

WO/CC/62/2
ANNEX I

Proposed Staff Regulations and Staff Rules

Table of Contents

INTRODUCTION	8
STAFF REGULATIONS.....	8
SCOPE AND PURPOSE	8
Staff Rules.....	8
Purpose.....	8
Relationship between Staff Regulations and Staff Rules	8
Application.....	8
Effective Date	8
Exceptions to the Staff Rules	8
Delegation of authority	9
ARTICLE I.....	10
DUTIES, OBLIGATIONS AND PRIVILEGES.....	10
REGULATION 1.1 – STATUS OF STAFF	10
REGULATION 1.2 – BASIC RIGHTS AND OBLIGATIONS OF STAFF.....	10
Core values.....	10
General rights and obligations	11
Honors, gifts or remuneration	11
Conflict of interest	11
Outside employment and activities.....	12
Use of property and assets	12
REGULATION 1.3 - PERFORMANCE OF STAFF	12
CHAPTER I.....	13
DUTIES, OBLIGATIONS AND PRIVILEGES.....	13
Rule 1.1 – Status of staff.....	13
Rule 1.2 – Basic rights and obligations of staff.....	13
General.....	13
Specific instances of prohibited conduct	13
Honors, gifts or remuneration	14
Conflict of interest	14
Outside activities.....	14
Travel and per diem for outside activities.....	15
Rule 1.3 – Performance of staff	15
Rule 1.4 – Hours of work and official holidays.....	15
Rule 1.5 – Notification by staff members and obligation to supply information	15
Rule 1.6 – Staff member’s beneficiaries.....	16
Rule 1.7 – Financial responsibility	16
Rule 1.8 – Liability insurance.....	16
Rule 1.9 – Intellectual Property rights	16
Rule1.10 – Confidential Documents, Information or Material.....	16
ARTICLE II.....	17
CLASSIFICATION OF POSTS AND GRADING OF STAFF	17
REGULATION 2.1 – CLASSIFICATION OF POSTS	17
REGULATION 2.2 – GRADING OF STAFF	17
CHAPTER II	18
CLASSIFICATION OF POSTS.....	18

Rule 2.1 – Classification of posts	18
Rule 2.2 – Classification Standards	18
Rule 2.3 – Classification Review	18
Rule 2.4 – Classification Review Panel	18
Rule 2.5 – Grading of staff members	18
ARTICLE III	19
SALARIES AND RELATED ALLOWANCES.....	19
REGULATION 3.1	19
REGULATION 3.2 - INTERNAL TAXATION.....	19
REGULATION 3.3 – DEPENDENCY ALLOWANCES	20
REGULATION 3.4 – EDUCATION GRANT.....	21
CHAPTER III.....	22
SALARIES AND RELATED ALLOWANCES.....	22
Rule 3.1 – Salary scales	22
Rule 3.2 – Internal Taxation	22
Rule 3.3 – Salary increments	22
Rule 3.4 – Salary policy.....	23
Rule 3.5 – Pensionable remuneration	23
Rule 3.6 – Dependency allowances	23
Definitions.....	23
Amount of the allowance	24
Rule 3.7 – Post adjustment and rental subsidy	24
Rule 3.8 – Language allowance	25
Rule 3.9 – Assignment grant.....	25
Definition/Computation of the grant.....	25
Eligibility	26
Rule 3.10 – Special post allowance	26
Rule 3.11 – Overtime and compensatory time off.....	26
Rule 3.12 – Night differential	26
Rule 3.13 – Mobility allowance.....	27
Rule 3.14 – Hardship allowance	27
Rule 3.15 – Salary advances	27
Rule 3.16 – Retroactivity of payments	28
Rule 3.17 – Deductions and contributions.....	28
Rule 3.18 – Repatriation grant	28
Purpose.....	28
Definitions.....	28
Eligibility	29
Evidence of relocation	29
Amount and computation of the grant	29
Time limitation for submission of the claim.....	29
Payment in case of the death of an eligible staff member	29
Rule 3.19 – Education grant.....	30
Definitions.....	30
Eligibility	30
Duration	30
Amount of the grant	30
Travel	31

Tuition in the mother tongue.....	31
Special education grant for a child with a disability.....	31
Claims	31
ARTICLE IV	32
APPOINTMENT, RECRUITMENT, PROMOTION AND TRANSFER.....	32
REGULATION 4.1 – POWER OF APPOINTMENT.....	32
REGULATION 4.2 – STANDARDS	32
REGULATION 4.3 – TYPES OF APPOINTMENTS	32
REGULATION 4.4 – POSTS UNDER FUNDS-IN-TRUST AGREEMENTS.....	32
REGULATION 4.5 – RECRUITMENT AND SELECTION.....	32
REGULATION 4.6 – PERSONS IN THE SERVICE OF THE INTERNATIONAL BUREAU	33
REGULATION 4.7 – PROMOTION AND TRANSFER	33
CHAPTER IV	34
RECRUITMENT, PROMOTION AND TRANSFER	34
Rule 4.1 – Letter of appointment	34
Rule 4.2 – Effective date of appointment	34
Rule 4.3 – Nationality	34
Rule 4.4 – Selection Advisory Panels.....	34
Rule 4.5 – Staff members appointed to posts subject to local recruitment.....	35
Rule 4.6 – Staff members appointed to posts subject to international recruitment	35
Rule 4.7 – Geographical distribution	35
Rule 4.8 – Medical examination	35
Rule 4.9 – Types of appointment	36
Rule 4.10 – Temporary appointment	36
Rule 4.11 – Fixed-term appointment	36
Rule 4.12 – Continuing appointment	36
Rule 4.13 – Continuing Appointment Board	36
Rule 4.14 – Internal candidates and internal vacancies	37
Rule 4.15 – Change of official duty station	37
Rule 4.16 – Inter-agency movements	37
Rule 4.17 – Family relationships	37
Rule 4.18 – Re-employment	37
Rule 4.19 – Reinstatement	38
Rule 4.20 – Arrangement relating to Military service	38
ARTICLE V	39
ANNUAL AND SPECIAL LEAVE.....	39
REGULATION 5.1	39
REGULATION 5.2	39
REGULATION 5.3	39
CHAPTER V.....	40
ANNUAL AND SPECIAL LEAVE.....	40
Rule 5.1 – Annual leave.....	40
Rule 5.2 – Home leave.....	40
Rule 5.3 – Special leave.....	42
ARTICLE VI	44
SOCIAL SECURITY	44
REGULATION 6.1 – PENSION FUND	44

WO/CC/62/2
ANNEX I, page 4

REGULATION 6.2	44
CHAPTER VI.....	45
SOCIAL SECURITY	45
Rule 6.1 – Participation in the United Nations Joint Staff Pension Fund.....	45
Rule 6.2 – Sick leave	45
Maximum entitlement.....	45
Uncertified sick leave	45
Certified sick leave	45
Sick leave during annual leave	45
Obligations of staff members.....	46
Rule 6.3 – Maternity, paternity, and adoption leave.....	46
Rule 6.4 – Compensation for death, injury or illness attributable to service.....	47
Rule 6.5 – Compensation for loss or damage to personal effects attributable to service	47
Rule 6.6 – Medical insurance.....	47
ARTICLE VII.....	48
TRAVEL AND REMOVAL EXPENSES.....	48
REGULATION 7.1	48
REGULATION 7.2	48
SUBJECT TO CONDITIONS AND DEFINITIONS PRESCRIBED BY THE DIRECTOR GENERAL, THE INTERNATIONAL BUREAU SHALL IN APPROPRIATE CASES PAY REMOVAL COSTS FOR STAFF MEMBERS.....	48
CHAPTER VII.....	49
TRAVEL AND REMOVAL EXPENSES.....	49
Rule 7.1 – Official travel of staff members	49
Rule 7.2 – Official travel of eligible family members	49
Rule 7.3 – Loss of entitlement to return travel expenses.....	50
Rule 7.4 – Authorization to travel.....	51
Rule 7.5 – Travel expenses	51
Rule 7.6 – Mode, dates, route and standard of travel	51
Mode of travel.....	51
Official dates of travel	51
Route of travel.....	51
Standard of travel.....	51
Rule 7.7 – Travel by motor vehicle	52
Rule 7.8 – Purchase of tickets.....	52
Rule 7.9 – Terminal expenses.....	52
Rule 7.10 – Daily subsistence allowance.....	52
Rule 7.11 – Miscellaneous travel expenses	53
Rule 7.12 – Travel advances.....	53
Rule 7.13 – Illness or accident during travel	54
Rule 7.15 – Excess baggage and unaccompanied shipments	54
Excess baggage	54
General provisions on unaccompanied shipments.....	54
Unaccompanied shipments on home leave, family visit or education grant travel	54
Unaccompanied shipments for staff appointed or assigned for less than one year	54
Unaccompanied shipments for staff appointed or assigned for one year or longer.....	54
Unaccompanied shipment as advance removal of personal effects and household goods.....	55

Additional shipment entitlements for international staff serving at designated duty stations	55
Conversion of shipment by surface to unaccompanied shipment by air	55
Rule 7.16 – Removal and non-removal costs	55
Eligibility for payment of removal costs	55
Non-removal allowance	56
Maximum entitlements	56
Storage of personal effects and household goods	56
Adjustments to entitlements	57
Rule 7.17 – Loss of entitlement to unaccompanied shipment or removal expenses	57
Rule 7.18 – Transportation of decedents	57
Rule 7.19 – Insurance	57
ARTICLE VIII	59
STAFF RELATIONS	59
REGULATION 8.1	59
REGULATION 8.2	59
CHAPTER VIII	60
STAFF RELATIONS	60
Rule 8.1 – Staff representative bodies	60
Rule 8.2 – Joint staff-management consultative body	60
ARTICLE IX	61
SEPARATION FROM SERVICE	61
REGULATION 9.1	61
REGULATION 9.2	61
REGULATION 9.3	61
REGULATION 9.4	61
REGULATION 9.5	62
CHAPTER IX	63
SEPARATION FROM SERVICE	63
Rule 9.1 – Definition of separation	63
Rule 9.2 – Resignation	63
Rule 9.3 – Abandonment of post	63
Rule 9.4 – Expiration of appointments	63
Rule 9.5 – Retirement	63
Rule 9.6 – Termination	64
Definition of termination	64
Reasons for termination	64
Termination for abolition of posts and reduction of staff	64
Termination for health reasons	64
Rule 9.7 – Notice of termination	65
Rule 9.8 – Termination indemnity	65
Rule 9.9 – Commutation of accrued annual leave	66
Rule 9.10 – Restitution of advance annual and sick leave	66
Rule 9.11 – Last day for pay purposes	66
Rule 9.12 – Certification of service	67
ARTICLE X	68

DISCIPLINARY MEASURES AND PROCEDURES	68
REGULATION 10.1	68
CHAPTER X	69
DISCIPLINARY MEASURES AND PROCEDURES	69
Rule 10.1 – Misconduct	69
Rule 10.2 – Disciplinary measures	69
Rule 10.3 – Due process in disciplinary proceedings	69
Rule 10.4 – Administrative leave pending investigation and the disciplinary process ...	70
Rule 10.5 – Non disciplinary measures	70
Rule 10.6 – Joint Disciplinary Committee.....	71
Rule 10.6.1 – Composition of the Joint Disciplinary Committee.....	71
Rule 10.6.2. – Conflict of interest.....	71
Rule 10.6.3 – Joint Disciplinary Committee procedures	71
ARTICLE XI	73
APPEALS	73
REGULATION 11.1 – INTERNAL APPEAL	73
REGULATION 11.2 – LITIGIOUS APPEAL	73
CHAPTER XI	74
INTERNAL AND LITIGIOUS APPEALS	74
Rule 11.1 – Appeal Board.....	74
Rule 11.2. – Administrative Tribunal	75
ARTICLE XII	76
GENERAL PROVISIONS	76
REGULATION 12.1 – AMENDMENTS TO THE REGULATIONS	76
REGULATION 12.2 – STAFF RULES.....	76
REGULATION 12.3 – INTERPRETATION OF THE STAFF REGULATIONS AND STAFF RULES.....	76
REGULATION 12.4 – ACQUIRED RIGHTS	76
REGULATION 12.5. – EFFECTIVE DATE AND AUTHENTIC TEXTS OF REGULATIONS.....	76
CHAPTER XII	77
STAFF RULES	77
Rule 12.1 – Amendments and Derogations to Staff Rules	77
Rule 12.2. – Effective date and authentic texts of rules.....	77
ANNEX I	78
SALARY SCALES AND RELATED PROVISIONS	78
ANNEX II	82
LETTERS OF APPOINTMENT	82
ANNEX III	83
TERMINATION INDEMNITY	83
ANNEX IV	85
REPATRIATION GRANT	85

APPENDICES TO THE STAFF RULES.....	86
APPENDIX A.....	86
APPENDIX B.....	87
APPENDIX C.....	89

Introduction
STAFF REGULATIONS
Scope and Purpose

1. The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of staff members of the World Intellectual Property Organization (hereinafter referred to as “the International Bureau”). They lay down the broad principles for the recruitment and administration of the International Bureau. The Director General, in his capacity as Chief Executive Officer, shall, in accordance with these Regulations, establish such Staff Rules and other conditions consistent with these principles as he considers necessary. The application of these Staff Regulations and Staff Rules shall be the responsibility of the Director General.

2. Except where otherwise stated, the Staff Regulations shall apply to all staff members of the International Bureau. For the purposes of these Regulations, “staff members” or “staff” shall refer to all the staff members of the International Bureau whose contractual relationship is established by a letter of appointment subject to Staff Regulations approved by the WIPO Coordination Committee pursuant to Article 9, paragraph 7 of the WIPO Convention, as amended from time to time.

Staff Rules

Purpose

3. The Staff Rules elaborate the provisions of the Staff Regulations. They supplement the implementation of the provisions of the Staff Regulations. They supplement the principles which govern the conditions of service and the personnel practices of the International Bureau, as established by the Staff Regulations.

Relationship between Staff Regulations and Staff Rules

4. The Staff Regulations are approved by the WIPO Coordination Committee and embody the fundamental conditions of service and the basic rights, duties, and obligations of the International Bureau’s staff members, and provide broad principles for the guidance of the Director General in the staffing and administration of the International Bureau.

5. The Staff Rules are established by the Director General under the authority of the Staff Regulations. The Staff Rules shall be consistent with the provisions of the Staff Regulations. The Director General shall report annually to the WIPO Coordination Committee on amendments made to the Staff Rules.

Application

6. The Staff Rules shall apply to all staff members of the International Bureau, except as specifically provided in any particular Staff Regulation or Staff Rule herein. Nothing in the present Rules shall be interpreted as preventing the Director General from making temporary appointments of 60 days or less with terms of service different from those provided in the present Rules, where he considers that the interests of the International Bureau so require.

Effective Date

7. These Staff Regulations and Staff Rules are effective as from January 1, 2011, and supersede all Staff Regulations and Staff Rules and related Office Instructions in force before that date. All subsequent modifications shall become effective as from the date shown thereon.

Exceptions to the Staff Rules

8. The Director General may make exceptions to the Staff Rules provided that such exceptions are not inconsistent with any Staff Regulation or other decision of the Coordination Committee; and provided further that each exception is agreed to by the staff member directly affected and is, in the opinion of the Director General, not prejudicial to the interests of any other staff member or group of staff members.

Delegation of authority

9. The Director General may delegate to other staff members of the International Bureau such of his or her powers and under such conditions as he or she considers necessary for the effective implementation of these Rules.

Article I
DUTIES, OBLIGATIONS AND PRIVILEGES

Regulation 1.1 – Status of staff

(a). Staff members are international civil servants. Their responsibilities as staff members are not national but exclusively international.

(b). Staff members shall make the following written declaration witnessed by the Director General or his or her authorized representative:

“I solemnly declare and promise to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the International Bureau, to discharge these functions and regulate my conduct with the interests of the International Bureau only in view and in accordance with the International Civil Service Commission (ICSC) Standards of Conduct of the International Civil Service 2001, as they may be amended from time to time, and not to seek or accept instructions in regard to the performance of my duties from any Government or other source external to the International Bureau.”

“I also solemnly declare and promise to respect the obligations incumbent upon me as set out in the Staff Regulations and Staff Rules.”

(c). The Director General shall ensure that the rights and duties of staff members, as set out in the Staff Regulations and Staff Rules and in the relevant resolutions and decisions of the WIPO Coordination Committee, are respected.

(d). The Director General shall seek to ensure that the paramount consideration in the determination of the conditions of service shall be the necessity of securing staff of the highest standards of efficiency, competence and integrity.

(e). The Staff Regulations apply to all staff members at all levels, holding appointments under the Staff Regulations and Staff Rules.

(f). The privileges and immunities specified in the 1947 Convention on the Privileges and Immunities of the Specialized Agencies, as well as the privileges and immunities specified in relevant Host Country Agreements and arrangements provided for in such agreements or arrangements, or which are otherwise relevant, shall apply to staff members in those jurisdictions in which they are in effect. These privileges and immunities are conferred in the interests of the International Bureau.

(g). These privileges and immunities furnish no excuse to the staff members to whom they apply to fail to observe laws of the State in which they are located or which may otherwise apply to them, nor do they furnish an excuse for non-performance of their private obligations. In any case where an issue arises regarding the application of these privileges and immunities, the staff member shall immediately report the matter to the Director General, who alone may decide whether such privileges and immunities exist and whether they shall be waived in accordance with the relevant instruments.

Regulation 1.2 – Basic rights and obligations of staff

Core values

(a). Staff members shall uphold the highest standards of efficiency, competence and integrity. The concept of integrity includes, but is not limited to, probity, impartiality, fairness, honesty and truthfulness in all matters affecting their work and status.

(b). Staff members shall exhibit respect for all cultures; they shall not discriminate against any individual or group of individuals or otherwise abuse the power and authority vested in them.

(c). The ICSC Code of Conduct of the International Civil Service 2001 as it may be amended from time to time, applies to all staff members.

General rights and obligations

(d). Staff members are subject to the authority of the Director General and to assignment by him or her to any of the activities or offices of the International Bureau. In exercising this authority, the Director General shall seek to ensure, having regard to the circumstances that all necessary safety and security arrangements are made for staff carrying out the responsibilities entrusted to them.

(e). In the performance of their duties, staff members shall neither seek nor accept instructions from any Government or from any other source external to the International Bureau.

(f). By accepting appointment, staff members pledge themselves to discharge their functions and regulate their conduct with the interests of the International Bureau only in view.

(g). While staff members' personal views and convictions, including their political and religious convictions, remain inviolable, staff members shall ensure that those views and convictions do not adversely affect their official duties or the interests of the International Bureau. They shall conduct themselves at all times in a manner befitting their status as international civil servants and shall not engage in any activity that is incompatible with the proper discharge of their duties with the International Bureau. They shall avoid any action and, in particular, any kind of public pronouncement that may adversely reflect on their status, or on the integrity, independence and impartiality that are required by that status.

