertised on a competitive basis, as provided for in paragraph (a) above, but recruitment shall be undertaken with due regard to its financial implications.</p> <p>(d) (e) [...]</p>	<p>replaced with a new paragraph (b) to reflect technological progress. Anyone can register on WIPO's website to receive vacancy announcements.</p> <p>Paragraph (b): "on a competitive basis" is deleted as it is redundant with the amended paragraph (a).</p> <p>Paragraph (c): "on a competitive basis" is deleted as it redundant with the amended paragraph (a). A cross reference is added to the definition of local recruitment contained in Rule 4.5.1.</p>
<p>Regulation 4.19(a) Permanent Appointments</p>	<p>(a) Permanent appointments are appointments of unlimited duration. A permanent appointment may be granted to a staff member in the Director, Professional or General Service 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.</p>	<p>(a) Permanent appointments are appointments of unlimited duration. A permanent appointment may be granted to a staff member in the Director, Professional or General Service category <u>who was holding a fixed-term appointment as at December 31, 2011,</u> 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.</p>	<p>To clarify that only staff members holding a fixed-term appointment as at December 31, 2011 may be granted a permanent appointment, in accordance with Staff Regulation 12.5(c)(1). The latter provision thus becomes redundant and is proposed for deletion (see below).</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
<p>Regulation 4.20</p> <p>Performance Appraisal</p>	<p>Performance Appraisal</p> <p>All staff members, including Deputy Directors General and Assistant Directors General, shall be accountable to the Director General for the proper discharge of their functions. Performance appraisal is fundamental to the professional development of staff members, as well as ensuring their accountability. Their performance shall be evaluated periodically to ensure that the required standards of performance are met. The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 4.20.2 entitled "Performance Appraisal of Temporary Staff".</p>	<p><u>Accountability and Performance Management</u> Appraisal</p> <p>All staff members, including Deputy Directors General and Assistant Directors General, shall be accountable to the Director General for the proper discharge of their functions. Performance appraisal is fundamental to the professional development of staff members, as well as ensuring their accountability. Their performance shall be evaluated periodically to ensure that the required standards of performance are met. The subject matter of this Regulation and the rules thereunder shall not apply to temporary staff members unless otherwise prescribed by Rule 4.20.2 entitled "Performance Appraisal of Temporary Staff".</p>	<p>Sentence moved to Rule 4.20.2.</p> <p>Last sentence is deleted because the principles of accountability and periodical evaluation of performance set out in Regulation 4.20 should also apply to temporary staff.</p>
<p>Regulation 5.2(f)</p> <p>Special Leave</p>	<p>(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."</p>	<p>(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."</p>	<p>To correct an error.</p>
<p>Regulation 5.3</p> <p>Home Leave</p>	<p>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.</p>	<p>Staff members not locally recruited who perform their duties reside and serve outside the country in which they have their home shall be entitled, once every two years, to take home leave at the expense of the International Bureau, using their accrued annual leave, so that they may spend regular holidays in that country in order to maintain contact with it. The International Bureau shall bear the travel expenses, but not the cost of the stay. This Regulation shall not apply to temporary staff members.</p>	<p>To ensure consistency with the purpose of home leave as defined in Regulation 5.3 (i.e. to allow the staff member to maintain contact with his/her home country), and to align with rules and practices in other organizations of the UN common system.</p> <p>The consequence of the amendment is that staff members who serve outside their home country but reside in that country will no longer have an entitlement to home leave.</p>
<p>Regulation 9.2</p> <p>Termination</p>	<p>(a) The Director General, giving his or her reasons therefor, may terminate the appointment of a staff member who holds a fixed-term appointment, a permanent appointment, or a continuing appointment for any of the following reasons:</p> <p>[...]</p> <p>(2) if for reasons of health the staff member concerned is no longer able to perform his or her</p>	<p>(a) The Director General, giving his or her reasons therefor, may terminate the appointment of a staff member who holds a fixed-term appointment, a permanent appointment, or a continuing appointment for any of the following reasons:</p> <p>[...]</p> <p>(2) if for reasons of health the staff member concerned is no longer able unable to perform his or</p>	<p>Sub-paragraph (2) is amended to ensure consistency with Regulation 9.4.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	<p>duties;</p> <p>[...]</p> <p>(4) if prior to the appointment of the staff member he or she made any false or misleading statements 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;</p> <p>(5) if the staff member abandons his or her post;</p> <p>(6) [...]</p> <p>[...]</p> <p>(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.</p> <p>(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:</p>	<p>her duties;</p> <p>[...]</p> <p>(4) if prior to the appointment of the staff member he or she made any false or misleading statements 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; <u>If facts anterior to the appointment of the staff member and relevant to his or her suitability come to light that, if they had been known at the time of his or her appointment, should have precluded his or her appointment.</u></p> <p>(5) if the staff member abandons his or her post;</p> <p>(6)(5) [...]</p> <p>[...]</p> <p>(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</p> <p>(f)(e) If the exigencies of the service require the abolition of posts or a reduction in staff, and if suitable posts are available in which their services can be effectively used, staff members shall be retained in the following order of preference, <u>provided that due regard shall be given in all cases to relative competence, efficiency, conduct and length of service:</u></p>	<p>Sub-paragraph (4): what is described in the current provision amounts to misconduct and does not require a provision of its own as this is covered by the relevant provisions on misconduct.</p> <p>Sub-paragraph (5) is deleted to ensure consistency with other Regulations and Rules. A termination is a separation initiated by the Director General as provided in Rule 9.2.1(a), whereas an abandonment of post is a separation initiated by the staff member as indicated in Regulation 9.3, not a termination. Further, Regulation 9.1(a) and (b) distinguishes between termination and abandonment of post and Rule 9.2.1(b) provides that abandonment of post is not a termination within the meaning of Regulation 9.2.</p> <p>Paragraph (e) is deleted to correct an error. It gives equal preference to staff on permanent and continuing appointments whereas paragraph (f) gives preference to staff on permanent appointments over staff on continuing appointments.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	<p>(1) staff members holding permanent appointments;</p> <p>(2) staff members holding continuing appointments;</p> <p>(3) staff members holding fixed-term appointments.</p> <p>(g) Appointments shall be terminated with due regard to competence, efficiency, conduct and length of service.</p> <p>[...]</p>	<p>(1) staff members holding permanent appointments;</p> <p>(2) staff members holding continuing appointments;</p> <p>(3) staff members holding fixed-term appointments.</p> <p>(g) Appointments shall be terminated with due regard to competence, efficiency, conduct and length of service.</p> <p>[...]</p>	<p>Paragraph (g) is deleted and merged with new paragraph (e) to remove the contradiction between former paragraph (g) on the one hand and former paragraphs (e) and (f) on the other, and to align with rules in other organizations of the United Nations common system.</p>
<p>Regulation 9.3</p> <p>Abandonment of Post</p>	<p>Abandonment of post shall be a separation initiated by the staff member other than by way of resignation. A staff member absent from duty without a satisfactory explanation for more than 15 working days shall be considered to have abandoned his or her post and 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."</p>	<p>Abandonment of post <u>(for temporary staff members, this shall mean temporary position)</u> shall be a separation initiated by the staff member other than by way of resignation. A staff member absent from duty without a satisfactory explanation for more than 15 working days shall be considered to have abandoned his or her post and <u>shall be separated</u> 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 <u>separating him or her</u>. 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."</p>	<p>To correct an error and ensure consistency with Regulation 9.2 and Rule 9.2.1(b). An abandonment of post is a separation initiated by the staff member as indicated in Regulation 9.3. It does not lead to a termination, which is a separation initiated by the Director General as provided in Rule 9.2.1(a). See also Regulation 9.1(a) and (b) which distinguishes between termination and abandonment of post.</p>