(h). Staff members shall not use their office or knowledge gained from their official functions for private gain, financial or otherwise, or for the private gain of any third party, including family, friends and those they favor. Staff members shall not use their office for personal reasons to prejudice the positions of those they do not favor.

(i). Staff members may exercise the right to vote but shall ensure that their participation in any political activity is consistent with, and does not reflect adversely upon, the independence and impartiality required by their status as international civil servants.

(j). Staff members shall exercise the utmost discretion with regard to all matters of official business. Except as appropriate in the normal course of their duties or by authorization of the Director General, they shall not communicate to any Government, entity, person or any other party any information known to them by reason of their official position that they know or ought to have known has not been made public. These obligations do not cease upon separation from service.

Honors, gifts or remuneration

(k). No staff member shall accept any honor, decoration, favor, gift or remuneration from any Government or non-governmental source without first obtaining approval of the Director General. However, if refusal of an unanticipated honor, decoration, favor or gift from a Government or non-governmental source would cause embarrassment to the International Bureau, the staff member may receive it on behalf of the International Bureau and then report and entrust it to the Director General, who will either retain it for the International Bureau or arrange for its disposal for the benefit of the International Bureau or for a charitable purpose.

Conflict of interest

(l). Staff members shall not be actively associated with the management of, or hold a financial interest directly or indirectly in, any profit-making, business, including in any government or non-governmental organization or other concern, if it is possible for either the staff member or the profit-making, business or other concern to benefit from such association or financial interest by reason of the staff member's position with the International Bureau.

(m). All staff members at the D-1 level and above shall be required to file financial disclosure statements on appointment and at intervals thereafter as prescribed by the Director General, in respect of themselves, their spouses and their dependent family members, and to assist the Director General in verifying the accuracy of the information submitted when so requested. The financial disclosure statements shall include certification that the assets and economic activities of the staff members, their spouses and their dependent family members do not pose or would not reasonably be seen to pose a conflict of interest with their official duties or the interests of the

International Bureau. The financial disclosure statements will remain confidential and will only be used, as prescribed by the Director General, in making determinations pursuant to Staff Regulation 1.2. The Director General may require other staff to file financial disclosure statements as he or she deems necessary in the interest of the International Bureau.

Outside employment and activities

(n). Staff members shall not engage in any outside occupation or employment, whether remunerated or not, without the approval of the Director General.

(o). The Director General may authorize staff members to engage in an outside occupation or employment, whether remunerated or not, if:

(i) The outside occupation or employment does not conflict with the staff member's official functions or the status of an international civil servant;

(ii) The outside occupation or employment does not prejudice and/or is not against the interest of the International Bureau; and

(iii) The outside occupation or employment is permitted by local law at the duty station or where the occupation or employment occurs.

Use of property and assets

(p). Staff members shall use the property and assets of the International Bureau only for official purposes and shall exercise reasonable care when utilizing such property and assets.

(q). Staff members must respond fully to requests for information from staff members and other officials of the administration of the International Bureau authorized to investigate the possible misuse of funds, waste, abuse or other wrongdoing.

Regulation 1.3 - Performance of staff

(a). Staff members are accountable to the Director General for the proper discharge of their functions. Staff members are required to uphold the highest standards of efficiency, competence and integrity in the discharge of their functions. Their performance will be appraised periodically to ensure that the required standards of performance and conduct are met.

(b). The whole time of staff members for the performance of official functions shall be at the disposal of the Director General. The Director General shall establish a normal working week and shall establish official holidays for each duty station. Exceptions may be made by the Director General as the needs of the service may require, and staff members shall be required to work beyond the normal applicable working hours when requested to do so.

Chapter I

DUTIES, OBLIGATIONS AND PRIVILEGES

Rule 1.1 – Status of staff

The declaration made by a staff member on appointment pursuant to staff regulation 1.1 (b) shall be placed in his or her official status file. A new declaration shall be made after a break in service that exceeds three months.

Rule 1.2 – Basic rights and obligations of staff

General

(a). Staff members shall follow the directions and instructions issued by the Director General and their supervisors.

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

(c). Disciplinary procedures set out in Article X of the Staff Regulations and Chapter X of the Staff Rules may be instituted against a staff member who fails to comply with his or her obligations and the standards of conduct set out in the Standards of Conduct of the International Civil Service 2001 Staff Regulations and Staff Rules, the Financial Regulations and Financial Rules, and other relevant policies and procedures, as appropriate.

Specific instances of prohibited conduct

(d). Any form of discrimination or harassment, including sexual or gender harassment, as well as physical or verbal abuse at the workplace or in connection with official functions, is prohibited in accordance with the International Bureau's relevant policies and procedures.

(e). Staff members shall not disrupt or otherwise interfere with any official activity or meeting of the International Bureau, including activity in connection with the administration of justice system, nor shall staff members threaten, intimidate or otherwise engage in any conduct intended, directly or indirectly, to interfere with the ability of other staff members to discharge their official functions. Nor shall any staff member threaten, retaliate or attempt to retaliate against such individual or against staff members exercising their rights and duties under these Staff Rules.

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

(g). Staff members shall not intentionally alter, destroy, misplace or render useless any official document, record or file entrusted to them by virtue of their functions or any other document, record or file brought into existence in the course of their service to the International Bureau which document, record or file is intended to be kept as part of the records of the International Bureau or can reasonably be expected to be intended to be so retained.

(h). Staff members shall not seek to influence Member States, WIPO principal or subsidiary organs or expert groups in order to obtain a change from a position or decision taken by the Director General, including decisions relating to the financing of programs or units of the International Bureau, or in order to secure support for improving their personal situation or the personal situation of other staff members or for blocking or reversing unfavorable decisions regarding their status or of other staff members.

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

Honors, gifts or remuneration

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

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

(l). Staff members, as part of their official functions, will be expected from time to time to attend governmental or other functions, subject to the provisions of Staff Rule 1.2(m) below, such as meetings, conferences, meals and diplomatic receptions. Such attendance is not considered receipt of a favor, gift or remuneration within the meaning of the Staff Regulations and the Staff Rules.

(m). Staff members shall not accept any gift or favor from any individual or commercial entity doing business with, or seeking to do business with the International Bureau.

Conflict of interest

(n). A staff member who has occasion to deal in his or her official capacity with any matter involving a profit-making business or other concern, including in which he or she or his or her spouse or a dependent family member holds a financial interest, directly or indirectly, shall disclose that interest to the Director General and, except as otherwise authorized by the Director General, either dispose of that financial interest or formally excuse himself or herself from participating with regard to any involvement in that matter which gives rise to the conflict of interest situation. The ownership of shares in a company shall not be held to constitute a financial interest within the meaning of this paragraph, unless ownership gives the staff member, or the staff member's spouse or dependent family member, or non dependent child, parent or sibling, any form of control over the company's activities.

(o). The Director General shall establish procedures for the filing and utilization of financial disclosure statements.

Outside activities

(p). Staff members shall not, except in the normal course of official duties or with the prior approval of the Director General, engage in any of the following acts, if such act relates to the purpose, activities or interests of the International Bureau:

- (i) Issue statements to the press, radio or other agencies of public information;
- (ii) Accept speaking engagements;
- (iii) Take part in film, theatre, radio or television productions;
- (iv) Submit articles, books or other material for publication;
- (v) Be a member of an association or non-governmental organization dealing with intellectual property.

(q). Membership in a political party is permitted, provided that such membership does not entail action, or an obligation to take action, by the staff member contrary to Staff Regulation [1.2\(i\)](#). The payment of normal financial contributions to a political party shall not be construed as an activity inconsistent with the principles set out in Staff Regulation [1.2\(i\)](#).

(r). The Director General shall establish procedures whereby staff may seek in confidence clarification as to whether proposed outside activities would conflict with their status as international civil servants which would either be prohibited or undertaken with permission.

Travel and per diem for outside activities

(s). Staff members who are authorized by the Director General to participate in activities organized by a Government, intergovernmental organization, non-governmental organization or other private source, may receive from the Government, intergovernmental organization, non-governmental organization or private source, accommodation and travel and subsistence allowance generally in line with those payable by the International Bureau. In such cases, the daily subsistence allowance that may otherwise be payable by the International Bureau shall be reduced as envisaged by Staff Rule 7.10(b).

Rule 1.3 – Performance of staff

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

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

(c). Performance reports shall be prepared regularly for all staff members, including at the Deputy Director General and Assistant Director General level, in accordance with procedures promulgated by the Director General.

Rule 1.4 – Hours of work and official holidays

(a). The Director General shall set the normal number of working hours per week for each duty station. Appointments may be on a full-time or part-time basis. Exceptions may be made by the Director General as the needs of service may require. A staff member may be required to work beyond the normal number of working hours whenever requested to do so.

(b). The number of official holidays at each duty station shall be 10 days in each year. When an official holiday falls on a non-working day, the preceding or following working day which is closest to the holiday shall be observed as an official holiday.

Rule 1.5 – Notification by staff members and obligation to supply information

(a). Staff members shall be held accountable for the accuracy and completeness of the information they provided and certified with regard to their recruitment. Staff members shall be responsible on appointment for supplying the Director General with whatever information may be required for the purpose of determining their status under the Staff Regulations and the Staff Rules and of completing administrative arrangements in connection with their employment.

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

(c). A staff member who intends to change his or her nationality shall notify the Director General of that intention before the change in nationality becomes final.

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

(e). A staff member may at any time be required by the Director General to supply information concerning facts anterior to his or her appointment and relevant to his or her suitability for

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

Rule 1.6 – Staff member's beneficiaries

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

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

(c). If a nominated beneficiary does not survive, or if a designation of beneficiary has not been made or has been revoked, the amount standing to the credit of a staff member will, upon the staff member's death, be paid to his or her estate, upon receipt of a written statement from the legal representative of such estate of the release of the International Bureau from all further liability with respect to the sum so paid.

Rule 1.7 – Financial responsibility

(a). Staff members shall exercise reasonable care in any matter affecting the financial interests of the International Bureau, its financial and human resources, property and assets.

(b). Subject to the conditions established by the Director General, any staff member may be required to reimburse the International Bureau, either partially or in full, for any financial loss suffered by the International Bureau when he or she contravenes the Financial and/or Staff Regulations and Staff Rules and related policies and procedures, or as a result of the staff member's gross negligence.

Rule 1.8 – Liability insurance

Staff members who own or drive motor vehicles shall carry public liability and property damage insurance in an amount adequate to insure them against claims arising from injury or death to other persons or from damage to the property of others caused by their vehicles.

Rule 1.9 – Intellectual Property rights

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. For any creation not relating to his or her official duties or his or her employment, the provisions of Staff Regulation 1.2(n) and Staff Rule 1.2(p) still apply.

Rule 1.10 – Confidential Documents, Information or Material

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

Article II

CLASSIFICATION OF POSTS AND GRADING OF STAFF

Regulation 2.1 – Classification of posts

In conformity with principles laid down from time to time by the ICSC, the Director General shall make appropriate provision for the classification of posts and grading of staff according to the nature and level of the duties and responsibilities required by the International Bureau.

Regulation 2.2 – Grading of staff

Grading and salary levels of staff members shall be determined by the Director General on the basis of the nature and level of their duties and responsibilities. The levels of salary and allowances shall be determined by the Director General following the scales of salaries and allowances of the United Nations Common System.

Chapter II **CLASSIFICATION OF POSTS**

Rule 2.1 – Classification of posts

The Director General shall establish provisions for the classification of all posts in the Organization according to the nature and level of the duties and responsibilities of the posts and the qualifications required of the staff who occupy them. The Director General shall determine the place of each post within the following classification:

- Deputy Director General and Assistant Director General categories: unclassified.
- Director Category: D-2, D-1.
- Professional Category: P-5, P-4, P-3, P-2 and P-1.
- National Professional Officer: NOD, NOC, NOB and NOA.
- General Service Category: G7, G6, G5, G4, G3, G2 and G1.

These provisions shall include from time to time the application of the classification standards set by the ICSC by which the classification of individual posts are to be established or reviewed.

Rule 2.2 – Classification Standards

(a). Each post shall be assigned to a suitable grade in any of the following categories: Director, Professional, National Professional Officer and General Service and related categories.

(b). Posts other than those of Deputy Director General and Assistant Director General shall be classified in categories and grade according to standards promulgated by the ICSC and related to the nature of the duties, the level of responsibilities and the qualifications required.

Rule 2.3 – Classification Review

In accordance with procedures established by the Director General, a staff member may request a re-examination of the classification of the post which he or she occupies and any post manager may request a re-examination of the classification of any post under his or her supervision. The staff member and or the post manager shall be informed of the outcome of such reviews and the reasons for the outcome.

Rule 2.4 – Classification Review Panel

In accordance with Staff Rule 2.3, the Director General shall establish a Classification Review Panel to advise him or her on requests for a re-examination of the classification of a post. The Classification Review Panel shall be composed of a Chair and four staff members, two of which shall be appointed by the Director General and two by the Staff Council. The Director of the Human Resources Management Department or his or her representative shall be an ex-officio member and secretary to the Panel. The rules of procedure of the Classification Review Panel shall be established by the Director General after consultations with the Classification Review Panel members.

Rule 2.5 – Grading of staff members

The grading of a staff member shall be determined by the Director General, on the basis of the nature and level of their duties and responsibilities as reflected in the category and grade of the classified post or function to be occupied by the staff member. Upon initial appointment and in accordance with terms and conditions established by the Director General, a higher step in the grade may be approved in order to take into account a staff member's qualifications, skills and experience in relation to stated requirements of the post or function.

Article III
SALARIES AND RELATED ALLOWANCES

Regulation 3.1

Salaries and related allowances of staff members shall be fixed by the Director General in accordance with the provisions of Annex I to the present Staff Regulations.

Regulation 3.2 - Internal Taxation

(a). The taxation and the rates under the conditions specified below shall be applied to the salaries and such other emoluments of staff members as are computed on the basis of salary, excluding post adjustments, provided that the Director General may, where he or she deems it advisable, exempt from the internal taxation the salaries and emoluments of staff members engaged at local rates.

(b). The internal taxation shall be calculated at the following rates for staff members whose salary rates are set forth in paragraphs 1 and 3 of Annex I to the present Staff Regulations:

Internal Taxation

Total taxable payments (United States dollars)	Staff taxation rates for purposes of pensionable remuneration and pensions (percentage)
Up to 20,000 per year	11
20,001 to 40,000 per year	18
40,001 to 60,000 per year	25
60,001 and above per year	30

Staff assessment rates used in conjunction with gross base salaries
(effective January 1, 2006)

A. Staff internal taxation rates for staff members with dependants

Taxable payments (United States dollars)	Staff taxation rates for those with a dependent spouse or dependent child (percentage)
First 50,000 per year	19
Next 50,000 per year	28
Next 50,000 per year	32
Remaining assessable payments	35

B. Internal Taxation for staff members without dependants

(i) Internal taxation amounts for those with neither a dependent spouse nor a dependent child would be equal to the differences between the gross salaries at different grades and steps and the corresponding net salaries at the single rate;

(ii) The internal taxation shall be calculated at the following rates for staff members whose salary rates are established under paragraph 5 of Annex I to the present Staff Regulations:

Total taxable payments (United States dollars)	Taxation (percentage)
Up to 20,000 per year	19
20,001 to 40,000 per year	23
40,001 to 60,000 per year	26
60,001 and above per year	31

(iii) The Director General shall determine which of the scales of internal taxation set out in sub-paragraphs (i) and (ii) above shall apply to each of the groups of staff members whose salary rates are established under paragraph 3 of Annex I to the present Staff Regulations;

(iv) In the case of staff members whose salary scales are established in currencies other than United States dollars, the relevant amounts to which the internal taxation applies shall be fixed at the local currency equivalent of the above-mentioned dollar amounts at the time the salary scales of the staff member concerned are approved.

(c). In the case of a person who is not employed by the International Bureau for the whole of a calendar year or in cases where there is a change in the annual rate of payments made to a staff member, the rate of internal taxation shall be governed by the annual rate of each such payment made to him or her.

(d). The internal taxation computed under the foregoing provisions of the present regulation shall be collected by the International Bureau by withholding it from payments. No part of the internal taxation so collected shall be refunded because of cessation of employment during the calendar year.

(e). Where a staff member is subject both to the internal taxation under this plan and to national income taxation in respect of the salaries and emoluments paid to him or her by the International Bureau, the Director General is authorized to refund to him or her the amount of taxation collected from him or her provided that:

(i) The amount of such refund shall in no case exceed the amount of his or her income taxes paid and payable in respect of his or her International Bureau income;

(ii) If the amount of such income taxes exceeds the amount of the internal taxation, the Director General may approve a payment to the staff member in the amount of such excess; and

(iii) A payment under the conditions prescribed in the three preceding sub-paragraphs is authorized in respect of dependency benefits and post adjustments, which are not subject to internal taxation but may be subject to national income taxation.

Regulation 3.3 – Dependency Allowances

(a). Staff members whose salary rates are set forth in paragraphs 1 and 3 of Annex I to the present Staff Regulations shall be entitled to receive dependency allowances for a dependent child, for a disabled child and for a secondary dependant at rates approved by the WIPO Coordination Committee as follows:

(i) The staff member shall receive an allowance for each dependent child, except that the allowance shall not be paid in respect of the first dependent child if the staff member has no dependent spouse, in which case the staff member shall be entitled to the dependency rate of internal taxation as per Staff Regulation 3.2;

(ii) The staff member shall receive a special allowance for each disabled child. However, if the staff member has no dependent spouse and is entitled to the dependency rate of internal taxation under Staff Regulation 3.2 in respect of a disabled child, the allowance shall be the same as the allowance for a dependent child in (i) above;

(iii) Where there is no dependent spouse, a single annual allowance shall be paid for a secondary dependant in respect of either a dependent parent, a dependent brother or a dependent sister;

(b). If both husband and wife are staff members, one may claim, for dependent children, under sub-paragraph (a)(i) and (ii) above, in which case the other may claim only under sub-paragraph (a)(iii) above, if otherwise entitled.

(c). With a view to avoiding duplication of benefits, and in order to achieve equality between staff members who receive dependency benefits under applicable laws in the form of governmental grants and staff members who do not receive such dependency benefits, the Director General shall prescribe conditions under which the dependency allowance for a child specified in sub-paragraph (a)(i) above shall be payable only to the extent that the dependency benefits enjoyed by the staff member or his or her spouse under applicable laws amount to less than such a dependency allowance.

(d). Staff members whose salary rates are set by the Director General under paragraph 4 or paragraph 5 of Annex I to the present Staff Regulations shall be entitled to receive dependency allowances at rates and under conditions determined by the Director General, due regard being given to the circumstances in the locality in which the office is located.

(e). Claims for dependency allowances shall be submitted in writing and supported by evidence satisfactory to the Director General. A separate claim for dependency allowances shall be made each year.

Regulation 3.4 – Education Grant

(a). The Director General shall establish terms and conditions under which an education grant shall be available to a staff member residing and serving outside his or her recognized home country whose dependent child is in full-time attendance at a school, university or similar educational institution of a type that will, in the opinion of the Director General, facilitate the child's re-assimilation in the staff member's recognized home country, as established under Appendix B. The grant shall be payable in respect of the child up to the end of the fourth year of post-secondary studies. Travel costs of the child may also be paid for an outward and return journey once in each scholastic year between the educational institution and the duty station, except that, in the case of staff members serving at designated duty stations where schools do not exist that provide schooling in the language or in the cultural tradition desired by staff members for their children, such travel costs may be paid twice in the year in which the staff member is not entitled to home leave. Such travel shall be by a route approved by the Director General but not in an amount exceeding the cost of such a journey between the home country and the duty station.

(b). The Director General shall also establish terms and conditions under which, at designated duty stations, an additional amount of 100 per cent of boarding costs, subject to a maximum amount per year, may be paid in respect of children in school attendance at the primary and secondary levels.

(c). The Director General shall also establish terms and conditions under which an education grant shall be available to a staff member serving in a country whose language is different from his or her own and who is obliged to pay tuition for the teaching of the mother tongue to a dependent child attending a local school in which the instruction is given in a language other than his or her own.

(d). The Director General shall also establish terms and conditions under which an education grant shall be available to a staff member whose child is unable, by reason of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to prepare him or her for full integration into society or, while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability. The amount of this grant per year for each disabled child shall be equal to 100 per cent of the education expenses actually incurred, up to a maximum amount.

Chapter III
SALARIES AND RELATED ALLOWANCES

Rule 3.1 – Salary scales

(a). The Director General shall publish the salary scales for the different categories and grades of staff applicable at each duty station, Annex I – Salary scales and related provisions and Appendix A.

(b). Salaries for ungraded officials shall be set as follows:

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

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

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

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

(d). The Director General may establish special conditions of employment applicable to language staff appointed for specific temporary assignments.

Rule 3.2 – Internal Taxation

(a). In application of the internal taxation plan under staff regulation 3.2:

(i) Salaries for staff members in the Director and Professional and higher categories shall be subject to the taxation rates specified in sub-paragraph (B)(i) of that regulation; and

(ii) Salaries for staff members in the General Service and related categories shall be subject to the taxation rates specified in sub-paragraph (B)(ii) of that regulation.

(b). The dependency rates of taxation under staff regulation 3.2 (B)(i) shall apply when:

(iii) The staff member's spouse is recognized as a dependant under staff rule 3.6 below; or

(iv) The staff member provides main and continuing support to one or more of his or her children.

(c). Where both spouses are staff members whose salaries are subject to the internal taxation rates specified in Staff Regulation 3.2 (B)(i), and taking into account Staff Rule 4.7, internal taxation of staff shall apply to each at the single rate. If they have a dependent child or children, the dependency rate shall apply to the spouse having the higher salary level and the single rate shall apply to the other spouse.

Rule 3.3 – Salary increments

(a). A staff member who holds a temporary, fixed-term, or a continuing appointment shall be granted an annual or biennial within-grade salary increment provided that he or she has demonstrated satisfactory service and conduct as recorded in his or her performance appraisal in accordance with Annex I to the present Staff Regulations and Staff Rules. For staff members in the Professional and Director category, and under conditions set by the Director General for all other categories of staff members, except for staff members occupying "languages" posts (translators, interpreters, editors and revisers), the interval shall be reduced to 10 months instead of one year, or 20 months instead of two years provided that they have successfully passed the prescribed tests in one of the following official working languages of the International Bureau other than their mother

tongue, or in two of the following languages if their mother tongue is not one of these official working languages: Arabic, Chinese, English, French, German, Japanese, Russian and Spanish.

(b). Salary and wage increments shall be effective on the first day of the pay period in which the service requirements are completed, provided that the period of service may be shortened to meet the requirements of staff rule 3.4(b) and that such increments shall not be effective earlier than the first day of the pay period in which a staff member returns to pay status from a period of leave without pay. No increment shall be paid in the case of staff members whose services will cease during the month in which the increment would otherwise have been due.

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

Rule 3.4 – Salary policy

(a). On appointment, a staff member shall be placed in the first step of the level of his or her post, unless otherwise decided by the Director General.

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

Rule 3.5 – Pensionable remuneration

(a). The definition of pensionable remuneration is set out in Article 54 of the Regulations of the United Nations Joint Staff Pension Fund.

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

(i) the pensionable remuneration of the staff member used to determine such contributions at the time of promotion; or

(ii) the pensionable remuneration applicable to the staff member's grade and step in the Professional category as indicated on the Appendix A, whichever is higher.

Rule 3.6 – Dependency allowances

Definitions

For the purposes of the Staff Regulations and the Staff Rules:

(a). A "dependent spouse" is a spouse whose occupational earnings, if any, do not exceed the lowest entry level of the International Bureau General Service gross salary scales in force on January 1 of the year concerned for the duty station in the country of the spouse's place of work. Nonetheless, in the case of staff in the Professional category or above, the amount of the occupational earning shall not at any duty station be less than the equivalent of the lowest entry level salary at the base of the salary system (G-2, step I, for New York).

(b). A "dependent child" is any of the following children under the age of 21 for whom the staff member provides main and continuing support, provided that if aged 18 or over the child is in full-time attendance at a school or university or similar educational institution:

(i) a staff member's natural or legally adopted child; or

- (ii) a staff member's stepchild, if residing with the staff member;
- (iii) any other child residing with the staff member, subject to documentary evidence that the staff member has legal responsibility for the child as a member of the family, and that legal adoption is not possible;
- (iv) a child with a disability that prevents substantial gainful employment, either permanently or for a period expected to be of long duration, is, if otherwise eligible, recognized as a dependant child at any age without the need to attend an educational institution.

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

- (i) does not reside with the staff member;
- (ii) is married; or
- (iii) is recognized as a dependant under (b)(iii), above.

(d). A father, mother, brother or sister of a staff member shall be considered as a secondary dependant if the staff member provides such a person with not less than half of that person's financial resources, and in any case with not less than twice the amount of the dependency allowance. The conditions regarding age, school attendance and disability are the same for brothers and sisters as those applicable to children in paragraph (b) above.

Amount of the allowance

(e). The dependency rates, which are applicable to the different categories of staff shall be established and published by the Director General.

(f). Subject to the provisions of staff regulation 3.4(a), the full amount of the dependency allowance provided under that Regulation and the Staff Rules in respect of a dependent child shall be payable, except where the staff member or his or her spouse receives a direct governmental grant in respect of the same child. Where such a governmental grant is made, the dependency allowance payable under this rule shall be the approximate amount by which the governmental grant is less than the dependency allowance set out under the Staff Regulations and the Staff Rules. In no case shall the sum of the two payments be less than the rate set out under the Staff Regulations and the Staff Rules.

(g). Staff members shall be responsible for notifying in writing the Director General of claims for dependency allowance and may be required to support such claims by documentary evidence satisfactory to the Director General. They shall be responsible for reporting to the Director General any change in the status of a dependent affecting the payment of this allowance.

(h). A secondary dependency allowance shall be paid in respect of not more than one secondary dependent and such payment shall not be made when a payment is being made for a dependent spouse. Staff members in the General Service and related categories shall receive a dependency allowance with respect to a secondary dependant when local conditions and/or the practices of comparator employers call for the establishment of such an allowance.

Rule 3.7 – Post adjustment and rental subsidy

(a). Post adjustment is an amount paid to staff in the Director and Professional and higher categories, in accordance with Annex I, paragraph 7 of the present Staff Regulations, to compensate for cost-of-living, standard of living and related factors between duty stations.

(b). A staff member who is entitled to salary at the dependency rate shall be paid post adjustment calculated on the basis of such salary regardless of where the dependents reside.

(c). While the salary of a staff member is normally subject to the post adjustment of his or her duty station during assignments for one year or more, alternative arrangements may be made by the Director General when a staff member is assigned to a duty station classified lower in the schedule of post adjustments than the duty station in which he or she has been serving. He or she

may continue to receive for up to six months the post adjustment applicable to the former duty station while the members of his or her immediate family (spouse and children) remain at that duty station.

(d). At duty stations where the average rental cost used in calculating the post adjustment index is based on the cost of housing provided by the International Bureau, by a government or by a related institution, eligible staff members who have to rent housing accommodation at substantially higher commercial rates will be paid a supplement to the post adjustment in the form of a rental subsidy under conditions established by the Director General.

Rule 3.8 – Language allowance

(a). A staff member in the General Service category who holds a fixed-term or a continuing appointment is entitled to a pensionable language allowance, under rates and conditions determined by the Director General, provided that he or she successfully passed the prescribed tests:

- (i) in one of the official working languages (Arabic, Chinese, English, French, German, Japanese, Russian and Spanish) of the International Bureau;
- (ii) other than their mother tongue, if their mother tongue is one of the official working languages of the International Bureau; and
- (iii) in two of the official International Bureau languages if their mother tongue is not one of the official International Bureau working languages.

(b). A staff member receiving a language allowance under (a) of this rule shall be entitled to receive a second such allowance, equal to half of the amount of the first, provided that he or she successfully passed the prescribed tests:

- (i) in two of the official International Bureau working languages other than their mother tongue, if their mother tongue is one of the official working languages of the International Bureau;
- (ii) in three of the official International Bureau working languages if their mother tongue is not one of the official International Bureau working languages.

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

Rule 3.9 – Assignment grant

Definition/Computation of the grant

(a). The assignment grant consists of two portions:

(i) The daily subsistence allowance portion of the assignment grant shall be equivalent to:

- 30 days of daily subsistence allowance at the daily rate applicable under sub-paragraph (b)(i) below; and
- 30 days of daily subsistence allowance at half such daily rate in respect of each eligible family member for whom travel expenses have been paid by the International Bureau under Staff Rule 7.2 (d) (ii).

(ii) The lump sum portion which is calculated on the basis of the staff member's net base salary and, where appropriate, post adjustment at the duty station of assignment.

(b).

(i) The Director General may establish and publish special rates of daily subsistence allowance for the purposes of the assignment grant for specific categories of staff at various duty stations. Where such special rates have not been established, the daily subsistence allowance rates under Staff Rule 7.10 shall be used in computing the assignment grant;

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

Eligibility

(c). A staff member holding a temporary appointment of less than a year who travels on appointment at the International Bureau's expense pursuant to Staff Rule 7.1 (a)(i) shall only be paid the daily subsistence allowance portion of the assignment grant and for himself or herself only as specified in (a) above.

(d). A staff member holding a temporary appointment of more than one year, a fixed-term or a continuing appointment who travels at the International Bureau's expense to a duty station for an assignment of one year or more shall be paid an assignment grant in accordance with (a) and (b) above.

Rule 3.10 – Special post allowance

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

(b). Without prejudice to the principle that promotion under Staff Regulation 4.7 shall be the normal means of recognizing increased responsibilities and demonstrated ability, a staff member who is holding a fixed-term or a continuing appointment and is called upon to assume the full duties and responsibilities of a function which is classified at one level above his or her own for a period exceeding three months may be granted a non-pensionable special post allowance as of the fourth month under conditions determined by the Director General

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

(d). The payment of non-pensionable special post allowance mentioned in paragraphs (b) and (c) above shall not be continued for more than 24 months, unless otherwise decided by the Director General if exceptional circumstances warrant such an action.

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

Rule 3.11 – Overtime and compensatory time off

(a). Staff members in the General Service who are required to work in excess of the working week established for this purpose shall be given compensatory time off or may receive additional payment, under conditions established by the Director General.

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

Rule 3.12 – Night differential

(a). Staff members in the General Service Category who are assigned to regularly scheduled night-time tours of duty shall receive a night differential at a rate and under conditions established by the Director General.

(b). Unless otherwise specifically prescribed by the Director General, night differential shall not be paid for the same work for which overtime payment or compensatory time off is allowed or for any hours when the staff member is on leave or in travel status.

Rule 3.13 – Mobility allowance

(a). Internationally recruited staff on an assignment of one year or more holding a fixed-term or a continuing appointment, who have served for five consecutive years in the International Bureau or an Organization of the United Nations Common System of Salaries and Allowances, may be paid a non-pensionable mobility allowance, under the conditions established by the Director General. After five consecutive years at the duty station, the mobility allowance shall be discontinued.

(b). The amount of the mobility allowance, if any, and the conditions under which it will be paid shall be determined by the Director General, taking into account the length of the staff member's continuous service in the United Nations common system of salaries and allowances, the number and the category of duty stations at which he or she has previously served, and the length of time served at each duty station.

Rule 3.14 – Hardship allowance

(a). Staff members in the Professional and higher categories appointed or reassigned to a new duty station may be paid a non-pensionable hardship allowance. The amount of this allowance, if any, and the conditions under which it will be paid shall be determined by the Director General, taking into account the degree of difficulty of life and work at each duty station, as per the classification of duty stations established by the ICSC.

(b). Staff members in the General Service and related categories who are assigned as internationally recruited General Service, pursuant to Staff Rule 4.6(c), to a duty station away from that at which they are classified as locally recruited for one year or more, may be entitled to receive a non-pensionable hardship allowance, under the conditions established by the Director General.

Rule 3.15 – Salary advances

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

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

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

(iii) In cases where new staff members arrive to assume their official functions without sufficient funds, in such amount as the Director General may deem appropriate;

(iv) Upon change of official duty station, in such amounts as the Director General may deem appropriate.

(b). The Director General may, in exceptional and compelling circumstances, and if the request of the staff member is supported by a detailed justification in writing, authorize an advance for any reason other than those enumerated above.

(c). Salary advances other than those referred to in sub-paragraphs (a)(i), (ii) and (iii), above, shall be liquidated at a constant rate as determined at the time the advance is authorized, in consecutive pay periods, commencing no later than the period following that in which the advance is made and normally over a period of no more than six months. Salary advances may not normally exceed the equivalent amount of two months salary. A second salary advance may not be granted until the previous advance has been fully repaid.

Rule 3.16 – Retroactivity of payments

A staff member who has not been receiving an allowance, grant or other payment to which he or she is entitled shall not receive retroactively such allowance, grant or payment unless the staff member has made written claim:

- In the case of the cancellation or modification of the staff rule governing eligibility, within three months following the date of such cancellation or modification;
- In every other case, within two years following the date on which the staff member would have been entitled to the initial payment.

Rule 3.17 – Deductions and contributions

(a). Internal taxation shall be deducted, each pay period, from the total payments due to each staff member, at the rates and subject to the conditions prescribed in Staff Regulation 3.2 and Staff Rule 3.2.

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

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

- (i) Contributions, other than to the United Nations Joint Staff Pension Fund, for which provision is made under these Rules;
- (ii) Indebtedness to the International Bureau;
- (iii) Payments on any debt due to third parties, when such debt comprises a court order against a staff member to make payments for the support of his or her spouse or former spouse and/or dependent children ("family support orders"), under the conditions outlined by the Director General, when such deduction has been authorized by the Director General;
- (iv) Repayments of any other debts due to third parties when deduction for that purpose has been authorized by the Director General and the staff member concerned;
- (v) Lodging provided by the International Bureau, by a Government or by a related institution.
- (vi) Contributions to a staff representative body established pursuant to Staff Regulation 8.1, provided that each staff member has approved in writing that such a deduction can be made and has the opportunity to withhold his or her consent to, or at any time to discontinue, such deduction, by notice to the Director General.

Rule 3.18 – Repatriation grant

Purpose

(a). The purpose of the repatriation grant provided by Staff Regulation 9.5 is to facilitate the relocation of internationally recruited expatriated staff members to a country other than the country of the last duty station, provided that they meet the conditions contained in Annex IV to the present Staff Regulations and in this Rule.

Definitions

(b). The following definitions shall be used in ascertaining whether the conditions contained in Annex IV to the present Staff Regulations and in this Rule are met:

- (i) "Country of nationality" shall mean the country of nationality recognized by the Director General;
- (ii) "Dependent child" shall mean a child recognized as dependent under Staff Rule 3.6(b) at the time of the staff member's separation from service;
- (iii) "Home country" shall mean the country of home leave entitlement under Staff Rule 5.2 or such other country as the Director General may determine;

(iv) "Obligation to repatriate" shall mean the obligation to return a staff member and his or her spouse and dependent children, upon separation, at the expense of the International Bureau, to a place outside the country of the last duty station;

(v) "Qualifying service" shall mean one year or more of continuous service and residence away from the home country and the country of nationality of a staff member.

Eligibility

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

(i) The International Bureau had the obligation to repatriate the staff member upon separation after qualifying service of one year or longer;

(ii) The staff member resided outside his or her country of nationality while serving at the last duty station;

(iii) The staff member has not been dismissed or separated from service on grounds of abandonment of post;

(iv) The staff member has not been locally recruited under Staff Rule 4.5.

(v) The staff member does not have the same nationality as the country of the duty station at the time of separation, even though the nationality recognized for International Bureau purposes is different.

Evidence of relocation

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

(e) Staff members already in service with the International Bureau before January 1981, shall retain the entitlement to repatriation grant proportionate to the years and months of service qualifying for the grant which they had already accrued at that date without the necessity of submission of evidence of relocation; the exercise of any additional entitlement accrued after that date shall, however be subject to the conditions set out in paragraph (g) above.

Amount and computation of the grant

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

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

Time limitation for submission of the claim

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

Payment in case of the death of an eligible staff member

(i) In the event of the death of an eligible staff member, no payment shall be made unless there is a surviving spouse or one or more dependent children whom the International Bureau is obligated to repatriate. If there are one or more such survivors, payment shall be made under terms and conditions established by the Director General.

Rule 3.19 – Education grant

Definitions

(a). For the purposes of this rule:

(i) "Child" means a child of a staff member who is dependent on the staff member for main and continuing support as defined in Staff Rule 3.6(b);

(ii) "Child with a disability" means a child who is unable, by reasons of physical or mental disability, to attend a normal educational institution and requires special teaching or training to prepare him or her for full integration into society or, while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability;

(iii) "Home country" means the country of home leave of the staff member under Staff Rule 5.2. If both parents are eligible staff members, "home country" means the country of home leave of either parent;

(iv) "Duty station" means the country, or area within commuting distance notwithstanding national boundaries, where the staff member is serving.