<p>Regulation 9.4</p> <p>Termination for Reasons of Health</p>	<p>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.</p>	<p>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. <u>The services of staff members on fixed-term, continuing or permanent appointments may only be terminated for reasons of health if they are also unable to perform other</u></p>	<p>The amendment clarifies that the reassignment of other duties does not apply to temporary staff in such circumstances, in light of the nature of their appointments and functions.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
		<p>duties that might reasonably be assigned to them. Appropriate medical certificates shall be presented in such all cases. The procedures for termination for reasons of health shall be prescribed in an Office Instruction.</p>	
<p>Regulation 9.7 Notice of Termination</p>	<p>(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.</p> <p>[...]</p> <p>(e) [...]</p>	<p>(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.</p> <p>[...]</p> <p><u>(e) Notwithstanding paragraph (a) above, no termination notice or compensation in lieu thereof shall be given in case of summary dismissal.</u></p> <p>(e) (f) [...]</p>	<p>New paragraph (e) is added to address a gap.</p>
<p>Regulation 9.8 Termination Indemnity</p>	<p>(a) Staff members whose appointments are terminated shall be paid an indemnity in accordance with the following provisions:</p> <p>(1) subject to subparagraphs (3) to (6) below, the amount of the indemnity shall be calculated according to the following schedule:</p> <p>[TABLE ... Permanent appointments --- Fixed-term appointments...]</p> <p>(3) No indemnity shall be paid to:</p> <p>(i) a staff member who resigns, except where termination notice has been given and the termination date agreed upon;</p> <p>[...]</p> <p>(5) A staff member whose appointment is terminated for unsatisfactory service or who, for disciplinary reasons, is dismissed for misconduct otherwise than</p>	<p>(a) Staff members whose appointments are terminated shall be paid an indemnity in accordance with the following provisions:</p> <p>(1) subject to subparagraphs (3) to (6) below, the amount of the indemnity shall be calculated according to the following schedule:</p> <p>[TABLE... Permanent/Continuing appointments --- Fixed-term appointments...]</p> <p>(3) No indemnity shall be paid to:</p> <p>(i) a staff member who resigns, except where termination notice has been given and the termination date agreed upon;</p> <p>[...]</p> <p>(5) A staff member whose appointment is terminated for unsatisfactory performance or conduct service or who, for disciplinary reasons, is dismissed for</p>	<p>The table is amended to correct an omission (termination indemnity for staff on continuing appointments)</p> <p>Paragraph (a)(3)(i) is amended to correct a mistake. No termination indemnity is paid in the case of a resignation.</p> <p>Paragraph (a)(5) is amended to ensure consistency with Regulation 9.2(a)(3).</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	<p>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.</p> <p>(6) The Director General may, where he or she determines it is justified by the circumstances, pay to a staff member whose appointment is terminated under subparagraph (a)(6) and (a)(7)(ii) of Regulation 9.2 a termination indemnity not more than 50 per cent higher than that provided for in subparagraph (1) above.</p> <p>[...]</p>	<p>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.</p> <p>(6) The Director General may, where he or she determines it is justified by the circumstances, pay to a staff member whose appointment is terminated under subparagraph (a)(65) and (a)(76)(ii) of Regulation 9.2 a termination indemnity not more than 50 per cent higher than that provided for in subparagraph (1) above.</p> <p>[...]</p>	
<p>Regulation 9.9 Repatriation Grant</p>	<p>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 shall provide written proof from the releasing organization that no repatriation grant has been paid. This Regulation shall not apply to temporary staff members. [...]</p>	<p>(a) Staff members whom the International Bureau is bound to repatriate and who at the time of separation are residing, by virtue of their service with the International Bureau, outside their home country, shall be entitled to a repatriation grant. 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 shall provide written proof from the releasing organization that no repatriation grant has been paid. This Regulation shall not apply to temporary staff members. [...]</p>	<p>To ensure consistency with the purpose of the repatriation grant as defined by the International Civil Service Commission, and to align with rules and practices in other organizations of the UN common system.</p> <p>The consequence of the amendment is that staff members who serve outside their home country but reside in that country will no longer have an entitlement to repatriation grant.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
		<p><u>(b) Notwithstanding paragraph (a) above, staff members holding fixed-term, continuing or permanent appointments with the International Bureau before January 1, 2016, and residing but not serving, at the time, in their home country shall retain the entitlement to repatriation grant for the years and months of service up until December 31, 2015, subject to the other eligibility conditions specified in the rule thereunder.</u></p>	<p>New paragraph (b) is added to preserve the rights of the staff members who entered the service of WIPO before the amendment to paragraph (a) was introduced.</p>
<p>Regulation 9.12 Grant on Death</p>	<p>(a) In the event of the death of a staff member holding a permanent, continuing, or a fixed-term appointment, a single grant calculated according to the following table shall be paid to:</p> <p>(1) the spouse;</p> <p>(2) in the absence of a spouse, the dependent child or dependent children;</p> <p>(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. [...]</p>	<p>(a) In the event of the death of a staff member holding a permanent, continuing, or a fixed-term appointment, a single grant calculated according to the following table shall be paid to:</p> <p>(1) the spouse;</p> <p>(2) in the absence of a spouse, the dependent child or dependent children;</p> <p>(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. [...]</p>	<p>Sub-paragraph (a)(3) is deleted as there are no longer any staff members whose appointment took effect prior to January 23, 1979.</p>
<p>Regulation 9.15(a) Separation Remuneration</p>	<p>(a) "Separation remuneration" – the basis for the calculation of any payments due upon separation from service pursuant to Regulations 9.8, 9.9 and 9.12 – shall be the amount determined in accordance with the following provisions:</p> <p>[...]</p> <p>(3) for staff members in the Professional and Higher categories, the separation remuneration shall be the salary as defined in Regulation 3.1(a), without post adjustment. In exceptional cases, and only for the purposes of calculating the termination indemnity payable under Staff Regulations 9.2(a)(6), 9.4 and 9.8(a)(6), the Director General may, at his or her discretion, decide to take into account the post</p>	<p>(a) "Separation remuneration" – the basis for the calculation of any payments due upon separation from service pursuant to Regulations 9.8, 9.9 and 9.12 – shall be the amount determined in accordance with the following provisions:</p> <p>[...]</p> <p>(3) for staff members in the Professional and Higher categories, the separation remuneration shall be the salary as defined in Regulation 3.1(a), without post adjustment. In exceptional cases, and oOnly for the purposes of calculating the termination indemnity payable under Staff Regulations 9.2(a)(6), 9.4 and 9.8(a)(6), the Director General may, at his or her discretion, decide to take into account the post</p>	<p>To delete "in exceptional cases."</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
<p>Regulation 12.1(b) Amendments to the Regulations</p>	<p>adjustment.</p> <p>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.</p>	<p>adjustment.</p> <p>Amendments shall be without prejudice to the acquired rights of staff members and to any condition of service specified in the letter of appointment or contract of a staff member. No amendment shall affect the application to a staff member of the provisions of the Staff Regulations in force up to the effective date of the amendment; amendments shall not have retroactive effect unless the terms of appointment of staff members would thereby be improved.</p>	<p>Regulation 12.1(b) is amended to incorporate a reference to the acquired rights of staff consistent with the provision contained in the Staff Regulations and Rules of other organizations of the UN common system.</p>