Eligibility

(b). Subject to conditions established by the Director General, a staff member who holds a temporary, fixed-term or a continuing appointment shall be entitled to an education grant in respect of each child, provided that:

(i) The staff member is regarded as an international recruit under Staff Rule 4.6 and resides and serves at a duty station which is outside his or her home country; and

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

(c). If a staff member eligible under paragraph (b), above, is reassigned to a duty station within his or her home country in the course of a school year, he or she may receive the education grant for the balance of that school year.

Duration

(d).

(i) The grant shall be payable up to the end of the school year in which the child completes four years of post-secondary studies;

(ii) The grant will not normally be payable beyond the school year in which the child reaches the age of 25 years. If the child's education is interrupted for at least one school year by national service, illness or other compelling reasons, the period of eligibility shall be extended by the period of interruption.

Amount of the grant

(e). The amounts to which a staff member may be entitled under the grant shall be published by the Director General.

(f). The amount of the grant to be paid when the staff member's period of service or the child's school attendance does not cover the full school year shall be prorated under conditions to be defined by the Director General. No prorating shall be required when the staff member dies while in service after the beginning of the school year.

Travel

(g). A staff member to whom an education grant is payable in respect of the child's attendance at an educational institution located:

- outside the duty station; or
- beyond commuting distance from the area where the staff member is serving, and in the opinion of the Director General, no school in that area would be suitable for the child;

shall be entitled to travel expenses for the child of one return journey each scholastic year between the educational institution and the duty station, under conditions established by the Director General. If travel to the duty station by the child is not possible, return travel by the staff member or spouse may be authorized *in lieu* of travel by the child, under conditions established by the Director General.

(h). Two return journeys may be paid for children of eligible staff serving at designated duty stations, for such purposes and under such conditions as may be established by the Director General.

Tuition in the mother tongue

(i). Tuition for teaching in the mother tongue under Staff Regulation 3.4(c) may be reimbursed subject to conditions established by the Director General.

Special education grant for a child with a disability

(j). A special education grant for a child with a disability shall be available to staff members of all categories, whether or not serving in their home country, provided that they hold a temporary, fixed-term or a continuing appointment. The amounts to which a staff member is entitled shall be published by the Director General.

Claims

(k). Claims for the education grant shall be made in accordance with conditions established by the Director General.

Article IV
APPOINTMENT, RECRUITMENT, PROMOTION AND TRANSFER

Regulation 4.1 – Power of Appointment

The power of appointment of staff members rests with the Director General. Upon appointment, each staff member, including a staff member on secondment from government service, shall receive a letter of appointment, as specified in Annex II, signed by the Director General or by an official in the name of the Director General.

Regulation 4.2 – Standards

(a). The paramount consideration in the appointment of staff members shall be the necessity of securing the highest standards of efficiency, competence and integrity. Appointment of staff members shall be made without distinction as to race, sex or religion. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

(b). The Director General shall establish appropriate medical standards that staff members shall be required to meet before and during their appointment.

Regulation 4.3 – Types of appointments

(a). Staff members shall be appointed by the Director General; however, he or she shall appoint the Deputy Directors General after approval by the WIPO Coordination Committee. Appointments to posts as Assistant Directors General shall be made by the Director General taking into account the advice of the WIPO Coordination Committee. Deputy Directors General and Assistant Directors General shall only be offered fixed-term appointments.

(b). Other staff members shall be granted either a temporary, fixed-term or continuing appointment under such terms and conditions consistent with the present Staff Regulations and Annex II as the Director General may prescribe.

(c). A temporary appointment does not carry any expectancy, legal or otherwise, of renewal.

(d). A fixed-term appointment does not carry any expectancy, legal or otherwise, of renewal or conversion, irrespective of the length of service. Periods of probation for initial fixed-term appointments shall be established by the Director General in the Staff Rules.

(e). The Director General shall prescribe the conditions under which staff members are eligible for consideration for continuing appointments.

Regulation 4.4 – Posts under Funds-in-Trust agreements

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

Regulation 4.5 – Recruitment and Selection

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

(b). The Director General shall define the conditions for the establishment of Selection Advisory Panels to advise him or her in all cases where a vacancy has been the subject of a competition. The Director General shall establish the Rules of Procedure of the Selection Advisory Panels.

Regulation 4.6 – Persons in the service of the International Bureau

(a). For the purpose of Staff Regulation 4.5 and without prejudice to the recruitment of fresh talent at all levels, the fullest regard shall be had, in filling vacancies, to the requisite qualifications and experience of staff members with a fixed-term or continuing appointment, already in the service of the International Bureau as defined by the Director General.

(b). This consideration shall also apply, on a reciprocal basis, to the staff members of international organizations brought into relationship with the International Bureau. The Director General may limit eligibility to apply for vacant posts to internal candidates, as defined by him or her. If not, other candidates shall be allowed to apply, under conditions to be defined by the Director General.

Regulation 4.7 – Promotion and Transfer

(a). "Promotion" shall mean the advancement of a staff member with a fixed-term or continuing appointment to a vacant post of a higher grade as a result either of a reassignment in accordance with the provisions of Staff Regulations 4.5 and 4.6, or a reclassification to one level higher of the post to which he or she is assigned, provided he or she has the required qualifications for the post and that his or her performance and conduct are satisfactory. If an occupied post is reclassified from the General Service category to the Professional category or by more than one grade within a category, the post shall be announced to staff members and selection for that post shall be on the basis of a competition.

(b). "Transfer" shall mean the assignment of a staff member with a fixed-term or continuing appointment to another post at the same grade of the staff member concerned, provided he or she has the required qualifications for the post and that his or her performance and conduct are satisfactory. A transfer may be effected without having recourse to a competition. Any staff member may be transferred whenever the interests of the International Bureau so require. Any staff member may at any time request consideration for a lateral transfer in his or her own interest.

(c). The Director General shall establish the conditions for the implementation of (a) and (b) above.

Chapter IV
RECRUITMENT, PROMOTION AND TRANSFER

Rule 4.1 – Letter of appointment

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

Rule 4.2 – Effective date of appointment

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

Rule 4.3 – Nationality

(a). In the application of the Staff Regulations and the Staff Rules, the International Bureau shall not recognize more than one nationality for each staff member.

(b). When a staff member has been legally accorded nationality status by more than one State, the staff member's nationality for the purposes of the Staff Regulations and the Staff Rules shall be the nationality of the State with which the staff member is, in the opinion of the Director General, most closely associated.

Rule 4.4 – Selection Advisory Panels

(a). Where a vacancy is the subject of a competition, a Selection Advisory Panel shall be established to advise the Chair in making a recommendation to the Director General or to those Deputy or Assistant Directors General to whom the Director General may have delegated such of his or her powers for the selection and appointment of staff.

(b). A Selection Advisory Panel shall be composed of:

(i) The Chair of the Selection Advisory Panel who shall be either the Post Manager of the organizational unit with the vacant position, or a supervisor from the same organizational unit designated by the Post Manager;

(ii) A staff member from another unit (neutral party) chosen by the Post Manager, from a list of neutral parties jointly recommended by the Human Resources Management Department (HRMD) and the Staff Council, and approved by the Director General, to advise the chair on the suitability of candidates based on his or her professional appreciation;

(iii) A staff member designated by the Staff Council who will participate in the selection process and ensure that all suitable qualified internal candidates have been appropriately considered.

(iv) An HRMD representative as an ex-officio member who will provide all advisory and support services and certifies on behalf of HRMD that all procedures have been followed in a consistent manner and in accordance with the Staff Regulations and Staff Rules and relevant policies and procedures.

(c). The members of the Selection Advisory Panel will countersign the recommendation of the Chair and, if appropriate, will submit in writing any procedural flaw they might have observed during the selection procedures.

(d). For all posts up to, and including, the P-5 level the Selection Advisory Panel shall make its recommendations to the Deputy or Assistant Director General of the unit with the vacant position

concerned. For posts at the D-1 and D-2 level, the Selection Advisory Panel shall make its recommendation to the Director General through the Deputy or Assistant Director General of the unit with the vacant position concerned.

<http://sharepoint.who.int/sites/HR/Recruit/select/default.aspx> - #

Rule 4.5 – Staff members appointed to posts subject to local recruitment

(a). All staff in the General Service and related categories, except as provided for in Staff Rule 4.5(c) below, shall be recruited in the country or within commuting distance of each office and, notwithstanding national boundaries, irrespective of their nationality and of the length of time they may have been in the country where the office is located. The allowances and benefits available to staff members in the General Service and related categories shall be set by the Director General for each duty station.

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

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

Rule 4.6 – Staff members appointed to posts subject to international recruitment

(a). Staff members other than those regarded under Staff Rule 4.5 as having been locally recruited shall be considered as having been internationally recruited. Depending on their contractual status and subject to special conditions which may apply, the allowances and benefits available to internationally-recruited staff members may include: payment of travel expenses upon initial appointment and on separation for themselves and their spouses and dependent children, removal of household effects, assignment grant, home leave, education grant and repatriation grant.

(b). Staff recruited at a duty station for posts in the Professional, Director and Higher categories at that specific duty station are considered internationally recruited but would generally not be entitled to some or all of the allowances and benefits mentioned in (a) above as determined by the Director General.

(c). Under special circumstances and conditions determined by the Director General, staff who have been recruited to serve in posts in the General Service and related categories may be considered internationally recruited.

(d). Conditions governing entitlement to benefits for internationally recruited staff in the light of residential status shall be set by the Director General as applicable to each duty station.

Rule 4.7 – Geographical distribution

Recruitment on as wide a geographical basis as possible, in accordance with the requirements of Staff Regulation 4.3, shall not apply to staff members appointed to “language” posts (namely posts of translators, interpreters, editors and revisers) or to staff members appointed to posts in the General Service and related categories.

Rule 4.8 – Medical examination

(a). A staff member may be required upon initial appointment or from time to time to satisfy the International Bureau or the Medical Service or Medical Officer designated by the International Bureau, by means of a medical examination or related examinations that may be required, that he or she is free from any ailment likely to impair the health of others or affects the staff member’s ability to perform his or her official functions.

(b). A staff member may also be required to undergo such medical examinations and receive such inoculations as may be required by the International Bureau or the Medical Service or Medical Officer designated by the International Bureau before they go on or after they return from official travel.

Rule 4.9 – Types of appointment

A staff member may be granted a temporary, fixed-term or continuing appointment.

Rule 4.10 – Temporary appointment

(a). A temporary appointment may be granted for a maximum period of up to two years to meet seasonal or peak workloads and specific short-term project requirements, having an expiration date specified in the letter of appointment.

(b). A temporary appointment does not carry any expectancy, legal or otherwise, of renewal.

Rule 4.11 – Fixed-term appointment

(a). A fixed-term appointment may be granted for a period of one year or more, normally up to five years, to persons recruited for service of a prescribed duration, including persons temporarily seconded by national Governments or institutions for service with the International Bureau, having an expiration date specified in the letter of appointment.

(b). Any initial fixed-term appointment of one year or more shall be subject to a period of probation, which shall be at least of one year and may be extended up to two years, when necessary, for adequate evaluation of the staff member's performance, conduct and suitability to international civil service.

(c). A fixed-term appointment does not carry any expectancy, legal or otherwise, of renewal or conversion, irrespective of the length of service, except as provided under Staff Rule 4.12(b).

Rule 4.12 – Continuing appointment

(a). A continuing appointment is an open-ended appointment.

(b). The Director General shall prescribe which staff members are eligible for consideration for continuing appointments.

(c). Effective January 1, 2011, all permanent appointments shall be governed by the terms and conditions applicable to continuing appointments under the Staff Regulations and Staff Rules.

Rule 4.13 – Continuing Appointment Board

(a). The Director General shall establish a Continuing Appointment Board to advise him or her on all recommendations for conversion of staff members from a fixed-term appointment to a continuing appointment.

(b). The Continuing Appointment Board shall consist of a Chairman and two members appointed by the Director General, and two members nominated by the Staff Council. The Director of HRMD, or his or her representative, shall be an ex-officio member of the Board and shall act as the Secretary of the Board.

(c). The Director General shall establish the Rules of Procedure of the Continuing Appointment Board.

Rule 4.14 – Internal candidates and internal vacancies

For the purpose of Staff Regulation 4.6, the expression “internal candidates” means staff members holding a fixed-term or continuing appointment. The conditions under which persons other than internal candidates may apply for vacancies shall be defined by the Director General.

Rule 4.15 – Change of official duty station

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

Rule 4.16 – Inter-agency movements

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

(b). The Director General may allow a staff member to serve in a specialized agency or other intergovernmental organization, provided that such movement in no way diminishes the rights or entitlements of the staff member under his or her letter of appointment to the International Bureau.

Rule 4.17 – Family relationships

(a). An appointment shall not be granted to a person who is the father, mother, son, daughter, brother or sister of a staff member, unless another person equally well qualified cannot be recruited.

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

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

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

(ii) Shall not participate in the process of reaching or reviewing an administrative decision affecting the selection, status or entitlements of the staff member to whom he or she is related.

(d). The marriage of one staff member to another shall not affect the contractual status of either spouse, but their entitlements and other benefits shall be modified as provided in the relevant Staff Regulations and Staff Rules. The same modifications shall apply in the case of a staff member whose spouse is a staff member of another organization participating in the United Nations common system of salaries and allowances. Where both spouses are staff members and maintain separate households because they are assigned to different duty stations, the Director General may decide to maintain such separate entitlements and benefits, provided that this is not inconsistent with any staff regulation or other decision of the WIPO Coordination Committee.

Rule 4.18 – Re-employment

(a). A former staff member who held a fixed-term or continuing appointment with the International Bureau and who is re-employed shall be given a new appointment unless he or she is reinstated under Staff Rule 4.19 below.

(b). The terms of the new appointment shall be fully applicable without regard to any period of former service, except when a staff member receives a new appointment in the International Bureau less than 12 months after separation. In such cases, the amount of any payment on account of termination indemnity, repatriation grant or commutation of accrued annual leave shall be adjusted so that the number of months, weeks or days of salary to be paid at the time of the separation after the new appointment, when added to the number of months, weeks or days paid for prior periods of service, does not exceed the total of months, weeks or days that would have been paid had the service been continuous.

Rule 4.19 – Reinstatement

(a). A former staff member who held a fixed-term or continuing appointment and who is re-employed under a fixed-term or a continuing appointment within 12 months of separation from service may be reinstated in accordance with paragraph (b) below.

(b). On reinstatement, the staff member's services shall be considered as having been continuous, and the staff member shall return any monies he or she received on account of separation, including termination indemnity under Staff Rule 9.8, repatriation grant under Staff Rule 3.18 and payment for accrued annual leave under Staff Rule 9.9. The interval between separation and reinstatement shall be charged, to the extent possible, to annual leave, with any further period charged to special leave without pay. The staff member's sick leave credit under Staff Rule 6.2 at the time of separation shall be re-established; the staff member's participation, if any, in the Joint Staff Pension Fund shall be governed by the Regulations of that Fund.

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

Rule 4.20 – Arrangement relating to Military service

The Director General may establish conditions relating to military service by staff members, as provided in Appendix C

Article V
ANNUAL AND SPECIAL LEAVE

Regulation 5.1

Staff members shall be allowed appropriate annual leave.

Regulation 5.2

Special leave may be authorized in exceptional cases under conditions as may be defined by the Director General

Regulation 5.3

Eligible staff members shall be granted home leave once in every 24 months. However, in the case of duty stations designated by the International Civil Service Commission as having very difficult conditions of life and work, eligible staff members shall be granted home leave once in every twelve months. A staff member whose home country is either the country of his or her official duty station or the country of his or her normal residence while in the service of the International Bureau shall not be eligible for home leave.

Chapter V
ANNUAL AND SPECIAL LEAVE

Rule 5.1 – Annual leave

(a). A staff member who holds a temporary, fixed-term or a continuing appointment shall accrue annual leave while in full pay status at the rate of two and a half days per month, subject to the provisions of Staff Rule 5.3(d). No leave shall accrue while a staff member is receiving compensation equivalent to salary and allowances under Staff Rule 6.4.

(b). A staff member who holds a fixed-term or a continuing appointment may accumulate and carry forward up to 60 working days of annual leave by April 1 of any year or such other date as the Director General may set for a duty station. A staff member who holds a temporary appointment may accumulate and carry forward up to 30 working days of annual leave by April 1 of any year or such other date as the Director General may set for a duty station

(c).

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

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

(iii) All arrangements as to leave shall be subject to the exigencies of service, which may require that leave be taken by a staff member during a period designated by the Director General. The personal circumstances and preferences of the individual staff member shall, as far as possible, be considered.

(d). A staff member may, in exceptional circumstances, be granted advance annual leave up to a maximum of 10 working days, provided that his or her service is expected to continue for a period beyond that necessary to accrue the leave so advanced.

Rule 5.2 – Home leave

(a). Internationally recruited staff members under Staff Rule 4.6(a) and not excluded from home leave under Staff Rule 4.6(d), who are residing and serving outside their home country and who are otherwise eligible, shall be entitled once in every 24 months of qualifying service to visit their home country at United Nations expense for the purpose of spending in that country a reasonable period of annual leave. Leave taken for this purpose and under the terms and conditions set forth in this rule shall hereinafter be referred to as home leave.

(b). A staff member shall be eligible for home leave provided the following conditions are fulfilled:

(i) While performing his or her official duties:

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

b. In the case of a staff member who is a native of a non-metropolitan or overseas territory of the country of the duty station and who maintained his or her normal residence in such non-metropolitan or overseas territory prior to appointment, he or she continues to reside, while performing his or her official duties, outside such territory;

- (ii) The staff member's service is expected by the Director General to continue:
 - a. At least six months beyond the date of his or her return from any proposed home leave; and
 - b. In the case of the first home leave, at least six months beyond the date on which the staff member will have completed 24 months of qualifying service;
- (iii) In the case of home leave following the return from a family visit travel under Staff Rule 7.1 (a) (ii) b., normally not less than nine months of continuous service have elapsed since departure on the family visit travel.
- (c). Staff members whose eligibility under paragraph (b), above, is established at the time of their appointment shall begin to accrue service credit towards home leave from that date. Staff members who become eligible for home leave subsequent to appointment shall begin to accrue such service credit from the effective date of their becoming eligible.
- (d). The country of home leave shall be the country of the staff member's nationality, subject to the following terms, conditions and exceptions:
 - (i) The place of home leave of the staff member within his or her home country shall be, for purposes of travel and transportation entitlements, the place with which the staff member had the closest residential ties during the period of his or her most recent residence in the home country. In exceptional circumstances, a change in the place in the country of home leave may be authorized, under conditions established by the Director General;
 - (ii) A staff member who has served with another international inter-governmental organization immediately preceding his or her appointment shall have the place of home leave determined as though his or her entire previous service with the other international organization had been with the International Bureau;
 - (iii) The Director General may authorize:
 - a. A country other than the country of nationality as the home country, for the purposes of this rule, in exceptional and compelling circumstances. A staff member requesting such authorization will be required to satisfy the Director General that the staff member maintained normal residence in such other country for a prolonged period preceding his or her appointment, that the staff member continues to have close family and personal ties in that country, and that the staff member's taking home leave there would not be inconsistent with the purposes and intent of Staff Regulation 5.3;
 - b. Home leave travel to a country other than the home country, subject to conditions established by the Director General. In such a case, the travel expenses borne by the International Bureau shall not exceed the cost of travel to the home country.
- (e).
 - (i) A staff member's first home leave shall fall due in the calendar year in which the staff member completes two years of qualifying service;
 - (ii) Home leave may be taken, subject to the exigencies of service any time during the calendar year in which it falls due.
- (f). In exceptional circumstances, a staff member may be granted advanced home leave, provided that normally not less than 12 months of qualifying service have been completed or that normally not less than 12 months of qualifying service have elapsed since the date of return from his or her last home leave. The granting of advance home leave shall not advance the calendar year in which the next home leave falls due. The granting of advance home leave shall be subject to the conditions for the entitlement being subsequently met. If these conditions are not met, the staff member will be required to reimburse the costs paid by the International Bureau for the advanced travel.

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

(h). A staff member may be required to take his or her home leave in conjunction with travel on official business or change of official duty station, due regard being paid to the interests of the staff member and his or her family.

(i). Subject to the conditions specified in Chapter VII of these Rules, a staff member shall be entitled to claim, in respect of authorized travel on home leave, travel time and expenses for him or herself and eligible family members for the outward and return journeys between the official duty station and the place of home leave.

(j). If both spouses are staff members of organizations of the United Nations Common System of Salaries and Allowances, and are both eligible for home leave, and taking into account Staff Rule 4.6, each staff member shall have the choice either of exercising his or her own home leave entitlement or of accompanying the spouse. A staff member who chooses to accompany his or her spouse shall be granted travel time appropriate to the travel involved. Dependent children whose parents are staff members, each of whom is entitled to home leave, may accompany either parent. The frequency of travel shall not exceed the established periodicity of the home leave both with regard to staff members and to their dependent children, if any.

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

(l). Under the terms and conditions established by the Director General, eligible staff members serving at designated duty stations having very difficult conditions of life and work shall be granted home leave once in every 12 months. The staff member's service is expected by the Director General to continue:

(i) At least three months beyond the date of his or her return from any proposed home leave; and

(ii) In the case of the first home leave, at least three months beyond the date on which the staff member will have completed twelve months of qualifying service;

Rule 5.3 – Special leave

(a).

(i) Special leave may be granted at the request of a staff member holding a fixed-term or a continuing appointment for advanced study or research in the interest of the International Bureau, in cases of extended illness, for child care or for other important reasons for such period of time as the Director General may prescribe. In exceptional circumstances, the Director General may, at his or her initiative, place a staff member on special leave with full or partial pay if he or she considers such leave to be in the interest of the International Bureau;

(ii) Subject to conditions established by the Director General, family leave may be granted as follows:

a. As special leave without pay for a period of up to two years for a staff member who is the mother or father of a newly born or adopted child, with a possibility of extension for up to an

additional two years in exceptional circumstances. The right of a staff member to be re-absorbed after the end of such special leave without pay shall be fully protected;

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

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

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

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

(d). Staff members shall not accrue service credits towards sick, annual and home leave, salary increment, seniority, termination indemnity and repatriation grant during periods of special leave with partial pay or without pay exceeding one month. Continuity of service shall not be considered broken by periods of special leave.

(e). Staff members holding a temporary appointment may exceptionally be granted special leave, with full or partial pay or without pay, for compelling reasons for such period as the Director General may deem appropriate in the circumstances.

Article VI
SOCIAL SECURITY

Regulation 6.1 – Pension Fund

(a). Provision shall be made for the participation of staff members in the United Nations Joint Staff Pension Fund in accordance with the regulations of that Fund.

(b). Notwithstanding paragraph (a) above:

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

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

(c). For the purposes of these Regulations and Rules, the expression “Pension Fund” shall mean, for each staff member, the United Nations Joint Staff Pension Fund and/or the WIPO (Closed) Pension Fund depending on the staff member's status according to paragraph (a) or (b) above.

Regulation 6.2

The Director General shall establish a scheme of social security for staff members holding temporary, fixed-term and continuing appointments, including provisions for health protection, sick leave, maternity and paternity leave, and reasonable compensation in the event of illness, accident or death attributable to the performance of official duties on behalf of the International Bureau.

Chapter VI
SOCIAL SECURITY

Rule 6.1 – Participation in the United Nations Joint Staff Pension Fund

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

Rule 6.2 – Sick leave

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

Maximum entitlement

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

- (i) A staff member who holds a temporary appointment shall be granted sick leave proportionate to the duration of the appointment at the rate of two working days per month;
- (ii) A staff member who holds a fixed-term appointment and who has completed less than three years of continuous service shall be granted sick leave of up to three months on full salary and three months on half salary in any period of twelve consecutive months;
- (iii) A staff member who holds a continuing appointment, or a fixed-term appointment and who has completed three years or more of continuous service shall be granted sick leave of up to nine months on full salary and nine months on half salary in any period of four consecutive years.

Uncertified sick leave

(c). A staff member may take uncertified sick leave of not more than five consecutive working days at a time, for up to seven working days in an annual cycle starting April 1 of each year, when incapacitated for the performance of his or her duties by illness or injury. Part or all of this entitlement may be used to attend to family-related emergencies.

Certified sick leave

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

Sick leave during annual leave

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

Obligations of staff members

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

(g). A staff member may be required at any time to submit a medical report as to his or her condition, including while on duty or performing official functions, to undergo a medical examination as instructed by the International Bureau. When, in the opinion of the International Bureau, a medical condition impairs a staff member's ability to perform his or her functions, the staff member may be directed not to attend the office and requested to seek treatment from a duly qualified medical practitioner. The staff member shall comply promptly with any direction or request under this rule.

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

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

Review of decisions relating to sick leave

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

(k). The medical board shall be composed of:

- (i) A medical practitioner selected by the staff member;
- (ii) A medical practitioner designated by the Director General; and
- (iii) A third medical practitioner, who shall be selected by agreement between the other two members and who shall not be a medical officer of the International Bureau.

Rule 6.3 – Maternity, paternity, and adoption leave

(a). Subject to conditions established by the Director General, a staff member shall be entitled to maternity leave for a total period of 16 weeks or 20 weeks in the case of multiple births:

(i) The pre-delivery leave shall commence six weeks prior to the anticipated date of birth upon production of a certificate from a duly qualified medical practitioner or midwife indicating the anticipated date of birth. The pre-delivery leave may be shortened to two weeks based on a certificate from a duly qualified medical practitioner or midwife indicating fitness to continue working beyond six weeks;

(ii) The post-delivery leave shall extend for a period equivalent to the difference between 16 weeks or 20 weeks in the case of multiple births and the actual period of pre-delivery leave, subject to a minimum of 10 weeks;

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

(b). Subject to conditions established by the Director General, a staff member shall be entitled to paternity leave in accordance with the following provisions:

(i) The leave shall be granted for a total period of up to four weeks. In the case of internationally recruited staff members serving at a non-family duty station, or in exceptional circumstances as determined by the Director General, leave shall be granted for a total period of up to eight weeks;

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

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

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

(d). The staff member shall receive leave with full pay for the entire duration of her absence under sub-paragraphs (a), (b) and (c), above.

(e). Annual leave shall accrue during the period of maternity, paternity, or adoption leave.

Rule 6.4 – Compensation for death, injury or illness attributable to service

Staff members shall be entitled to compensation in the event of death, injury or illness attributable to the performance of official duties on behalf of the International Bureau, in accordance with conditions established by the Director General.

Rule 6.5 – Compensation for loss or damage to personal effects attributable to service

Staff members shall be entitled, within the limits and under terms and conditions established by the Director General, to reasonable compensation in the event of loss or damage to their personal effects determined to be directly attributable to the performance of official duties on behalf of the International Bureau.

Rule 6.6 – Medical insurance

Staff members may be required to participate in a health insurance scheme under conditions established by the Director General.

Article VII
TRAVEL AND REMOVAL EXPENSES

Regulation 7.1

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

Regulation 7.2

Subject to conditions and definitions prescribed by the Director General, the International Bureau shall in appropriate cases pay removal costs for staff members.

Chapter VII
TRAVEL AND REMOVAL EXPENSES

Rule 7.1 – Official travel of staff members

(a). Subject to the conditions established by the Director General, the International Bureau shall pay the travel expenses of a staff member under the following circumstances:

(i) On official business travel:

a. On initial appointment, provided the staff member is considered to have been internationally recruited under Staff Rule 4.6;

b. When required to travel on official duty;

c. On change of official duty station, as defined in Staff Rule 4.15;

d. On separation from service, as defined by Article IX of the present Staff Regulations and Chapter IX of the Staff Rules, and in accordance with the provisions of paragraph (b) below;

e. On travel authorized for medical, safety or security reasons or in other appropriate cases, when, in the opinion of the Director General, there are compelling reasons for paying such expenses.

(ii) On official non-business travel:

a. On home leave, in accordance with the provisions of Staff Rule 5.2;

b. On family visit; under conditions determined by the Director General.

(b). Under sub-paragraph (a)(i)d., above, the International Bureau shall pay the travel expenses of a staff member to the place of recruitment. However, if the staff member had an appointment for a period of two years or longer, or had completed not less than two years of continuous service, the International Bureau shall pay his or her travel expenses to the place recognized as his or her home for the purpose of home leave under Staff Rule 5.2. Should a staff member, on separation, wish to go to any other place, the travel expenses borne by the International Bureau shall not exceed the maximum amount that would have been payable on the basis of return transportation to the place of recruitment or home leave, as applicable.

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

Rule 7.2 – Official travel of eligible family members

(a). Eligible family members, for the purposes of official travel, shall be deemed to comprise a spouse and those children recognized as dependent under Staff Rule 3.6(b). In addition, those children in respect of whom an education grant is payable, even though they are no longer recognized as dependent under Staff Rule 3.6(b), shall be eligible for education grant travel.

(b). The International Bureau shall not pay the travel of family members of staff members holding a temporary appointment of less than one year.

(c). The International Bureau shall not pay the travel of family members to non-family duty stations.

(d). Subject to the conditions established by the Director General, the International Bureau shall pay the travel expenses of a staff member's eligible family members provided that the staff member

holds a temporary appointment of one year or more, a fixed-term or a continuing appointment, as defined under paragraph (a), above, under the following circumstances:

- (i) On official business travel:
- (ii) On the initial appointment of a staff member who is considered to have been internationally recruited, under the provisions of Staff Rule 4.6, provided that his or her services are expected by the Director General to continue for more than six months beyond the date on which travel of his or her family members commences;
- (iii) Following completion by the staff member or an extension of appointment of one year or more of continuous service, provided that his or her services are expected by the Director General to continue for more than six months beyond the date on which travel of his or her family members commences;
- (iv) On change of official duty station, provided that the services of the staff member at the new duty station are expected by the Director General to continue for more than six months beyond the date on which travel of his or her family members commences;
- (v) On separation of a staff member from service;
- (vi) On travel authorized for medical, safety or security reasons or in other appropriate cases, when, in the opinion of the Director General, there are compelling reasons for paying such expenses;
- (vii) On official non-business travel;
- (viii) On home leave, in accordance with the provisions of Staff Rule 5.2;
- (ix) On travel of the spouse to the duty station, in lieu of the staff member's family visit travel under staff rule 7.1 (a) (ii) b. and subject to the conditions established by the Director General;
- (x) On travel approved in connection with the education of a staff member's dependent child.

(e). In the case of staff members holding a temporary appointment of one year or more , a fixed-term or a continuing appointment, the Director General may authorize payment of the travel expenses of a child for one trip either to the staff member's duty station or to his or her home country beyond the age limit when the dependency status of the child would otherwise cease under the relevant Staff Regulations and Staff Rules, either within one year or upon completion of the child's continuous full-time attendance at a university, when the attendance at the university commenced during the period of recognized dependency status.

(f). Notwithstanding paragraph (d)(ii) above, the Director General may also authorize payment of travel expenses for repatriation purposes of a former spouse, provided that the staff member is holding a fixed-term or a continuing appointment.

Rule 7.3 – Loss of entitlement to return travel expenses

(a). A staff member who resigns before completing one year of service or within six months following the date of his or her return from travel on home leave or family visit shall not be entitled to payment of return travel expenses for himself or herself and family members unless the Director General determines that there are compelling reasons for authorizing such payment.

(b). Entitlement to return travel expenses shall cease if travel has not commenced within two years after the date of separation. However, in accordance with Staff Rule 4.7(d), where both spouses are staff members and the spouse who separates first is entitled to return travel expenses, his or her entitlement shall not cease until two years after the date of separation of the other spouse.

Rule 7.4 – Authorization to travel

Before travel is undertaken, it shall be authorized in writing. In exceptional cases, staff members may be authorized to travel on oral orders, but such oral authorization shall require written confirmation. A staff member shall be responsible for ascertaining that he or she has the proper authorization before commencing travel.

Rule 7.5 – Travel expenses

Travel expenses that shall be paid or reimbursed by the International Bureau under the relevant provisions of these Rules include:

- (i) Transportation expenses;
- (ii) Terminal expenses;
- (iii) Daily subsistence allowance;
- (iv) Miscellaneous expenses.

Rule 7.6 – Mode, dates, route and standard of travel

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

(b). Travel expenses or other entitlements, including travel time, shall be limited to the amount allowable for a journey by the approved mode, dates, route and standard. Staff members who wish to make other travel arrangements, for reasons of personal preference or convenience, than the approved mode, dates, route or standard of travel, must obtain permission to do so in advance and assume the responsibility for all changes, including payment of any additional costs thus incurred above the entitlement to the International Bureau contracted travel agent.

Mode of travel

(c). The normal mode of travel for all official travel shall be by air. An alternative mode of travel may be approved when the Director General determines that its use is in the best interest of the International Bureau.

(d). If a staff member or family member travels by a more economical mode of travel than the approved mode, the International Bureau shall pay only for the mode of travel actually used.

Official dates of travel

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

Route of travel

(f). The normal route for all official travel shall be the most direct and economical route. An alternative route may be approved when the Director General determines that it is in the best interest of the International Bureau.

Standard of travel

(g). For all official travel by air, staff members and their eligible family members shall be provided with economy class transportation in accordance with the most direct and economical route.

(h). Under conditions established by the Director General, staff members and their eligible family members may be granted a standard of travel immediately below first class.

(i). A higher standard of travel may be approved when the Director General determines that special circumstances warrant it.

(j). Children under two years of age travelling by air shall be provided with a ticket giving entitlement to a seat.

(k). For all official travel by train or commercial ground transportation approved under paragraph (c), above, staff members and their eligible family members shall be provided with regular first class or equivalent standard of travel.

(l). For all official water travel approved under paragraph (c), above, staff members and their eligible family members shall be provided with the standard of travel which is determined by the Director General, appropriate to the circumstances of the case.

(m). If a staff member or eligible family member travels using a more economical standard than the approved one, the International Bureau shall only pay for the standard actually used at the rate paid by the traveler.

Rule 7.7 – Travel by motor vehicle

Staff members who are authorized to travel by motor vehicle shall be reimbursed by the International Bureau at rates and under conditions established by the Director General.

Rule 7.8 – Purchase of tickets

All tickets for official travel of staff members and eligible family members shall be purchased by the International Bureau in advance of the actual travel. A staff member may be authorized to purchase his or her own tickets under conditions established by the Director General.

Rule 7.9 – Terminal expenses

(a). For all official travel to or from the duty station, a staff member is entitled to payment of terminal expenses, at rates and under conditions established by the Director General. Terminal expenses shall be deemed to cover all expenditures for transportation and incidental charges between the airport or other point of arrival or departure and the hotel or other place of dwelling, in respect of the staff member himself or herself, and in respect of each family member authorized to travel at the International Bureau expense.

(b). No terminal expenses shall be paid in respect of an intermediate stop that:

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

Rule 7.10 – Daily subsistence allowance

(a). Daily subsistence allowance shall comprise the total contribution of the International Bureau towards such charges as meals, lodging and gratuities and other such payments made for services rendered to the staff member while travelling on official duty under Staff Rule 7.1(a)(i)b. above.

(b). A staff member authorized to travel at the International Bureau's expense shall receive an appropriate daily subsistence allowance in accordance with a schedule of rates established from time to time. Such established rates shall be subject to paragraph (c), below, and to reductions in cases where lodging or meals are provided free of charge by the International Bureau, by a Government or by a related institution.

(c). The Director General may, in exceptional and compelling circumstances, authorize a reasonable increase in the daily subsistence allowance to be paid to a staff member who is required to accompany a senior official and whose official duties while in travel status require that his or her additional living expense be set at a rate substantially higher than the established rates.

(d). The Director General may establish a special rate for daily subsistence allowance in cases where he or she deems it appropriate including in the event of staff members being assigned to conferences or for other extended periods of duty away from their official duty station.

(e). When the spouse or dependent children of a staff member are authorized to travel at the International Bureau's expense, the staff member shall be paid an additional daily subsistence allowance for each such family member at half the rate applicable to the staff member.

(f). The Director General may establish conditions under which daily subsistence allowance may be paid during sick, annual, or special leave taken while on travel status.

(g). No daily subsistence allowance shall be payable in respect of travel on appointment, assignment or repatriation, and in respect of travel on home leave, family visit or education grant, provided that the allowance may be paid for stopovers actually made during such travel under conditions established by the Director General. Where travel at the International Bureau's expense is authorized for medical, safety, security or other reasons under Staff Rule 7.1(a)(i) e. or 7.2(d), an appropriate amount of daily subsistence allowance may be paid at the discretion of the Director General.

(h). Computation of the daily subsistence allowance payable to a staff member and his or her eligible family member(s) shall be made under conditions established by the Director General.

Rule 7.11 – Miscellaneous travel expenses

Necessary additional expenses incurred by a staff member in connection with the transaction of official business or in the performance of authorized travel shall be reimbursed by the International Bureau after completion of travel, provided that the necessity and nature of the expenses are satisfactorily explained and supported by proper receipts, which shall normally be required for any expenditures in excess of 25.00 Swiss francs, or as established by the Director General. Such expenses, for which advance authorization shall be obtained to the extent practicable, shall normally be limited to:

- (i) Hire of local transportation other than that provided for under Staff Rule 7.9;
- (ii) Telephone or other forms of communication required for official business;
- (iii) Hire of room, equipment and services required for official use;
- (iv) Transportation or storage of authorized baggage or property used for conducting official business.

Rule 7.12 – Travel advances

Staff members authorized to travel shall provide themselves with sufficient funds for all expenses by securing an advance of funds if necessary. An advance of 100 per cent of daily subsistence allowance and terminal expenses payable under the Staff Rules may be made on the basis of the estimate and certification from the appropriate certifying officer.