<p>Regulation 12.4 Acquired Rights</p>	<p>Staff members who, immediately before the entry into force of these Regulations and Rules, would have received net total remuneration, the amount of which is higher than that which results from their new conditions of service shall continue to receive the higher amount until such time as improvements in their conditions of service cause their total net remuneration to equal or exceed it. 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.</p>	<p>Staff members who, immediately before the entry into force of these Regulations and Rules, would have received net total remuneration, the amount of which is higher than that which results from their new conditions of service shall continue to receive the higher amount until such time as improvements in their conditions of service cause their total net remuneration to equal or exceed it. 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.</p>	<p>The second sentence of this Regulation, which was added with effect from January 1, 2013, is deleted as it goes beyond what is captured by the doctrine of acquired rights and the jurisprudence of the ILO Administrative Tribunal, confuses contractual status and categories of staff, and excludes staff on continuing or temporary appointments from the benefit of acquired rights (see also amendment to Regulation 12.1(b)).</p>
<p>Regulation 12.5 Transitional Measures</p>	<p>(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 the agreement with the Association Internationale des Traducteurs de Conférence (AITC)):</p> <p>(1) the two-year time limit prescribed in Regulation 4.16 shall not apply. However, their service shall be</p>	<p>(a) For individuals in service under a temporary appointment as at January 1, 2013 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 the agreement with the Association Internationale des Traducteurs de Conférence (AITC)):</p> <p>(1) the two-year time limit prescribed in Regulation 4.16 shall not apply. However, their service shall be</p>	<p>Regulation 12.5 is amended to replace “at the date of entry into force” with “January 1, 2013” for greater clarity.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	<p>subject to a time limit of five years to be counted as of the date of entry into force of these Regulations and Rules;</p> <p>(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.</p> <p>(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):</p> <p>(1) the two-year time limit prescribed in Regulation 4.16 shall not apply. Additionally, no time limit shall apply to their service;</p> <p>(2) they shall be regarded as internal candidates for the purposes of competitions held by the International Bureau;</p> <p>(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.</p> <p>(c) For individuals in service under a fixed-term appointment at the date of entry into force of the</p>	<p>subject to a time limit of five years to be counted as of the date of entry into force of these Regulations and Rules <u>January 1, 2013, and to the age limit for retirement prescribed in Regulation 9.10;</u></p> <p>(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.</p> <p>(b) For individuals in service under a temporary appointment at the date of entry into force of the present Staff Regulations and Rules <u>as at January 1, 2013</u>, 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):</p> <p>(1) the two-year time limit prescribed in Regulation 4.16 shall not apply. Additionally, no time limit shall apply to their service, <u>subject to the age limit for retirement prescribed in Regulation 9.10;</u></p> <p>(2) they shall be regarded as internal candidates for the purposes of competitions held by the International Bureau;</p> <p>(3) they shall continue to enjoy the benefits, allowances, and entitlements prescribed in paragraph (d) (c) below, to the extent prescribed by their previous contracts, and provided for in their most recent contract with the International Bureau before becoming staff members.</p> <p>(c) For individuals in service under a fixed-term appointment the date of entry into force of the present</p>	<p>Paragraph (a)(1): Amended to clarify that staff under paragraph (a) are subject to the mandatory retirement age.</p> <p>Paragraph (b)(1): Amended to clarify that staff under paragraph (b) are subject to the mandatory retirement age.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	<p>present Regulations and Rules, who were holding a fixed-term appointment as of December 31, 2011:</p> <p>(1) Staff Regulation 4.19, "Permanent Appointments" shall be applicable as it stands until such time as the said individual holds a permanent appointment or leaves the service of the Organization.</p> <p>(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:</p> <p>(1) language allowance;</p> <p>(2) removal and shipping expenses;</p> <p>(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 entry into force of the present Staff Regulations and Rules. When agreed, such payments shall extinguish the related claims, without prejudice to the benefits, entitlements and allowances to which the concerned staff member is entitled under the present Staff Regulations and Rules.</p> <p>(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.</p> <p>(g) Requests for reclassifications of posts submitted prior to the entry into force of the present Staff Regulations and Rules shall be processed under the</p>	<p>Regulations and Rules, who were holding a fixed-term appointment as of December 31, 2011:</p> <p>(1) Staff Regulation 4.19, "Permanent Appointments" shall be applicable as it stands until such time as the said individual holds a permanent appointment or leaves the service of the Organization.</p> <p>(c) (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 January 1, 2013 the entry into force of these Regulations and Rules, for as long as they continue to serve with the International Bureau:</p> <p>(1) language allowance;</p> <p>(2) removal and shipping expenses;</p> <p>(d) (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 January 1, 2013 the entry into force of the present Staff Regulations and Rules. When agreed, such payments shall extinguish the related claims, without prejudice to the benefits, entitlements and allowances to which the concerned staff member is entitled under the present Staff Regulations and Rules.</p> <p>(e) (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.</p> <p>(f) (g) Requests for reclassifications of posts submitted prior to January 1, 2013, the entry into force of the present Staff Regulations and Rules shall</p>	<p>Paragraph (c)(1) becomes redundant with the amendment introduced in Staff Regulation 4.19, and is thus deleted. Additionally, the reference to "the date of entry into force of the present Regulations and Rules" was erroneous.</p> <p>Paragraph (e): The reference to "the date of entry into force of the present Staff Regulations and Rules" is deleted as the provision also applies to staff whose permanent appointments took effect after this date.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	<p>Regulations and Rules in force at the time when those requests were initially submitted.</p> <p>(h) Any matter or procedure initiated under Chapter X and Chapter XI of the Staff Regulations and Rules applicable prior to the entry into force of the amendment of Chapter X and Chapter XI and Staff Regulation 8.2, including the Staff Rules thereunder, on January 1, 2014, shall be concluded under the Staff Regulations and Rules or Office Instruction in force at the time when that matter or procedure was officially commenced.</p>	<p>be processed under the Regulations and Rules in force at the time when those requests were initially submitted.</p> <p>(g) (h) Any matter or procedure initiated under Chapter X and Chapter XI of the Staff Regulations and Rules applicable prior to the entry into force of the amendment of Chapter X and Chapter XI and Staff Regulation 8.2, including the Staff Rules thereunder, on January 1, 2014, shall be concluded under the Staff Regulations and Rules or Office Instruction in force at the time when that matter or procedure was officially commenced.</p>	

[Annex II follows]

AMENDMENTS TO THE STAFF RULES AND RELATED ANNEXES TO BE EFFECTIVE ON JANUARY 1, 2016

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
<p>Rule 1.3.1</p> <p>Working Days</p>	<p>[...]</p> <p>(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 of local conditions and the practices of other locally based organizations of the United Nations common system.</p> <p>(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 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.</p> <p>(d)(c) [...]</p>	<p>[...]</p> <p>(b) <u>The number of official holidays at each duty station shall be 10 days in each calendar year.</u> 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 of local conditions and the practices of other locally based organizations of the United Nations common system.</p> <p>(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 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.</p> <p>(d)(c) [...]</p>	<p>The list of official holidays is deleted from the Staff Rules to allow more flexibility, in the interests of both staff and the Organization, while maintaining the entitlement to ten days of official holidays per year.</p>
<p>New Rule 1.5.3</p> <p>Intellectual Property Rights</p>		<p><u>All intellectual property rights including but not limited to patent rights, trademark rights, industrial design rights, the economic rights of copyright and any other rights relating to any protectable subject matter created by a staff member as part of his or her official duties or in the course of his or her employment, shall belong to WIPO.</u></p>	<p>New rule on the ownership of intellectual property rights.</p>