Rule 7.13 – Illness or accident during travel

The International Bureau shall pay or reimburse reasonable hospital and medical expenses, insofar as these are not covered by other arrangements, which may be incurred by staff members who become ill or are injured while in travel status on official duty.

Rule 7.15 – Excess baggage and unaccompanied shipments

Excess baggage

(a). For the purpose of these rules, “excess baggage” shall mean any accompanied baggage not carried free of charge by transportation companies.

(b). Staff members travelling by air shall be entitled to reimbursement of the cost of excess baggage for themselves and their eligible family members up to a maximum established by the Director General.

General provisions on unaccompanied shipments

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

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

(e). The normal costs of packing, crating and lift vans, cartage, unpacking and un-crating, shall be reimbursed for the unaccompanied shipments authorized under this rule, except for shipments under conditions established by the Director General, for which the cost of cartage only shall be paid. Costs for the servicing, dismantling, installing or special packing of personal effects and household goods shall not be reimbursed. Storage and demurrage charges shall not be reimbursed unless, in the opinion of the Director General, they are directly incidental to the transportation of the consignment.

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

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

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

Unaccompanied shipments for staff appointed or assigned for less than one year

(h). On travel on appointment or assignment for less than one year, or on separation from service of staff appointed for less than one year, charges for the shipment of personal effects and household goods by the most economical means may be reimbursed up to a maximum of 100 kilograms or 0.62 cubic meters.

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

(i). On travel on appointment or assignment for one year or longer, on transfer to another duty station, or on separation from service of a staff member appointed for one year or longer, charges for

the shipment of personal effects and household goods by the most economical means may be reimbursed up to a maximum established by the Director General.

Unaccompanied shipment as advance removal of personal effects and household goods

(j). On travel on appointment, assignment, transfer or separation from service of a staff member for whom removal costs will be paid under Staff Rule 7.16, a staff member may be reimbursed the costs of advance shipment by the most economical means up to a maximum established by the Director General.

Additional shipment entitlements for international staff serving at designated duty stations

(k). Internationally recruited staff members serving at designated duty stations having very difficult conditions of life and work shall be granted, under conditions established by the Director General, the following special entitlements:

(i) An additional shipment entitlement once a year to the duty station by the most economical means of up to a maximum established by the Director General in respect of the staff member and each eligible family member for whom the International Bureau has paid travel costs to the duty station;

(ii) An additional shipment entitlement in connection with the birth or adoption of a child up to a maximum established by the Director General;

(iii) In addition to the unaccompanied shipment entitlements under this rule, the cost of transporting a privately owned motor-vehicle to one of the duty stations designated for that purpose may be partially reimbursed under conditions established by the Director General.

Conversion of shipment by surface to unaccompanied shipment by air

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

Rule 7.16 – Removal and non-removal costs

Eligibility for payment of removal costs

(a). An entitlement to payment of removal costs of personal effects and household goods, as defined in Staff Rule 7.15(c), shall arise with respect to internationally recruited staff members holding a fixed-term or a continuing appointment, under the following circumstances and in accordance with conditions established by the Director General:

(i) On initial appointment provided that the staff member is expected to serve at the new duty station for a period of two years or longer;

(ii) On change of duty station provided that the staff member is expected to serve at the new duty station for a period of two years or longer;

(iii) On separation from service provided that the staff member had an appointment for a period of two years or longer or had completed not less than two years of continuous service, and:

(iv) Had been granted removal to the duty station or to a prior duty station in the course of a period of uninterrupted service; or

(v) Had been recruited at the duty station from which he or she is separating and is repatriating to the place of home leave or other location, in accordance with Staff Rule 7.1(b).

(b). No entitlement to payment of removal costs shall arise with respect to service at a non-family duty station.

(c). Payment by the International Bureau of removal costs shall be by the most economical means at rates and under conditions established by the Director General.

Non-removal allowance

(d). When an entitlement to payment of removal costs arises under paragraph (a) above, it shall normally be paid in case of service at headquarters duty stations or other duty stations classified in the same category. The non-removal allowance under paragraphs (e) and (f), below and the appropriate unaccompanied shipment under Staff Rule 7.15 shall normally be paid *in lieu* of removal costs in case of service at duty stations classified in other categories.

(e). The non-removal allowance shall be payable to eligible staff members who, on assignment to a duty station, did not have an entitlement to, or did not opt for removal costs under paragraph (a), above, provided that an entitlement to the assignment grant exists.

(f). The non-removal allowance shall be payable under conditions established by the Director General.

Maximum entitlements

(g). Payment by the International Bureau of removal costs shall be on the basis of the following:

(i) Weight or volume maxima established by the Director General;

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

(iii) Transportation of personal effects and household goods shall be by the most economical means at rates and under conditions established by the Director General;

(iv) In addition to the removal expenses under this rule, the cost of transporting a privately owned motor-vehicle to one of the duty stations designated for that purpose may be partially reimbursed under conditions established by the Director General.

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

(i) On appointment, from the place of recruitment or the place recognized as the staff member's home for purposes of home leave under Staff Rule 5.2, to the official duty station;

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

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

Storage of personal effects and household goods

(i). When a staff member is assigned to a new duty station without payment of removal costs, or from a duty station to which he or she had a removal entitlement under paragraph (a), above, or would

have had such entitlement on appointment from outside the duty station, the International Bureau shall pay the costs of storage of personal effects and household goods, subject to conditions established by the Director General and provided that the staff member is expected to return to the same duty station within five years.

Adjustments to entitlements

(j). Where both spouses are staff members and each is entitled to removal of personal effects and household goods or to unaccompanied shipment under this Rule, and taking into account Staff Rule 4.6(d), the maximum entitlement to removal at the International Bureau's expense for both spouses shall be that provided for a staff member with a spouse or dependent child residing at the official duty station.

(k). In cases where, for reasons not attributable to the International Bureau, the staff member has not completed the period of service in respect of which removal costs have been paid, these costs may be adjusted proportionately and recovery made under conditions established by the Director General.

Rule 7.17 – Loss of entitlement to unaccompanied shipment or removal expenses

(a). A staff member who resigns before completing two years of service shall not normally be entitled to payment of removal expenses under Staff Rule 7.16.

(b). Entitlement to removal expenses under Staff Rule 7.16(a) shall normally cease if removal has not commenced within two years after the date on which the staff member became entitled to removal expenses, or if the staff member's services are not expected to continue for more than six months beyond the proposed date of arrival of the personal effects and household goods.

(c). On separation from service, entitlement to unaccompanied shipment expenses under Staff Rule 7.15(h) and (i), or removal expenses under Staff Rule 7.16, shall cease if the shipment or removal has not commenced within two years after the date of separation. However, in accordance with Staff Rule 4.6(d), where both spouses are staff members and the spouse who separates first is entitled to unaccompanied shipment or removal expenses, his or her entitlement shall not cease until two years after the date of separation of the other spouse.

Rule 7.18 – Transportation of decedents

Upon the death of a staff member or of his or her spouse or dependent child, the International Bureau shall pay the expenses of transportation of the body from the official duty station or, in the event of death having occurred while in travel status, from the place of death, to a place to which the deceased was entitled to return transportation under Staff Rule 7.1 or 7.2 under conditions established by the Director General.

Rule 7.19 – Insurance

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

(b). In the case of shipments authorized under Staff Rule 7.15 except on home leave, family visit or education grant travel, and of the shipment and storage of personal effects and household goods under Staff Rule 7.16, insurance coverage will be provided by the International Bureau up to a maximum amount established by the Director General.

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

Article VIII
STAFF RELATIONS

Regulation 8.1

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

(b). The staff shall have the right of association. A Staff Council shall be established and shall be entitled to initiate proposals to the Director General for the purpose set forth in paragraph (a), above. The Staff Council shall be organized in such a way as to afford the opportunity for equitable representation to all staff members, by means of elections that shall take place under the electoral regulations of the Staff Association Statutes.

Regulation 8.2

The Director General shall establish a joint staff-management consultative body to advise him or her regarding human resources policies and general questions of staff welfare as provided in Staff Regulation 8.1.

Chapter VIII
STAFF RELATIONS

Rule 8.1 – Staff representative bodies

(a). Each staff member may participate in elections of the Staff Council, subject to any exceptions as may be provided in the statutes or electoral regulations drawn up by the Staff Council and meeting the requirements of Staff Regulation 8.1 (b).

(b). Polling officers, selected in accordance with procedures established by the Staff Association, shall conduct the election of the members of the Staff Council, on the basis of the electoral regulations of the Staff Association Statutes, in such a way as to ensure the complete secrecy and fairness of the vote. The polling officers shall also conduct other elections of staff members as required by the Staff Regulations and the Staff Rules.

(c). The Staff Council shall be entitled to effective participation, through their duly elected executive committees, in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of work-life balance and other human resources policies, and shall be entitled to make proposals to the Director General.

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

(e). The Staff council shall be consulted on draft amendments to WIPO Staff Regulations and Staff Rules, and changes to policies and procedures on questions within the scope of paragraph (c), above, unless emergency situations make this impracticable, before being placed in effect.

Rule 8.2 – Joint staff-management consultative body

(a). The joint staff-management consultative body provided for in Staff Regulation 8.2 shall consist of a Joint Advisory Committee, which will be composed of a Chair:

- (i) and of not less than three and not more than six representatives of the Director General;
- (ii) an equal number of Staff Council representatives; and
- (iii) the Director of the Human Resources Management Department or his or her alternate as the ex-officio member.

(b). The Chair of the Joint Advisory Committee referred to in paragraph (a) above shall be selected by the Director General from a list of names of staff members jointly proposed by HRMD and the Staff Council.

(c). The Joint Advisory Committee above shall establish its own rules and procedures and submit them to the Director General for his or her approval.

(d). Meetings of the committee shall be convened as necessary, either upon convocation by the Director General or the Chair, or at the request of at least two of its members.

(e). The Joint Advisory Committee shall submit its recommendations or proposals to the Director General through its Chair.

Article IX
SEPARATION FROM SERVICE

Regulation 9.1

Staff members may resign from service upon giving the Director General the notice required under the terms of their appointment.

Regulation 9.2

On the advice of the WIPO Coordination Committee, the General Assembly may terminate the appointment of the Director General if for reasons of health he or she is no longer able to perform his or her duties, if his or her performance, conduct or integrity prove unsatisfactory, or for such other reasons as may be specified in his or her letter of appointment.

Regulation 9.3

Staff members shall not be retained in active service beyond the age of 60 years or, if appointed on or after January 1, 1990, beyond the age of 62 years [or, if appointed prior to November 1, 1977 beyond the age of 65]. The Director General may, in the interest of the International Bureau, extend this age limit in exceptional cases.

Regulation 9.4

(a). The Director General may, giving the reasons therefore, terminate the appointment of a staff member who holds a temporary, fixed-term or continuing appointment in accordance with the terms of his or her appointment or for any of the following reasons:

- (i) If the necessities of service require abolition of the post or reduction of the staff;
- (ii) If the performance and/or conduct of the staff member prove unsatisfactory;
- (iii) If the staff member is, for reasons of health, incapacitated for further service;
- (iv) If the conduct of the staff member fails to meet the standards of conduct/integrity required by Article I of the Staff Regulations and Staff Rules;
- (v) If facts prior 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, under the standards established in Article I of Staff Regulations and Rules, have precluded his or her appointment;
- (vi) In the interest of the good administration of the International Bureau and provided that the action is not contested by the staff member concerned.

(b). If the Director General terminates an appointment, the staff member shall be given such notice and such indemnity payment as may be applicable under the Staff Regulations and Staff Rules. Payments of an indemnity shall be approved by the Director General in accordance with the provisions and conditions specified in Annex III to the present Staff Regulations.

(c). The Director General may, where the circumstances warrant and he or she considers it justified, establish conditions under which a staff member may be terminated, provided that the termination is not contested, and approve a termination indemnity payment not more than 50 per cent higher in addition to other benefits and allowances which would otherwise be payable in accordance with the Staff Regulations.

Regulation 9.5

The Director General shall establish a scheme for the payment of repatriation grant in accordance with the maximum rates and under the conditions specified in Annex IV of these Regulations.

Chapter IX
SEPARATION FROM SERVICE

Rule 9.1 – Definition of separation

Any of the following shall constitute separation from service:

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

Rule 9.2 – Resignation

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

(b). Unless otherwise specified in their letters of appointment, three months' written notice of resignation shall be given by staff members holding continuing appointments and 30 days' written notice of resignation by those holding fixed-term or temporary appointments. The Director General, however, may accept resignations on shorter notice.

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

Rule 9.3 – Abandonment of post

Abandonment of post is a separation initiated by the staff member other than by way of resignation. A staff member absent from duty without a satisfactory explanation for more than 15 working days shall be considered to have abandoned his or her post and his or her appointment shall be terminated without indemnity provided that the International Bureau shall make every reasonable efforts to locate such a staff member prior to termination of his or her appointment.

Rule 9.4 – Expiration of appointments

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

Rule 9.5 – Retirement

A staff member shall retire under article 28 of the Regulations of the United Nations Joint Staff Pension Fund at the end of the last day of the month in which he or she reaches the age of 62. A staff member appointed before January 1, 1990, shall retire at the end of the last day of the month in which he or she reaches the age of 60.

Rule 9.6 – Termination

Definition of termination

(a). A termination within the meaning of the Staff Regulations and the Staff Rules is a separation from service initiated by the Director General, other than dismissal.

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

Reasons for termination

(c). The Director General may, giving the reasons therefore, terminate the appointment of a staff member who holds a temporary, fixed-term or continuing appointment in accordance with the terms of the appointment or on any of the following grounds:

(i) Abolition of post or reduction of staff;

(ii) Unsatisfactory performance/conduct;

(iii) Reasons of health, incapacitating the staff member from performing his or her duties or any other duties which may be reasonably assigned to him/her;

(iv) Disciplinary reasons in accordance with Staff Rule 10.2;

(v) In the interest of the good administration of the International Bureau provided that the action is not contested by the staff member concerned.

Termination for abolition of posts and reduction of staff

(d). Except as otherwise expressly provided in paragraph (f) below, if the necessities of service require that appointments of staff members be terminated as a result of abolition of a post or reduction in staff, and subject to the availability of suitable posts in which their services can be effectively utilized, provided that due regard shall be had in all cases to relative efficiency, competence and integrity, staff members shall be retained in the following order of preference:

(i) staff members holding continuing appointments;

(ii) staff members holding fixed-term appointments;

(e). The provisions of paragraph (d), above, insofar as they relate to staff members in the National Professional Officer and General Service and related categories, shall be deemed to have been satisfied if such staff members have received consideration for suitable posts available within their duty station.

Termination for health reasons

(f). The appointment of a staff member who has not attained the mandatory age of retirement established in the Staff Regulations and the Staff Rules, but whose physical or mental condition or extended illness renders him or her incapacitated within the meaning of Staff Rule 9.6(c)(iii) for further service, may be terminated for health reasons after exhaustion of any sick leave entitlement.

(g). The appointment of a staff member who has neither attained the mandatory age of retirement established in the Staff Regulations and the Staff Rules, nor is granted a disability benefit under the Regulations and Rules of the UNJSPF, but becomes incapacitated for further service and whose physical or mental conditions render him or her unable to perform the duties currently assigned to him or her, may be terminated at any time if no other post commensurate with his or her professional qualifications and current health condition is available within the International Bureau.

(h). Before a final decision to terminate the appointment of the staff member under paragraph (g), above, is taken, the staff member may request that a medical board be convened to advise the Director General on the medical aspects of the case. If this right is exercised, any subsequent appeal filed under Chapter XI of the Staff Rules shall be restricted to legal and procedural aspects of the case, to the exclusion of the medical aspects, on which the Director General's decision shall be deemed to be final.

Rule 9.7 – Notice of termination

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

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

(c). A staff member whose temporary appointment is to be terminated shall be given not less than 15 days' written notice of such termination or such written notice as may otherwise be stipulated in his or her letter of appointment.

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

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

Rule 9.8 – Termination indemnity

(a). Payment of termination indemnity under Staff Regulation 9.4 and Annex III to the Staff Regulations and Staff Rules shall be calculated:

(i) For staff in the Professional and higher categories, on the basis of the staff member's gross salary less internal taxation according to the schedule of rates set forth in Staff Regulation 3.2;

(ii) For staff in the General Service and related categories, on the basis of the staff member's gross salary, including language allowance, if any, less internal taxation, according to the schedule of rates set forth in Staff Regulation 3.2 applied to the gross salary alone.

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

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

(d). Upon application of a staff member who is to be separated as a result of an agreed termination of appointment or because of abolition of post or reduction in staff and who is within two years of age 55 years and 25 years of contributory service in the United Nations Joint Staff Pension Fund, or who is over that age and within two years of 25 years of contributory service, the Director General may place such staff member on special leave without pay for pension purposes pursuant to Staff Rule 5.3(c) under conditions to be established by the Director General.

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

(f). A staff member selecting the option of special leave described in Staff Rule 9.8(d) shall sign an undertaking acknowledging that his or her status on special leave is solely for pension purposes and that his or her entitlements and those of any dependants to all other emoluments and benefits under the Staff Regulations and the Staff Rules is determined finally as of the date of commencement of such special leave.

Rule 9.9 – Commutation of accrued annual leave

If, upon separation from service, a staff member has accrued annual leave, the staff member shall be paid a sum of money in commutation of the period of such accrued leave up to a maximum of 60 working days in accordance with Staff Rule 5.1. The payment shall be calculated:

(i) For staff in the Professional and higher categories, on the basis of the staff member's net base salary plus post adjustment;

(ii) For staff in the General Service and related categories, on the basis of the staff member's gross salary, including language allowance, if any, less staff assessment according to the schedule of rates set forth in Staff Regulation 3.2 applied to the gross salary alone.