<p>Rule 2.2.1</p> <p>Implementation of a Reclassification Decision</p>	<p>[...]</p> <p>(d) No encumbered post shall be reclassified more than once with the same incumbent without initiating a competitive promotion process.</p>	<p>[...]</p> <p>(d) No encumbered post shall be reclassified more than once with the same incumbent without initiating a competitive promotion selection process.</p>	<p>Paragraph (d) is amended to correct an error. The process in question is not a competitive "promotion" process but a competitive "selection" process.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	<p>(e) The Director General shall have the authority to approve the promotion of staff members resulting from post reclassifications within the National Professional Officer, Professional and Director categories. The Director of HRMD shall have the authority to approve the promotion of staff members within the General Service category.</p> <p>(f) Promotion of the incumbent to the grade of the post shall be backdated to the date on which the post was reclassified.</p>	<p>(e) The Director General shall have the authority to approve the promotion of staff members resulting from post reclassifications within the National Professional Officer, Professional and Director categories. The Director of HRMD shall have the authority to approve the promotion of staff members within the General Service category.</p> <p>(f) Promotion of the incumbent to the grade of the post <u>shall take effect on</u> be backdated to the date on which the post was reclassified, i.e., the first day of the month following the Director General's decision <u>on the reclassification request.</u></p>	<p>Paragraphs (e) and (f) are amended in line with the corresponding amendment to Regulation 2.2 in Annex I above. The amendment to paragraph (e) also addresses an inconsistency with paragraph (f) as regards the competent authority to take a decision in case of reclassification leading to a promotion.</p>
<p>Rule 3.6.2</p> <p>Advancement within Grade for Temporary Staff Members</p>	<p>Temporary staff members shall be eligible for the award of one step in their grade from the second year of service. Temporary staff members in the Professional category who are subject to Regulation 12.5(a)(1) and 12.5(b)(1) shall be eligible for this award on a one-time basis, in their second year under these Regulations and Rules.</p>	<p><u>(a) Subject to satisfactory service,</u> Temporary staff members shall be eligible for the award of one step in their grade from the second year of service. Temporary staff members in the Professional category who are subject to Regulation 12.5 4(a)(1) and 12.5 4(b)(1) shall be eligible for this award on a one-time basis, in their second year under these Regulations and Rules.</p> <p><u>(b) Unless the Director General decides otherwise in a specific instance, satisfactory service in this context shall be defined as satisfactory performance and conduct of staff members in the positions to which they have been assigned, as evaluated by their supervisors.</u></p>	<p>To correct an omission. The award of a step increment to temporary staff should be subject to satisfactory service as is the case for other staff (see Regulation 3.6).</p> <p>New paragraph (b) provides the same definition of “satisfactory service” as in Rule 3.6.1(a) which applies to staff on fixed-term, continuing and permanent appointments.</p>
<p>Rule 4.3.1</p> <p>Transfers</p>	<p>[...]</p> <p>(b) Exceptionally, a staff member 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.</p> <p>(c) [...]</p>	<p>[...]</p> <p>(b) Exceptionally, a staff member 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.</p> <p>(c) (b) [...]</p>	<p>Rule 4.3.1(b), which concerns transfers to a post one grade below the staff member's grade and which was introduced in January 2013 at the Administration's initiative, will be deleted as it is inconsistent with rules and practices in other organizations of the UN common system. This notwithstanding, a transfer will normally be to a post classified at the same grade as that of the staff member, as provided in Rule 4.3.1(a).</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
<p>Rule 4.20.1</p> <p>Performance of Staff Members</p>	<p>Rule 4.20.1 – Performance of Staff Members</p> <p>(a) Staff members shall be evaluated through performance appraisal mechanisms that shall assess their performance at such intervals as the work situation or the individual performance requires. Supervisors shall regularly provide feedback to the staff member on his or her performance, and make specific suggestions for improvement in performance and conduct as necessary.</p> <p>(b) The Director General shall seek to ensure that appropriate learning, development, and recognition programs are available for the benefit of staff members.</p>	<p>Rule 4.20.1 – Performance <u>Appraisal</u> of Staff Members <u>on Fixed-term, Continuing and Permanent Appointments</u></p> <p>(a) <u>Performance appraisal is fundamental to the professional development of staff members, as well as ensuring their accountability.</u> Staff members shall be evaluated through performance appraisal mechanisms that shall assess their performance at such intervals as the work situation or the individual performance requires. Supervisors shall regularly provide feedback to the staff member on his or her performance, and make specific suggestions for improvement in performance and conduct as necessary.</p> <p>(b) The Director General shall seek to ensure that appropriate learning, development, and recognition programs are available for the benefit of staff members.</p> <p><u>(c) This Rule shall not apply to staff members on initial fixed-term appointments while they are on probation, in accordance with Regulation 4.17(b). It shall also not apply to temporary staff members, with the exception of those who were granted temporary appointments before January 1, 2013.</u></p>	<p>Sentence moved from Regulation 4.20 as the Organization’s role in professional development is applicable to staff on fixed-term, continuing and permanent appointments.</p> <p>New paragraph (c) is added to clarify that staff members on probation pursuant to Staff Regulation 4.17(b) are not subject to the performance appraisal mechanisms applicable under Rule 4.20.1.</p>
<p>Rule 5.2.1</p> <p>Special Leave for Temporary Staff Members</p>	<p>Normally, special leave shall not be granted to temporary staff members. The International Bureau may authorize special leave for temporary staff members, on partial pay, or without pay, under exceptional or compelling circumstances. The interests of the service to which the staff member concerned is assigned must, however, be safeguarded.</p>	<p>Normally, special leave shall not be granted to temporary staff members. The International Bureau may authorize special leave for temporary staff members, on partial pay, or without pay, under exceptional or compelling circumstances. <u>Compassionate leave may be granted with full pay, subject to the conditions established by the Director General in an Office Instruction.</u> The interests of the service to which the staff member concerned is assigned must, however, be safeguarded. <u>Regulation 5.2(c) shall apply mutatis mutandis to temporary staff members.</u></p>	<p>To address an inconsistency between the Staff Rule and the Organization’s policy on compassionate leave. Presently, Staff Rule 5.2.1 only allows for special leave to be granted <i>with partial pay or without pay</i> to temporary staff, whereas the policy is to grant three days of special leave with full pay to staff, including temporary staff, on the death of a close family member.</p> <p>To clarify that Regulation 5.2(c) (on the relationship of special leave to other entitlements) applies to temporary staff, although Regulation 5.2(f) provides that the subject matter of Regulation 5.2 does not</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment																																										
			apply to temporary staff.																																										
<p>Rule 6.2.1(d)</p> <p>Medical Insurance</p>	<p>[...]</p> <p>(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:</p> <table border="1" data-bbox="338 507 938 911"> <thead> <tr> <th></th> <th>Percentage of the premium to be borne by the staff member</th> <th>Percentage of the premium to be borne by the International Bureau</th> </tr> </thead> <tbody> <tr> <td>GI to G4, NOA and P-1</td> <td>25</td> <td>75</td> </tr> <tr> <td>G5 and G6</td> <td>30</td> <td>70</td> </tr> <tr> <td>G7, NOB, NOC, P-2 and P-3</td> <td>35</td> <td>65</td> </tr> <tr> <td>NOD and P-4</td> <td>40</td> <td>60</td> </tr> <tr> <td>NOE and P-5</td> <td>45</td> <td>55</td> </tr> <tr> <td>D-1 and above</td> <td>50</td> <td>50</td> </tr> </tbody> </table>		Percentage of the premium to be borne by the staff member	Percentage of the premium to be borne by the International Bureau	GI to G4, NOA and P-1	25	75	G5 and G6	30	70	G7, NOB, NOC, P-2 and P-3	35	65	NOD and P-4	40	60	NOE and P-5	45	55	D-1 and above	50	50	<p>[...]</p> <p>(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, <u>subject to the exception prescribed in paragraph (e) below:</u></p> <table border="1" data-bbox="943 507 1543 911"> <thead> <tr> <th></th> <th>Percentage of the premium to be borne by the staff member</th> <th>Percentage of the premium to be borne by the International Bureau</th> </tr> </thead> <tbody> <tr> <td>GI to G4, NOA and P-1</td> <td>25</td> <td>75</td> </tr> <tr> <td>G5 and G6</td> <td>30</td> <td>70</td> </tr> <tr> <td>G7, NOB, NOC, P-2 and P-3</td> <td>35</td> <td>65</td> </tr> <tr> <td>NOD and P-4</td> <td>40</td> <td>60</td> </tr> <tr> <td>NOE and P-5</td> <td>45</td> <td>55</td> </tr> <tr> <td>D-1 and above</td> <td>50</td> <td>50</td> </tr> </tbody> </table> <p><u>(e) For temporary staff members with an initial appointment of less than six months, 50 per cent of the premium shall be borne by the staff member and 50 per cent by the International Bureau.</u></p> <p>(e) (f) [...]</p>		Percentage of the premium to be borne by the staff member	Percentage of the premium to be borne by the International Bureau	GI to G4, NOA and P-1	25	75	G5 and G6	30	70	G7, NOB, NOC, P-2 and P-3	35	65	NOD and P-4	40	60	NOE and P-5	45	55	D-1 and above	50	50	<p>New paragraph (e) is added to make reference to temporary staff with an initial appointment of less than six months.</p>
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<p>Rule 6.2.2(g)</p> <p>Sick Leave and Special Leave for Prolonged Illness</p>	<p>(g) Review of Decisions Relating to Sick Leave</p> <p>(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</p>	<p>(g) Review of Decisions Relating to Sick Leave</p> <p>(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</p>																																											

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	<p>an independent practitioner acceptable to both the Director General and the staff member or a medical board. [...]</p>	<p>an independent practitioner acceptable to both the Director General and the staff member or a medical board. [...]</p> <p><u>(2) Any request for referral to an independent practitioner or medical board pursuant to subparagraph (1) above shall be addressed to the Director General within thirty (30) calendar days following the notification of the contested decision. The Director General may waive this time limit if in his or her opinion this is justified by exceptional circumstances.</u></p>	<p>To introduce a time limit to submit a request for referral to an independent practitioner or medical board.</p>
<p>Rule 6.2.7</p> <p>Health Protection and Insurance for Temporary Staff Members</p>	<p>(d) Rule 6.2.3, "Maternity Leave," shall apply to temporary staff members subject to the following:</p> <p>(1) the entitlement to maternity leave shall consist of 16 weeks on full pay. The entitlement shall apply on a pro rata basis after six months of service;</p> <p>[...]</p> <p>(e) Rule 6.2.4, "Paternity Leave," shall apply to temporary staff members subject to the following:</p> <p>(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.</p> <p>(f) Rule 6.2.5, "Adoption Leave," shall apply to temporary staff members subject to the following:</p> <p>(1) the entitlement to adoption leave shall consist of eight weeks. The entitlement shall apply on a pro rata basis after six months of service.</p>	<p>(d) Rule 6.2.3, "Maternity Leave," shall apply to temporary staff members subject to the following:</p> <p>(1) the entitlement to maternity leave shall consist of 16 weeks on full pay <u>for temporary staff members with 12 months of continuous service.</u> The entitlement shall apply on a pro rata basis after six months of <u>continuous</u> service. [...]</p> <p>(e) Rule 6.2.4, "Paternity Leave," shall apply to temporary staff members subject to the following:</p> <p>(1) the entitlement to paternity leave shall consist of four weeks <u>for temporary staff members with 12 months of continuous service,</u> and shall apply to temporary staff members. The entitlement shall apply on a pro rata basis after six months of <u>continuous</u> service.</p> <p>(f) Rule 6.2.5, "Adoption Leave," shall apply to temporary staff members subject to the following:</p> <p>(1) the entitlement to adoption leave shall consist of eight weeks <u>for temporary staff members with 12 months of continuous service.</u> The entitlement</p>	<p>To clarify unclear provisions. The amendments are in line with Office Instruction No. 8/2013, paragraphs 6, 16 and 26, respectively.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
<p>Rule 7.3.9(a)</p> <p>Loss of Entitlement to Removal Expenses</p>	<p>(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.</p> <p>[...]</p>	<p>shall apply on a pro rata basis after six months of continuous service.</p> <p>(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.</p> <p>[...]</p>	<p>The existence of “other payments due” should not be a prerequisite to recovery, hence the amendment.</p>
<p>Rule 7.3.13</p> <p>Travel-Related Entitlements for Temporary Staff Members</p>	<p>Temporary staff members shall be eligible for the following travel-related entitlements:</p> <p>(a) Travel and Shipment Expenses</p> <p>[...]</p> <p>(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 shall be entitled to payment of travel and shipment expenses for themselves and for their spouse and dependent children. A shipment shall not be authorized if the staff member is not expected to remain at the duty station for at least six months.</p> <p>[...]</p>	<p>Temporary staff members shall be eligible for the following travel-related entitlements:</p> <p>(a) Travel and Shipment Expenses</p> <p>[...]</p> <p>(3) Upon the extension of an initial appointment of less than 12 months resulting in an uninterrupted period of service of longer than at least 12 months, temporary staff members shall be entitled to payment of travel and shipment expenses for themselves and for their spouse and dependent children. However, a shipment shall not be authorized if the staff member is not expected to remain at the duty station for at least six months.</p> <p>[...]</p> <p><u>(d) Loss of Entitlement to Return Travel</u></p> <p><u>(1) A staff member who abandons his or her position or resigns before completing the term of his or her temporary appointment shall not normally be entitled to payment of return travel expenses for him or herself or his or her dependents. The Director General may, however, authorize such payment if he or she determines that there are compelling reasons for so doing.</u></p> <p><u>(2) The International Bureau shall not pay return travel expenses if the travel is not undertaken</u></p>	<p>Paragraph (a)(3) is amended to ensure consistency with Rule 7.3.13(a)(2).</p> <p>New paragraph (d) is added to correct an omission and add provisions on loss of entitlement to return travel for temporary staff.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	<p>(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.</p> <p>(e) Rule 7.3.8, "Reimbursement of Travel and Removal Expenses," shall apply to temporary staff members.</p> <p>(f) Rule 7.3.10, "Travel-Related Insurance," shall apply to temporary staff members.</p> <p>(g) Rule 7.3.11, "Illness or Accident during Travel," shall apply to temporary staff members.</p> <p>(h) Rule 7.3.12, "Transportation of Remains," shall</p>	<p><u>within one year after the date of separation. Where both spouses are staff members and the spouse who separates first is entitled to return travel expenses, his or her entitlement shall not cease until one year after the date of separation of the other spouse.</u></p> <p>(e) (d) Rule 7.3.9, "Loss of Entitlement to Removal Expenses <u>Loss of Entitlement to Shipment Expenses</u>" shall apply to temporary staff members, except for paragraph (a).</p> <p>(1) 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 <u>shipment</u> expenses. Such costs already paid may be adjusted proportionately and recovered from other payments due to the staff member.</p> <p>(2) <u>The International Bureau shall not pay shipment expenses on separation from service if the shipment does not take place within one year after the date of separation. Where both spouses are staff members and the spouse who separates first is entitled to shipment expenses, his or her shipment entitlement shall not cease until one year after the date of separation of the other spouse.</u></p> <p>(e)(f) Rule 7.3.8, "Reimbursement of Travel and Removal Expenses," shall apply <u>mutatis mutandis</u> to temporary staff members.</p> <p>(f)(g) Rule 7.3.10, "Travel-Related Insurance," shall apply <u>mutatis mutandis</u> to temporary staff members.</p> <p>(g)(h) Rule 7.3.11, "Illness or Accident during Travel," shall apply to temporary staff members.</p> <p>(h)(i) Rule 7.3.12, "Transportation of Remains," shall</p>	<p>Former paragraph (d) is amended to correct a mistake. Temporary staff members are not entitled to a "removal" expenses, but to a more limited "shipment" entitlement.</p> <p>Further, former paragraph (d) was partly not relevant (first part of the sentence), and partly redundant with the last sentence of Rule 7.3.13(a)(3). The duration of the entitlement to shipment expenses on separation has been limited to one year instead of two.</p> <p>The existence of "other payments due" should not be a prerequisite to recovery, hence the deletion.</p> <p>New sub-paragraph (2) replaces Staff Rule 7.3.9 (a) and (b) which was formerly applicable to temporary staff. The duration of the entitlement to shipment expenses on separation has been limited to one year instead of two.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	apply to temporary staff members.	apply to temporary staff members.	