Rule 9.10 – Restitution of advance annual and sick leave

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

Rule 9.11 – Last day for pay purposes

(a). When a staff member is separated from service, the date on which entitlement to salary, allowances and benefits shall cease shall be determined according to the following provisions:

(i) In the case of resignation, the date shall be either the date of expiration of the notice period under Staff Rule 9.2 or such other date as the Director General accepts. A staff member will be expected to perform his or her duties during the period of notice of resignation, except when the resignation takes effect upon the completion of maternity or paternity leave or following sick or special leave. Annual leave will be granted during the notice of resignation only for brief periods;

(ii) In the case of abandonment of post, the date shall be the date of the decision of the Director HRMD to treat the staff member's conduct as repudiation of the contract of employment, or the expiry date specified in the letter of appointment, whichever comes sooner;

(iii) In the case of expiration of a temporary or fixed-term appointment, the date shall be the date specified in the letter of appointment;

WO/CC/62/2
ANNEX I, page 67

- (iv) In the case of retirement, the date shall be the date approved by the Director General for retirement;
- (v) In the case of termination, the date shall be the date provided in the notice of termination;
- (vi) In the case of dismissal or summary dismissal, the date shall be the date on which the staff member is notified of the decision to dismiss him or her;
- (vii) In the case of death, the date on which entitlement to salary, allowances and benefits shall cease shall be the date of death, unless there is a surviving spouse or dependent child. In this event, the date shall be determined in accordance with the following schedule:

Completed years of service (as defined in rule 9.8)	Months of extension beyond date of death
3 or less	3
4	4
5	5
6	6
7	7
8	8
9 or more	9

Payment related to the period of extension beyond the date of death may be made in a lump sum as soon as the pay accounts and related matters can be closed. Such payment shall be made only to the surviving spouse and dependent children. For staff in the Professional and higher categories, the payment shall be calculated on the basis of the staff member's gross salary less staff assessment according to the schedule of rates set forth in Staff Regulation 3.2. For staff in the National Professional Officer, General Service and related categories, the payment shall be calculated on the basis of the staff member's gross salary, including language allowance, if any, less internal taxation according to the schedule of rates set forth in Staff Regulation 3.2 applied to the gross salary alone. All other entitlements and accrual of benefits shall cease as of the date of death, except as provided by Staff Rule 3.9 (f) for payment of education grant when the staff member dies while in service after the beginning of the school year.

(b). When an internationally recruited staff member has an entitlement to return travel under Staff Rule 7.1(a) (i) (d), this shall not affect the determination of the last day for pay purposes in accordance with the provisions of paragraph (a) above. In the case of resignation, expiration of temporary or fixed-term appointment, termination or retirement, the staff member shall be paid, on separation, an additional amount for days of authorized travel estimated on the basis of uninterrupted travel by an approved route, mode and standard of travel from the duty station to the place of entitlement to return travel. Such amount shall be calculated as is done for commutation of accrued annual leave under staff rule 9.9 above.

Rule 9.12 – Certification of service

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

Article X
DISCIPLINARY MEASURES AND PROCEDURES

Regulation 10.1

The Director General shall impose disciplinary measures on staff members who have been found to have committed misconduct.

The Director General may establish administrative bodies with staff participation, which he or she shall consult in disciplinary cases.

Chapter X
DISCIPLINARY MEASURES AND PROCEDURES

Rule 10.1 – Misconduct

(a). Failure by a staff member to comply with his or her obligations under the Staff Regulations and the Staff Rules, the provisions of the ICSC Standards of Conduct of the International Civil Service 2001, the terms of his or her appointment, or other relevant policies and procedures, may amount to misconduct and may lead to the institution of a disciplinary process and the imposition of disciplinary measures for misconduct.

(b). The decision to launch an investigation into allegations of misconduct, and to institute a disciplinary process, shall be within the discretionary authority of the Director General or designated staff members of the International Bureau with delegated authority.

Rule 10.2 – Disciplinary measures

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

- (i) Written reprimand; a copy of which shall be placed in the file of the staff member concerned;
- (ii) delayed advancement to the next salary step;
- (iii) relegation to a lower salary step within the same grade;
- (iv) demotion to a lower grade for a specified period;
- (v) exclusion of consideration for promotion to a post at a higher level for a specified period of time;
- (vi) Suspension from duty without pay for a specified period;
- (vii) Separation from service, with notice or compensation *in lieu* of notice, notwithstanding Staff Rule 9.7, and with or without termination indemnity pursuant to Annex III (c) to the Staff Regulations;
- (viii) Dismissal;
- (ix) Summary dismissal.

Rule 10.3 – Due process in disciplinary proceedings

(a). A disciplinary process may be initiated where the findings of an investigation warrant this or where there are other indications that misconduct may have occurred. In such cases, no disciplinary or non-disciplinary measure may be imposed on a staff member whether following the completion of an investigation or otherwise unless he or she has been notified, in writing, of the charges with all supporting evidence against him or her, and has been given the opportunity to respond to those charges.

(b). The staff member shall also be informed of the right to seek the assistance of any person in his or her defense at his or her own expense, provided that the person is so designated by the staff member in writing.

(c). Upon receipt of the written response or defense from the staff member of the charges against him or her and after evaluating the response, the staff member may be requested to provide in writing additional clarifications or information.

(d). Upon receipt of all the written responses or defense from the staff member of the charges against him or her and after assessing all the elements of the case, the following recommendations may be made:

(i) Recommend that the case should be closed, and the staff member should be immediately notified that the charges have been dropped and that no further action will be taken; or

(ii) Should the facts appear to indicate that misconduct has occurred, recommend that the matter be referred to the Joint Disciplinary Committee for advice; or

(iii) In very exceptional circumstances should the evidence clearly indicate that misconduct has occurred, and that the seriousness of the misconduct warrants immediate suspension without pay or separation from service, recommend that the staff member be suspended without pay or summarily dismissed;

For decision by the Director General.

(e). A staff member against whom disciplinary or non-disciplinary measures, pursuant to Staff Rule 10.2 and 10.5, have been imposed following the completion of a disciplinary process, may submit an application challenging the imposition of such measures directly to the Appeal Board, in accordance with Chapter XI of the Staff Rules, without the need for recourse to a Request for Review of an administrative decision under Staff Rule 11.1(b) (1).

Rule 10.4 – Administrative leave pending investigation and the disciplinary process

(a). When the Director General has reasonable grounds for initiating an investigation and a staff member's continuance in office might be prejudicial to the International Bureau, the staff member may be placed on administrative leave, subject to conditions specified by the Director General, pending the completion of the investigation and/or until the completion of any disciplinary process.

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

(c). Administrative leave shall be with full pay unless, in exceptional circumstances, the Director General decides that administrative leave without pay is warranted.

(d). Placement on administrative leave shall be without prejudice to the rights of the staff member and shall not constitute a disciplinary measure. If administrative leave is without pay and either the allegations of misconduct are subsequently not sustained or it is subsequently found that the conduct at issue does not warrant dismissal, any pay withheld shall be restored.

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

Rule 10.5 – Non disciplinary measures

Measures other than those listed under Staff Rule 10.2 shall not be considered to be disciplinary measures within the meaning of this rule. These include, but are not limited to, the following administrative measures:

(i) Verbal warning, a written record of which shall be placed for a stated period, in the file of the staff member concerned,

(ii) Recovery of moneys owed to the International Bureau;

(iii) Administrative leave with or without pay pursuant to Staff Rule 10.4.

Rule 10.6 – Joint Disciplinary Committee

(a). A Joint Disciplinary Committee shall be established and be available to advise the Director General at his or her request in disciplinary matters.

(b). The Joint Disciplinary Committee shall also be available to advise the Director General at his or her request in matters pertaining to financial responsibility for gross negligence.

Rule 10.6.1 – Composition of the Joint Disciplinary Committee

(a). The Joint Disciplinary Committee shall be composed of:

- (i) One Chair and a Vice-Chair, appointed by the Director General after consultation with the Staff Council;
- (ii) Two members and two alternates appointed by the Director General;
- (iii) Two members and two alternates nominated by the Staff Council.

(b). If necessary, additional members may be selected at any time in the same manner as indicated in paragraph (a).

(c). The Chairs and members of the Joint Disciplinary Committee shall be appointed or nominated for two years, shall be eligible for reappointment or re-nomination, and shall remain in office until their successors are appointed or nominated.

(d). For the consideration of each case, a panel of the Joint Disciplinary Committee shall be constituted as follows:

- (i) The Chair or Vice Chair;
- (ii) A member from among those appointed by the Director General;
- (iii) A member from among those nominated by the Staff Association;
- (iv) The Secretary of the Joint Disciplinary Committee shall be designated by the Director General

Rule 10.6.2. – Conflict of interest

The Chair, at the request of either party or any member of the Joint Disciplinary Committee, may request the Director General to disqualify any member from the consideration of a specific case if in his or her opinion the action is warranted by the relation of that member to the staff member whose case is to be considered or by any possible conflict of interest. The Chair may also excuse him/herself or any member at their request from the consideration of a specific case.

Rule 10.6.3 – Joint Disciplinary Committee procedures

(a). In considering a case, the Joint Disciplinary Committee shall act with maximum dispatch and shall make every effort to provide its advice to the Director General through the Chair, normally within 60 days after the complete case file with all supporting documentation has been submitted to the Chairperson.

(b). Proceedings before a Joint Disciplinary Committee shall normally be limited to the original written presentation of the case. If the Committee considers that it requires additional written information or the testimony of the staff member concerned or of other witnesses, it may in accordance with the Rules

WO/CC/62/2
ANNEX I, page 72

of Procedure mentioned in 9(c), below, obtain such information or testimony, by personal appearance before the Committee.

(c). The Director General shall establish Rules of Procedure for the Joint Disciplinary Committee which shall be consistent with the present Staff Regulations and Staff Rules and with any applicable policies and procedures, and with the requirements of due process.

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

**Article XI
APPEALS**

Regulation 11.1 – Internal appeal

The Director General shall establish an administrative body with staff participation to advise him or her whenever a staff member appeals against an administrative decision alleging the non-observance of his or her terms of appointment, in particular any pertinent provisions of the Staff Regulations and Staff Rules, or against disciplinary action.

Regulation 11.2 – Litigious Appeal

After having used all the means available to him under Regulation 11.1, a staff member shall have the right to appeal to the Administrative Tribunal of the International Labour Organization in accordance with the conditions set forth in the Statute of that Tribunal.

Chapter XI
INTERNAL AND LITIGIOUS APPEALS

Rule 11.1 – Appeal Board

- (a). The administrative body provided for in Regulation 11.1 shall be an Appeal Board.
- (b). A staff member who, pursuant to Regulation 11.1, wishes to appeal against an administrative decision shall as a first step address a letter to the Director General requesting that the administrative decision be reviewed. Such a letter must be sent within eight weeks of the date on which the staff member received written notification of the decision, and shall contain detailed reasons and any supporting documentation substantiating the request for review.
- (c). If the staff member wishes to appeal against the answer received from the Director General, he or she shall submit his or her appeal in writing to the Chair of the Appeal Board within three months from the date of receipt of the answer. If within eight weeks of sending his letter to the Director General the staff member has not received the latter's answer, he or she shall, within the following eight weeks, submit his or her appeal in writing to the Chair of the Appeal Board.
- (d). An appeal which is not made within the time limits specified above shall not be receivable; the Board may however waive the time limits in exceptional circumstances.
- (e). The opinions and recommendations of the Appeal Board shall be advisory in character. The Director General shall give them his or her full consideration when taking his decision on cases where an appeal has been made.
- (f). The Appeal Board shall consist of three members:
- (i) a Chair designated by the WIPO Coordination Committee, on a proposal made by the Director General after consultation of the Staff Council, from among persons having experience in international staff matters, who is not a staff member, or former staff member for the past 10 years, of the International Bureau of WIPO;
 - (ii) a member designated by the Director General from among the staff members of the International Bureau;
 - (iii) a member elected by the staff members of the International Bureau, from among the said staff members, according to a procedure fixed by the Director General after consulting the Staff Council.
- (g). For each of the members referred to in sub-paragraph (1) (ii) and (iii) above, an alternate, who shall sit on the Board when the full member is unable to do so, shall be designated or elected in the same way as the full member.
- (h). Should the post of chair fall vacant between two sessions of the WIPO Coordination Committee, a new chair shall be designated by the Director General, after consultation of the Staff Council, from among persons meeting the conditions set forth in sub-paragraph (1)(i) above. The term of office of the Chair designated by the Director General shall expire at the time of the session of the WIPO Coordination Committee following his or her nomination.
- (i). The Director General shall designate a Secretary of the Appeal Board, who, for the purposes of paragraph (e) below, shall receive record and transmit the documents of the procedure on behalf of the Chair of the Appeal Board. The Secretary shall attend the meetings of the Board but shall not take part in its deliberations.

(j). The procedure of the Appeal Board shall be as follows:

(i) An official wishing to appeal shall set down his or her grievances in writing and address them to the Chair of the Appeal Board; the Chair shall transmit this document to the Director General, who shall, subject to the provisions of sub-paragraph (iii), below, reply in writing.

(ii) A staff member who submits an appeal shall at all times be entitled to obtain the assistance of any person whom he may choose.

(iii) If the Chair considers an appeal to be clearly irreceivable or devoid of merit he or she may instruct the Secretary to forward it to the Director General for information only.

(iv) When it takes up such appeal, the Appeal Board may either dismiss it summarily as clearly irreceivable or devoid of merit or else order that the procedure prescribed below be followed.

(v) The Director General shall, subject to the provisions of sub-paragraph (iii), above, have eight weeks from the date of receipt by the Appeal Board of the appeal to submit his reply, a copy of which shall be transmitted to the appellant.

(vi) The appellant may submit a rejoinder within four weeks 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 four weeks of the Appeal Board's receipt of the rejoinder, a copy of which shall be transmitted to the appellant.

(vii) Upon receipt of the Director General's reply, or in the case that a rejoinder and surrejoinder are submitted, then upon receipt of the surrejoinder, the pleadings shall be considered closed and no further submissions will be accepted or sought from either the appellant or the Director General.

(viii) The Appeal Board shall have the discretion to extend the foregoing deadlines in exceptional circumstances.

(ix) The deliberations of the Appeal Board shall begin not later than twelve weeks following the date on which the appeal was submitted in writing.

(x) The conclusions of the Appeal Board shall be communicated in writing to the Director General within eight weeks of the close of pleadings; a copy shall be transmitted immediately to the appellant by the Chair of the Appeal Board.

Rule 11.2. – Administrative Tribunal

(a). Any staff member of the International Bureau shall have the right to appeal to the Administrative Tribunal of the International Labour Organization, which is also competent to deal with cases affecting staff members of the International Bureau. Such appeals shall be made in accordance with the conditions set forth in the Statute of the Tribunal and in the agreement concluded between the Tribunal and the International Bureau.

(b). Appeals which the Tribunal may hear are those alleging non-observance, as to either form or substance, of the provisions of the Staff Regulations and Staff Rules. The Tribunal shall not be competent to concern itself with the validity of the Staff Regulations, but it may give its attention to the conformity of the provisions of the Staff Rules with those of the Staff Regulations.

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

**Article XII
GENERAL PROVISIONS**

Regulation 12.1 – Amendments to the Regulations

(a). The Director General may propose amendments to these Regulations. Such amendments shall enter into force after approval by the WIPO Coordination Committee. However, any amendment for the purpose of adapting certain provisions of the Staff Regulations to changes in the provisions concerning the staff of the United Nations or the Specialized Agencies of the United Nations (“common system”), and in particular to any adjustment of salaries and allowances within the common system as applied to a category of staff or at a duty station, may be provisionally decreed and applied by the Director General, provided the required amounts can be covered by the budget.

(b). Amendments shall be without prejudice to any condition of service specified in the letter of appointment or contract of a staff member, neither shall any amendment affect the application to a staff member of the provisions of the Staff Regulations in force up to the effective date of the amendment; amendments may not have retroactive effect unless the terms of appointment of staff members would thereby be improved.

Regulation 12.2 – Staff Rules

(a). The Director General shall establish such provisions (“Staff Rules”) and such administrative issuances as he considers necessary for the implementation of these Staff Regulations. He or she may amend the Staff Rules and such issuances.

(b). The Director General shall report annually to the WIPO Coordination Committee on amendments made to the Staff Rules.

Regulation 12.3 – Interpretation of the Staff Regulations and Staff Rules

In case of doubt as to the interpretation of the modalities of application of the Staff Regulations and Staff Rules, the Director General shall be guided by practice in the other intergovernmental organizations on the particular issue.

Regulation 12.4 – Acquired Rights

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

Regulation 12.5. – Effective date and authentic texts of Regulations

These Staff Regulations shall enter into force on January 1, 2011. In case of doubt, the English text of these Regulations is the authoritative version.

Chapter XII
STAFF RULES

Rule 12.1 – Amendments and Derogations to Staff Rules

(a). These Rules may be supplemented or amended by the Director General according to the procedure laid down in Regulation 12.2, without prejudice to any condition of service specified in the letter of appointment of a staff member, and provided that any modification shall not affect the application to a staff member of the provisions of the Staff Rules in force up to the date of the modification; such modification shall have no retroactive effect.

(b). Derogations to the Staff Rules may be made by the Director General provided that any such derogation is not inconsistent with the Staff Regulations; it must be agreed to by the staff member directly affected and must not, in the opinion of the Director General, be prejudicial to the interests of any other staff member or group of staff members.

Rule 12.2. – Effective date and authentic texts of rules

These Rules shall enter into force on January 1, 2011. In case of doubt, the English text of these Rules is the authoritative version.

[End of WIPO Staff Regulations and Staff Rules]

Annex I
Salary scales and related provisions

1. The Director General is authorized, on the basis of appropriate justification and/or reporting, to make additional payments to WIPO officials in the Director category and above to compensate for such special costs as may be reasonably incurred, in the interests of the Organization, in the performance of duties assigned to them by the Director General. Similar additional payments in similar circumstances may be made to heads of offices away from Headquarters. The maximum total amount of such payments is to be determined in the program budget.

2. The salary scales for staff members in the Professional, Director and higher categories shall be as shown in the Annex I, "Salary scale for staff in the Professional and higher categories showing annual gross salaries and net equivalents after application of internal taxation".

3. Subject to satisfactory service, salary increments within the levels set forth in paragraph 3 of the present annex shall be awarded annually, except that any increments above step XI of the Associate Officer level, step XIII of the Second Officer level, step XII of the First Officer level, step X of the Senior Officer level and step IV of the Principal Officer level shall be preceded by two years at the previous step. The Director General is authorized to reduce the interval between salary increments to ten months and twenty months, respectively, in the case of staff who have an adequate and confirmed knowledge of a second official language of the organization.

4. The Director General shall determine the salary rates to be paid to personnel specifically engaged for short-term conference and other short-term service, to consultants, and to other technical assistance experts.

5. The Director General shall fix the salary scales for staff members in the General Service and related categories, normally on the basis of the best prevailing conditions of employment in the locality of the WIPO Office concerned, provided that the Director General may, where he or she deems it appropriate, establish rules and salary limits for payment of non-resident allowance to General Service staff members recruited from outside the local area. The gross pensionable remuneration of such staff shall be determined in accordance with the methodology specified in article 54(a) of the Regulations of the United Nations Joint Staff Pension Fund and are shown in the salary scales applicable to such staff as shown in the table A and table D.

6. The Director General shall establish rules under which a language allowance may be paid to staff members in the General Service category who pass an appropriate test and demonstrate continued proficiency in the use of two or more official languages.