<p>Rule 9.2.2(b)</p> <p>Termination of Appointments of Temporary Staff Members</p>	<p>(b) The Director General, giving his or her reasons therefor, may terminate the appointment of a staff member who holds a temporary appointment for any of the following reasons:</p> <p>[...]</p> <p>(3) if for reasons of health the staff member concerned is no longer able to perform his or her duties;</p> <p>[...]</p> <p>(5) if prior to the appointment of the staff member he or she made any false or misleading statements 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;</p> <p>(6) if the staff member abandons his or her post;</p> <p>(7) if such action is in the interests of the good administration of the International Bureau, and;</p> <p>(8) provided the action is not contested by the staff member concerned.</p>	<p>(b) The Director General, giving his or her reasons therefor, may terminate the appointment of a staff member who holds a temporary appointment for any of the following reasons:</p> <p>[...]</p> <p>(3) if for reasons of health the staff member concerned is no longer <u>unable</u> to perform his or her duties;</p> <p>[...]</p> <p>(5) if prior to the appointment of the staff member he or she made any false or misleading statements 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; <u>If facts anterior to the appointment of the staff member and relevant to his or her suitability come to light that, if they had been known at the time of his or her appointment, should have precluded his or her appointment.</u></p> <p>(6) if the staff member abandons his or her post;</p> <p>(7) (6) 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 member concerned.</p>	<p>Sub-para. (b)(3): Same amendment as to Regulation 9.2(a)(2) in Annex I.</p> <p>Sub-para. (b)(5): Same amendment as to Regulation 9.2(a)(4) in Annex I.</p> <p>Sub-para. (b)(6): Same amendment as to Regulation 9.2(a)(5) in Annex I.</p> <p>Sub-paras. (b)(7) and (8) are merged to correct an error (and renumbered accordingly).</p>
<p>Rule 9.3.1</p> <p>Abandonment of Post by Temporary Staff Members</p>	<p>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.</p>	<p>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.</p>	<p>Since Regulation 9.3 as amended applies to temporary staff, Rule 9.3.1 becomes redundant and is deleted accordingly.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
<p>Rule 9.8.1</p> <p>Termination Indemnity for Temporary Staff Members</p>	<p>[...]</p> <p>(c) No indemnity shall be paid to a temporary staff member who:</p> <p>(1) resigns, except where termination notice has been given and the termination date agreed upon;</p> <p>[...]</p> <p>(3) has his or her appointment terminated for unsatisfactory service;</p> <p>[...]</p>	<p>[...]</p> <p>c) No indemnity shall be paid to a temporary staff member who:</p> <p>(1) resigns, except where termination notice has been given and the termination date agreed upon;</p> <p>[...]</p> <p>(3) has his or her appointment terminated for unsatisfactory service performance or conduct;</p> <p>[...]</p>	<p>Para. (c)(1): Same amendment as to Regulation 9.8(a)(3)(i) in Annex I.</p> <p>Para. (c)(3) amended to ensure consistency with Rule 9.2.2(b)(4).</p>
<p>Rule 9.9.1</p> <p>Repatriation Grant</p>	<p>Payment of the repatriation grant shall be subject to the following conditions and definitions:</p> <p>[...]</p> <p>(c) neither a locally recruited staff member, nor a staff member who abandons his or her post, nor a staff member whose duty station, at the time of separation, is in his or her home country, shall be entitled to the repatriation grant;</p> <p>[...]</p> <p>(k) notwithstanding 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 which qualify them for the grant which they had already accrued at that date without the need to produce evidence of relocation; the exercise of any additional entitlement accrued after that date shall, however, be subject to the conditions set out in paragraph (h) and (i), above;</p> <p>[...]</p> <p>(l) [...]</p> <p>(m) [...]</p>	<p>Payment of the repatriation grant shall be subject to the following conditions and definitions:</p> <p>[...]</p> <p>(c) neither a locally recruited staff member, nor a staff member who abandons his or her post, nor a staff member whose duty station or place of residence, at the time of separation, is in his or her home country, shall be entitled to the repatriation grant;</p> <p>[...]</p> <p>(k) notwithstanding 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 which qualify them for the grant which they had already accrued at that date without the need to produce evidence of relocation; the exercise of any additional entitlement accrued after that date shall, however, be subject to the conditions set out in paragraph (h) and (i), above;</p> <p>[...]</p> <p>(l) (k) [...]</p> <p>(m) (l) [...]</p>	<p>Para. (c) is amended to ensure consistency with Staff Regulation 9.9(a) as amended in Annex I.</p> <p>Para. (k) is deleted as there are no longer staff members in the Professional and higher categories who were appointed at WIPO as Professional staff members before January 1981.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
<p>Rule 10.1.2</p> <p>Procedure</p>	<p>[...]</p>	<p>[...]</p> <p><u>(g) In exceptional circumstances, the Director General or the Director of HRMD (as the case may be) may extend the applicable time limits under paragraphs (a), (b) and (c) above. In such a case, the respondent shall be notified in writing.</u></p>	<p>New paragraph (g) is added to enable the competent authority to extend deadlines in exceptional circumstances.</p>
<p>Rule 11.4.2(a)</p> <p>Administrative Resolution of Rebuttal or Performance Appraisals</p>	<p>(a) A staff member who wishes to rebut his or her performance appraisal under Regulation 4.20 shall submit his or her rebuttal to the Director of HRMD in writing within thirty (30) calendar days from the date of the decision of the reviewing officer. The Director of HRMD shall review any such rebuttal and notify the staff member in writing of a reasoned decision within thirty (30) calendar days from the receipt of the rebuttal. Where the supervisor or reviewing officer is the Director General, the review of the relevant request shall be made by the Director General. Where the Director of HRMD and the staff member agree that the matter may still be resolved through informal conflict resolution, this time limit may be suspended up to ninety (90) calendar days. Upon expiration of the period of suspension, the formal review process shall resume, unless the staff member withdraws the rebuttal in writing.</p>	<p>(a) A staff member who wishes to rebut his or her performance appraisal under Regulation 4.20 Rule 4.20.1 and Rule 4.20.2 shall submit his or her rebuttal to the Director of HRMD in writing within thirty (30) calendar days from the date of the decision of the reviewing officer. The Director of HRMD shall review any such rebuttal and notify the staff member in writing of a reasoned decision within thirty (30) calendar days from the receipt of the <u>response to the rebuttal or of any additional information requested.</u> Where the supervisor or reviewing officer is the Director General, the review of the relevant request shall be made by the Director General. Where the Director of HRMD and the staff member agree that the matter may still be resolved through informal conflict resolution, this time limit may be suspended up to ninety (90) calendar days. Upon expiration of the period of suspension, the formal review process shall resume, unless the staff member withdraws the rebuttal in writing.</p>	<p>To update the cross-reference in view of the amendment to Regulation 4.20 (see Annex I).</p> <p>To clarify that the time limit of 30 calendar days would run from the receipt of the response to the rebuttal or of any additional information requested.</p>
<p>Rule 11.5.1</p> <p>Appeal Board</p>	<p>[...]</p> <p>(b) The Appeal Board shall be composed as follows:</p> <p>[...]</p> <p>(2) Two members designated by the Director General from among the staff members of the International Bureau.</p> <p>(3) Two members elected by the staff members of the International Bureau, according to a procedure to be established, after consultation with the Staff Council, by the Director General.</p>	<p>[...]</p> <p>(b) The Appeal Board shall be composed as follows:</p> <p>[...]</p> <p>(2) Two members designated by the Director General from among the staff members of the International Bureau.</p> <p>(3) Two members elected by the staff members of the International Bureau <u>from among the staff members,</u> according to a procedure to be established, after consultation with the Staff Council,</p>	<p>Para. (b)(3): Amended to make it clear that the elected members of the WIPO Appeal Board must be staff members, as is the case for the members designated by the Director General.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	<p>[...]</p> <p>(l) The Appeal Board shall have two periods of annual recess, from December 24 to January 5, over the holiday season, and from July 1 to August 15, over the summer period. During the Appeal Board's recess, all time limits before the Appeal Board are suspended for the duration of the recess.</p>	<p>by the Director General.</p> <p>[...]</p> <p>(l)The Appeal Board shall have two periods of annual recess, from December 24 to January 5⁴, over the holiday season, and from July 1¹⁵ to August 15, over the summer period. During the Appeal Board's recess, all time limits before the Appeal Board are suspended for the duration of the recess.</p>	<p>Para. (l): Amended to shorten the two recess periods for the Appeal Board (from 13 and 46 days to 12 and 32 days, respectively).</p>
<p>Rule 11.5.3</p> <p>Procedure before the Appeal Board</p>	<p>[...]</p> <p>(f) The Director General shall have sixty (60) calendar days from the date of receipt by the Appeal Board of the appeal to submit his or her reply, a copy of which shall be transmitted to the appellant.</p> <p>(g) The appellant may submit a rejoinder within thirty (30) calendar days from the date of the Appeal Board's receipt of the Director General's reply, a copy of which shall be transmitted to the Director General, and the Director General may submit a surrejoinder within thirty (30) calendar days from the Appeal Board's receipt of the rejoinder, a copy of which shall be transmitted to the appellant.</p> <p>[...]</p>	<p>[...]</p> <p>(f) The Director General shall have sixty (60) calendar days from the date of receipt by the Appeal Board of the appeal to submit his or her reply, a copy of which shall be transmitted to the appellant.</p> <p>(g) The appellant may submit a rejoinder within thirty (30) calendar days from the date of the Appeal Board's receipt of the Director General's reply, a copy of which shall be transmitted to the Director General, and the Director General may submit a surrejoinder within thirty (30) calendar days from the Appeal Board's receipt of the rejoinder, a copy of which shall be transmitted to the appellant.</p> <p>[...]</p>	<p>Paragraphs (f) and (g) are amended so the time limit for the submission of the reply, rejoinder and surrejoinder will start running from the date of receipt of the relevant submission by the Director General or the appellant, not from the date of receipt by the Appeal Board.</p>
<p>Rule 12.2.2</p> <p>Effective Date</p>	<p>These revised Regulations and Rules shall enter into force on January 1, 2013, and shall supersede all corresponding provisions in force before that date.</p>	<p>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.</p>	<p>Provision deleted as inconsistent with the fact that Chapters X and XI entered into force in January 2014 and that other provisions have also been amended since January 2013. See also proposed amendments to Regulations 12.4 and 12.5 in Annex I.</p>
<p>Rule 12.2.3</p> <p>Authentic Texts of Regulations and Rules</p>	<p>Rule 12.2.3 – Authentic Texts of Regulations and Rules</p> <p>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</p>	<p>Rule 12.2.3 – Authentic Texts of Regulations and Rules</p> <p>The English and French texts of the Staff Regulations and Rules shall be equally authoritative. In case of conflict between the English and French texts of the Staff Regulations and Rules, the English version shall prevail. two versions the working</p>	<p>To clarify what would happen in case of conflict between the French and English texts. Not all Regulations and Rules are the result of the Consultative Group's work. In the case of conflict, the originally drafted English version will prevail over the French version.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	Instruction) shall be made available upon request to the International Bureau.	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.	
Annex II, Article 1 Salaries	(a) The following shall be the salary scale for the Director General: [...] (b) The salary scale for the Director and higher categories shall be located on the WIPO Intranet. (c) The salary scales for Professional staff shall be located on the WIPO Intranet. (d) The salary scales for staff in the General Service and National Professional Officer categories shall be located on the WIPO Intranet.	(a) The following shall be the salary scale for the Director General: (b) The salary scales for the Director and higher categories shall be located on the WIPO Intranet. (c) The salary scales for <u>the</u> Professional <u>category</u>, staff shall be located on the WIPO Intranet. (d) The salary scales for staff in the, <u>the National Professional Officer category and</u> the General Service <u>category</u> and National Professional Officer categories shall be located on the WIPO Intranet.	Streamlining. To avoid having to amend the Staff Regulations and Rules each time the salary scale is revised.
Annex VI Calculation Of Time Limits For The Purposes Of Chapter X And Chapter XI		New paragraph (d) <u>(d) When a time limit is suspended, the period of suspension is not included in the computation of time. Example: A staff member has filed an appeal before the Appeal Board. The Director General's reply to the appeal is received on December 15. The rejoinder should normally be submitted within 30 calendar days, that is, by January 14 of the next calendar year (Rule 11.5.3(g)). However, the Appeal Board has an annual recess during the holiday season from December 24 to January 4 (12 calendar days) and during the recess, all time limits before the Appeal Board are suspended for the duration of the recess (Rule 11.5.1(l)). In such a case, the time limit for the submission of the rejoinder is extended by 12 calendar days (i.e., the duration of the recess) and the rejoinder must be submitted by January 26 of the next calendar year. If January 26 is a Saturday, Sunday or WIPO official holiday, paragraph (c) above applies.</u>	New paragraph (d) is added to clarify the meaning of "suspension of time limits", especially in light of Staff Rule 11.5.1(l).

[Annex III follows]

AMENDMENTS TO THE STAFF RULES AND RELATED ANNEXES IMPLEMENTED BETWEEN JULY 1, 2014, AND JUNE 30, 2015

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
<p>New Staff Rule 4.9.4</p> <p>Reserve Lists</p>		<p><u>(a) Candidates recommended by an Appointment Board but not appointed by the Director General may be placed on a reserve list.</u></p> <p><u>(b) If within one year of a candidate's placement on the reserve list, the same post or a post at the same grade with similar functions becomes vacant, a reserve candidate may be appointed without a new competition.</u></p> <p><u>(c) Conditions and procedures for the use of reserve lists shall be prescribed in an Office Instruction.</u></p> <p><u>(d) This Rule shall not apply to the recruitment of temporary staff members.</u></p>	<p>Date of entry into force: November 1, 2014.</p> <p>New Rule enabling candidates for WIPO competitions who are recommended by an Appointment Board but not appointed by the Director General to be placed on a reserve list.</p>
<p>Staff Rule 6.2.2</p> <p>Sick leave and Special Leave for Prolonged Illness</p>	<p>(d) Certified Sick Leave</p> <p>(1) Except with the authorization of the Director General, no staff member shall be granted uncertified sick leave for a period of more than three consecutive working days without producing a certificate from a duly qualified medical practitioner, to the effect that he or she is unable to perform his or her duties and stating the probable duration of his or her absence. Such certificate shall, except in circumstances beyond the control of the staff member, be produced no later than the end of the fourth working day following initial absence from duty.</p> <p>(e) Long Term Sick Leave and Special Leave for Prolonged Illness [...]</p> <p>(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</p>	<p>(d) Certified Sick Leave</p> <p>(1) Except with the authorization of the Director General, no staff member shall be granted uncertified sick leave for a period of more than three consecutive working days without producing a certificate from a duly qualified medical practitioner, to the effect that he or she is unable to perform his or her duties and stating the probable duration of his or her absence. Such certificate shall, except in circumstances beyond the control of the staff member, be produced no later than the end of the fourth working day following the initial absence from duty.</p> <p>(e) Long Term Sick Leave and Special Leave for Prolonged Illness [...]</p> <p>(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</p>	<p>Date of entry into force: January 1, 2015.</p> <p>Editorial amendment. Paragraph (e)(2) was amended to include a reference to the mobility and hardship allowance and to delete the reference to the non-removal allowance, which is no longer applicable to any WIPO staff.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment
	<p>post adjustment, where applicable. In addition, they shall receive, where applicable, the full amount of the dependency allowance, language allowance, education grant, assignment grant, and rental subsidy and non-resident's allowance. [...]</p> <p>(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. [...]</p>	<p>post adjustment, where applicable. In addition, they shall receive, where applicable, the full amount of the dependency allowance, language allowance, education grant, assignment grant, and rental subsidy and <u>mobility and hardship allowance</u> non-resident's allowance. [...]</p> <p>(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. [...]</p>	<p>Paragraph (i) was amended to delete the reference to “other satisfactory evidence” and “other supporting evidence”, since it is mandatory for a staff member to provide a medical certificate from a duly qualified medical practitioner in such circumstances.</p>
<p>Annex I Glossary Article 2 – Glossary</p>	<p>(a) The following terms shall be defined: [...]</p> <p>(11) “Spouse” shall mean a person with whom the staff member is engaged in a marriage, domestic, or same gender partnership that is legally recognized under the laws of the country of nationality of the staff member. If a staff member has more than one nationality, the determination of nationality shall be made pursuant to the Staff Regulations and Rules.</p>	<p>(a) The following terms shall be defined: [...]</p> <p>(11) (7) “Spouse” shall mean a person with whom the staff member is engaged in a marriage, domestic, or same gender partnership that is legally recognized under the laws of the <u>competent authority under which the marriage or partnership has been established</u>. country of nationality of the staff member. If a staff member has more than one nationality, the determination of nationality shall be made pursuant to the Staff Regulations and Rules.</p>	<p>Date of entry into force: November 1, 2014.</p> <p>Article 2(a)(11) was amended in order to determine a staff member's marital status by reference to the laws of the competent authority under which the marriage or partnership has been established, rather than by reference to the laws of the country of nationality of the staff member.</p>

Provision	Current Text	Proposed/new Text	Purpose/Description of amendment																														
<p>Annex II</p> <p>Salaries and Allowances</p> <p>Article 1(a) - Salaries</p>	<p>(a) The following shall be the salary scale for the Director General:</p> <p>Scale in force as from January 1, 2014 (annual amounts in US dollars)</p> <table border="1" data-bbox="421 416 862 596"> <thead> <tr> <th colspan="3">Grade</th> </tr> </thead> <tbody> <tr> <td></td> <td>P</td> <td>358,936</td> </tr> <tr> <td>DG</td> <td>G</td> <td>233,337</td> </tr> <tr> <td></td> <td>D</td> <td>176,836</td> </tr> <tr> <td></td> <td>S</td> <td>157,262</td> </tr> </tbody> </table>	Grade				P	358,936	DG	G	233,337		D	176,836		S	157,262	<p>(b) The following shall be the salary scale for the Director General:</p> <p>Scale in force as from January 1, 2014 2015 (annual amounts in US dollars)</p> <table border="1" data-bbox="972 416 1514 596"> <thead> <tr> <th colspan="3">Grade</th> </tr> </thead> <tbody> <tr> <td></td> <td>P</td> <td>358,936</td> </tr> <tr> <td>DG</td> <td>G</td> <td>233,337 235'696</td> </tr> <tr> <td></td> <td>D</td> <td>176,836 178'624</td> </tr> <tr> <td></td> <td>S</td> <td>157,262 158'852</td> </tr> </tbody> </table>	Grade				P	358,936	DG	G	233,337 235'696		D	176,836 178'624		S	157,262 158'852	<p>Date of entry into force: January 1, 2015</p> <p>Article 1(a) was amended to update the salary scale for the Director General, pursuant to resolution 69/251 of the General Assembly of the United Nations.</p>
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<p>Annex IV</p> <p>Rules of Procedure of Appointment Boards</p> <p>Article 3(g) – Procedure</p>	<p>(g) The Board shall submit its recommendations to the Director General in the form of a written report, the draft of which shall be prepared by the Secretary. The report shall be signed by the Chairperson and by each of the members of the Board. In so far as the standard of applications permits, the Board shall draw up a list of selected names in order of preference, with the reasons for such preference.</p>	<p>(g) The Board shall submit its recommendations to the Director General in the form of a written report, the draft of which shall be prepared by the Secretary. The report shall be signed by the Chairperson and by each of the members of the Board. In so far as the standard of applications permits, the Board shall draw up a list of selected names recommended candidates, in order of preference, with the reasons for such recommendations preference.</p>	<p>Date of entry into force: November 1, 2014.</p> <p>Article 3(g) was amended to ensure consistency with new Rule 4.9.4.</p>																														

[End of Annex III and of document]