7. In order to preserve equivalent standards of living at different offices, the Director General may adjust the basic salaries set forth in paragraphs 1 and 3 of the present annex by the application of non-pensionable post adjustments based on relative costs of living, standards of living and related factors at the office concerned as compared to New York. Such post adjustments shall not be subject to staff assessment.

8. No salary shall be paid to staff members in respect of periods of unauthorized absence from work unless such absence was caused by reasons beyond their control or duly certified medical reasons.

Salary scale for staff in the Professional and higher categories showing annual gross salaries and net equivalents after application of internal taxation

Effective 1 January 2009 - (United States dollars)

		<i>STEPS</i>														
<i>Level</i>		<i>I</i>	<i>II</i>	<i>III</i>	<i>IV</i>	<i>V</i>	<i>VI</i>	<i>VII</i>	<i>VIII</i>	<i>IX</i>	<i>X</i>	<i>XI</i>	<i>XII</i>	<i>XIII</i>	<i>XIV</i>	<i>XV</i>
Deputy Director General	Gross	194 820														
	Net D	139 633														
	Net S	125 663														
Assistant Director General	Gross	177 032														
	Net D	128 071														
	Net S	115 973														
D-2	Gross	145 112	*	*	*	*	*									
	Net D	107 176	109 267	111 359	113 451	115 542	117 633									
	Net S	98 461	100 226	101 985	103 737	105 486	107 225									
D-1	Gross	132 609	135 310	138 006	140 707	143 409	146 107	148 809	151 578	154 402						
	Net D	98 674	100 511	102 344	104 181	106 018	107 853	109 690	111 526	113 361						
	Net S	91 206	92 802	94 394	95 982	97 568	99 150	100 725	102 300	103 870						
P-5	Gross	109 690	111 987	114 285	116 581	118 879	121 175	123 474	125 771	128 068	130 365	132 662	134 959	137 257		
	Net D	83 089	84 651	86 214	87 775	89 338	90 899	92 462	94 024	95 586	97 148	98 710	100 272	101 835		
	Net S	77 190	78 578	79 962	81 345	82 726	84 102	85 478	86 851	88 222	89 590	90 956	92 318	93 680		
P-4	Gross	89 982	92 075	94 168	96 261	98 356	100 475	102 694	104 909	107 126	109 340	111 559	113 774	115 991	118 209	120 426
	Net D	69 287	70 794	72 301	73 808	75 316	76 823	78 332	79 838	81 346	82 851	84 360	85 866	87 374	88 882	90 390
	Net S	64 521	65 894	67 266	68 634	70 002	71 369	72 735	74 098	75 460	76 822	78 181	79 540	80 898	82 254	83 609
P-3	Gross	73 546	75 483	77 424	79 358	81 299	83 235	85 172	87 113	89 050	90 988	92 928	94 863	96 803	98 739	100 716
	Net D	57 453	58 848	60 245	61 638	63 035	64 429	65 824	67 221	68 616	70 011	71 408	72 801	74 198	75 592	76 987
	Net S	53 629	54 912	56 198	57 480	58 765	60 046	61 328	62 614	63 895	65 178	66 457	67 737	69 014	70 294	71 573
P-2	Gross	59 908	61 643	63 375	65 110	66 843	68 575	70 310	72 039	73 775	75 510	77 242	78 978			
	Net D	47 634	48 883	50 130	51 379	52 627	53 874	55 123	56 368	57 618	58 867	60 114	61 364			
	Net S	44 679	45 812	46 941	48 073	49 202	50 334	51 484	52 630	53 782	54 930	56 076	57 227			
P-1	Gross	46 553	48 036	49 514	51 122	52 785	54 450	56 118	57 785	59 447	61 114					
	Net D	37 708	38 909	40 106	41 308	42 505	43 704	44 905	46 105	47 302	48 502					
	Net S	35 570	36 675	37 781	38 886	39 991	41 095	42 201	43 293	44 379	45 466					

D = Rate applicable to staff members with a dependent spouse or child.
S = Rate applicable to staff members with no dependent spouse or child.

WO/CC/62/2
ANNEX I, page 80

* = The normal qualifying period for in-grade movement between consecutive steps is one year, except at those steps marked with an asterisk, for which a two-year period at the preceding step is required.

[table A] Catégorie des services généraux (Genève) / General Service category (Geneva)

Traitements bruts et nets en vigueur à partir du 1^{er} mars 2008 / Gross and net salaries in force as from March 1, 2008
(montants annuels en francs suisses / annual amounts in Swiss francs)

Grade	Augmentation Annuelle Annual Increment	ECH. 1	ECH. 2	ECH. 3	ECH. 4	ECH. 5	ECH. 6	ECH. 7	ECH. 8	ECH. 9	ECH. 10	ECH. 11
		STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11
G1	1720	1) 67095 2) 65736 3) 52090	69419 67970 53810	71743 70204 55530	74130 72437 57250	76623 74712 58970	79116 77036 60690	81609 79361 62410	84101 81685 64130	86594 84009 65850	89087 86334 67570	91580 88658 69290
G2	1874	1) 73458 2) 71835 3) 56786	76174 74293 58660	78890 76826 60534	81606 79358 62408	84322 81891 64282	87038 84423 66156	89754 86955 68030	92470 89488 69904	95186 92020 71778	97901 94553 73652	100617 97085 75526
G3	2042	1) 80828 2) 78632 3) 61871	83787 81392 63913	86746 84151 65955	89706 86911 67997	92665 89670 70039	95625 92430 72081	98584 95189 74123	101543 97949 76165	104503 100708 78207	107462 103468 80249	110422 106227 82291
G4	2230	1) 88964 2) 86219 3) 67485	92196 89232 69715	95428 92246 71945	98659 95259 74175	101891 98273 76405	105123 101286 78635	108355 104300 80865	111587 107313 83095	114819 110327 85325	118051 113547 87555	121283 116779 89785
G5	2436	1) 98210 2) 94841 3) 73865	101741 98132 76301	105271 101424 78737	108801 104716 81173	112332 108008 83609	115862 111359 86045	119393 114889 88481	122923 118419 90917	126454 121950 93353	129984 125480 95789	133514 129011 98225
G6	2667	1) 108403 2) 104345 3) 80898	112268 107949 83565	116133 111630 86232	119999 115495 88899	123864 119360 91566	127729 123225 94233	131594 127091 96900	135459 130956 99567	139325 134821 102234	143190 138686 104901	147055 142551 107568
G7	2923	1) 119519 2) 115015 3) 88568	123755 119251 91491	127991 123488 94414	132228 127724 97337	136464 131960 100260	140700 136196 103183	144936 140433 106106	149172 144669 109029	153409 148905 111952	157645 153141 114875	161881 157377 117798

- 1) Traitements bruts servant de base au calcul de l'imposition interne ("Traitements bruts") / Gross salaries used as the basis for internal taxation ("Gross salaries")
- 2) Traitements bruts servant de base au calcul des cotisations et des prestations de la Caisse de retraite ("Traitements bruts considérés aux fins de la pension") / Gross salaries used as the basis for the calculation of contributions to and benefits from the Pension Fund ("Gross pensionable salaries")
- 3) Traitements nets / Net salaries

WO/CC/62/2
ANNEX I, page 81

[table D] Catégorie des services généraux (New York) / General Service category (New York)

Traitements bruts et nets en vigueur à partir du 1^{er} août 2008 / Gross and net salaries in force as from August 1, 2008
(montants annuels en dollars des É.-U. / annual amounts in United States dollars)

Grade	Augmen- tation annuelle / Annual increment	ECH. 1	ECH. 2	ECH. 3	ECH. 4	ECH. 5	ECH. 6	ECH. 7	ECH. 8	ECH. 9	ECH. 10	ECH. 11
		STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11
G1	1094	1) 36312 2) 35626 3) 28760	37732 37048 29854	39153 38469 30948	40597 39890 32042	42076 41312 33136	43554 42734 34230	45032 44155 35324	46511 45577 36418	47989 * 46998 * 37512 *		
G2	1210	1) 40238 2) 39541 3) 31776	41873 41114 32986	43508 42686 34196	45143 44260 35406	46778 45832 36616	48414 47405 37826	50049 48977 39036	51684 50549 40246	53319 52122 41456	54954 * 53694 * 42666 *	
G3	1338	1) 44726 2) 43863 3) 35097	46534 45599 36435	48342 47336 37773	50150 49073 39111	51958 50809 40449	53766 52546 41787	55574 54282 43125	57382 56019 44463	59191 57756 45801	61071 59493 47139	63010 * 61229 * 48477 *
G4	1474	1) 49739 2) 48673 3) 38807	51731 50589 40281	53723 52503 41755	55715 54418 43229	57707 56333 44703	59699 58248 46177	61813 60162 47651	63949 62077 49125	66086 63993 50599	68222 65907 52073	70358 * 67884 * 53547 *
G5	1629	1) 55226 2) 53949 3) 42867	57427 56065 44496	59628 58181 46125	61962 60296 47754	64323 62413 49383	66684 64528 51012	69045 66658 52641	71406 68861 54270	73767 71062 55899	76128 73264 57528	78488 * 75465 * 59157 *
G6	1801	1) 61420 2) 59813 3) 47380	64030 62152 49181	66641 64490 50982	69251 66850 52783	71861 69283 54584	74471 71716 56385	77081 74149 58186	79691 76583 59987	82301 79016 61788	84912 81449 63589	87522 * 83882 * 65390 *
G7	1996	1) 68599 2) 66252 3) 52333	71491 68946 54329	74384 71643 56325	77277 74338 58321	80170 77033 60317	83062 79730 62313	85955 82425 64309	88848 85121 66305	91741 87816 68301	94633 90512 70297	97526 * 93208 * 72293 *

1) Traitements bruts servant de base au calcul de l'imposition interne ("Traitements bruts") / Gross salaries used as the basis for internal taxation ("Gross salaries")

2) Traitements bruts servant de base au calcul des cotisations et des prestations de la Caisse de retraite ("Traitements bruts considérés aux fins de la pension") / Gross salaries used as the basis for the calculation of contributions to and benefits from the Pension Fund ("Gross pensionable salaries")

3) Traitements nets / Net salaries

*) Échelon à titre de l'ancienneté (Art. 3.4bis) / Long-Service Step (Reg. 3.4bis)

Annex II
Letters of appointment

- (a) The letter of appointment shall state:
- (i) That the appointment is subject to the provisions of the Staff Regulations and of the Staff Rules applicable to the category of appointment in question and to changes which may be duly made in such regulations and rules from time to time;
 - (ii) The nature of the appointment;
 - (iii) The date at which the staff member is required to enter upon his or her duties;
 - (iv) The period of appointment, the notice required to terminate it and period of probation, if any;
 - (v) The category, level, commencing rate of salary and, if increments are allowable, the scale of increments, and the maximum attainable;
 - (vi) Any special conditions which may be applicable;
 - (vii) That a temporary appointment does not carry any expectancy, legal or otherwise, of renewal. A temporary appointment shall not be converted to any other type of appointment;
 - (viii) That a fixed-term appointment does not carry any expectancy, legal or otherwise, of renewal or conversion, irrespective of the length of service;
- (b) A copy of the Staff Regulations and the Staff Rules shall be transmitted to the staff member with the letter of appointment. In accepting appointment the staff member shall state that he or she has been acquainted with and accepts the conditions laid down in the Staff Regulations and in the Staff Rules;
- (c) The letter of appointment of a staff member on secondment from government service signed by the staff member and by or on behalf of the Director General, and relevant supporting documentation of the terms and conditions of secondment agreed to by the Member State and the staff member, shall be evidence of the existence and validity of secondment from government service to the Organization for the period stated in the letter of appointment.

Annex III
Termination indemnity

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

(a) Except as provided in paragraphs (b), (c), (d) and (e) below and in regulation 9.3, the termination indemnity shall be paid in accordance with the following schedule:

<i>Completed years of service</i>	<i>Months of gross salary, less staff assessment, where applicable</i>		
	<i>Temporary appointments for a fixed-term exceeding six months</i>	<i>Fixed-term appointments</i>	<i>Continuing appointments</i>
Less than 1	One week for each month of uncompleted service subject to a minimum of six weeks' and a maximum of three months' indemnity pay	One week for each month of uncompleted service subject to a minimum of six weeks' and a maximum of three months' indemnity pay	Not applicable
1			Not applicable
2			3
3			3
4			4
5			5
6		3	6
7		5	7
8		7	8
9	Not applicable	9	9
10		9.5	9.5
11		10	10
12		10.5	10.5
13		11	11
14		11.5	11.5
15 or more		12	12

(b) A staff member whose appointment is terminated for reasons of health shall receive an indemnity equal to the indemnity provided under paragraph (a) of the present annex reduced by the amount of any disability benefit that the staff member may receive under the Regulations of the United Nations Joint Staff Pension Fund for the number of months to which the indemnity rate corresponds;

(c) A staff member whose appointment is terminated for unsatisfactory service or who for disciplinary reasons is separated for misconduct other than by dismissal may be paid, at the discretion of the Director General, an indemnity not exceeding one half of the indemnity provided under paragraph (a) of the present annex;

(d) No indemnity payments shall be made to:

- (i) A staff member who resigns, except where termination notice has been given and the termination date agreed upon;
- (ii) A staff member who has a temporary or a fixed-term appointment that is completed on the expiration date specified in the letter of appointment;
- (iii) A staff member who is summarily dismissed;

WO/CC/62/2
ANNEX I, page 84

(iv) A staff member who abandons his or her post;
(v) A staff member who is retired under the Regulations of the United Nations Joint Staff Pension Fund;

(e) Personnel specifically engaged for conference and other short-term service, as consultants or as experts, may be paid termination indemnity if and as provided in their letters of appointment.

Annex IV
Repatriation grant

In principle, the repatriation grant shall be payable to staff members whom the Organization is obligated to repatriate and who at the time of separation are residing, by virtue of their service with the organization, outside their country of nationality. The repatriation grant shall not, however, be paid to a staff member who is summarily dismissed. Eligible staff members shall be entitled to a repatriation grant only upon relocation outside the country of the duty station. Detailed conditions and definitions relating to eligibility and requisite evidence of relocation shall be determined by the Director General.

<i>Years of continuous service away from home country</i>	<i>Staff member with a spouse or dependent child at time of separation</i>	<i>Staff member with neither a spouse nor dependent child at time of separation</i>	
		<i>Professional and higher categories</i>	<i>General Service category</i>
	Weeks of gross salary, less staff assessment, where applicable		
1	4	3	2
2	8	5	4
3	10	6	5
4	12	7	6
5	14	8	7
6	16	9	8
7	18	10	9
8	20	11	10
9	22	13	11
10	24	14	12
11	26	15	13
12 or more	28	16	14

APPENDICES TO THE STAFF RULES

Appendix A

PENSIONABLE REMUNERATION FOR STAFF IN THE PROFESSIONAL AND HIGHER CATEGORIES AND SALARY SCALES AND
PENSIONABLE REMUNERATION FOR STAFF IN THE FIELD SERVICE CATEGORY

Pensionable remuneration for staff in the Professional and higher categories
(United States dollars)

Effective 1 August 2008

Level	Steps														
	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
Deputy-Director General															
DDG	287 872														
Assistant Director General															
ADG	266 074														
Director															
D-2/	221 246	226 277	231 304	236 327	241 354	246 380									
Principal Officer															
D-1	201 097	205 222	209 346	213 461	217 585	221 913	226 333	230 751	235 162						
Senior Officer															
P-5	167 337	170 844	174 349	177 860	181 366	184 873	188 377	191 889	195 394	198 901	202 410	205 925	209 684		
First Officer															
P-4	136 592	139 973	143 346	146 721	150 104	153 476	156 853	160 234	163 608	166 982	170 356	173 745	177 116	180 493	183 872
Second Officer															
P-3	112 262	115 131	117 995	120 856	123 726	126 590	129 455	132 324	135 323	138 458	141 590	144 720	147 855	150 986	154 119
Associate Officer															
P-2	92 100	94 669	97 227	99 791	102 354	104 916	107 478	110 038	112 604	115 167	117 727	120 292			
Assistant Officer															
P-1	71 718	74 186	76 648	79 109	81 574	84 034	86 502	88 961	91 425	93 887					

Appendix B

EDUCATION GRANT ENTITLEMENTS APPLICABLE IN CASES WHERE EDUCATIONAL EXPENSES ARE INCURRED IN SPECIFIED CURRENCIES AND COUNTRIES

(Effective as from the school year in progress on 1 January 2009)

<i>Currency</i>	<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>	<i>(6)</i>
	<i>Maximum amount admissible educational expenses and maximum grant for disabled children</i>	<i>Maximum education grant</i>	<i>Normal flat rate when boarding not provided</i>	<i>Additional flat rate for boarding (at designated duty stations)</i>	<i>Maximum grant for staff members serving at designated duty stations</i>	<i>Calculation for maximum admissible educational expenses (attendance only)</i>
Euro						
Austria	16 719	12 539	3 709	5 564	18 103	11 773
Belgium	15 458	11 593	3 452	5 178	16 771	10 855
France ^a	10 263	7 697	2 995	4 493	12 190	6 269
Germany	18 993	14 245	4 179	6 269	20 514	13 421
Ireland	17 045	12 784	3 112	4 668	17 452	12 896
Italy	18 936	14 202	3 128	4 692	18 894	14 765
Luxembourg	15 458	11 593	3 452	5 178	16 771	10 855
Monaco	10 263	7 697	2 995	4 493	12 190	6 269
Netherlands	16 521	12 391	3 844	5 766	18 157	11 396
Spain	15 139	11 354	3 153	4 730	16 084	10 935
Danish krone	108 147	81 110	26 219	39 329	120 439	73 188
Japanese yen	2 324 131	1 743 098	607 703	911 555	2 654 653	1 513 860
Swedish krona	157 950	118 462	24 653	36 980	155 442	125 079
Swiss franc	28 749	21 562	5 458	8 187	29 749	21 472
Pound sterling	22 674	17 005	3 488	5 232	22 237	18 023
United States dollar (in the United States of America) ^b	39 096	29 322	5 777	8 666	37 988	31 393
United States dollar (outside the United States of America) ^c	19 311	14 484	3 655	5 483	19 967	14 439

^a Except for the following schools, where the United States dollar (in the United States of America) level will be applied: American School of Paris, American University of Paris, British School of Paris, European Management School of Lyon, International School of Paris, Marymount School of Paris, École Active Bilingue Victor Hugo and École Active Bilingue Jeannine Manuel.

^b Also applies, as a special measure, for China, Indonesia and the Russian Federation.

^c Includes Norway and Finland, which will no longer be tracked as a separate zone.

Where educational expenses are incurred in any of the currencies set out in the table above, the applicable amounts are set out in columns (1) to (6) against those currencies. Where educational expenses are incurred in the United States of America, the applicable amounts are set out in columns (1) to (6) against part B above. Where educational expenses are not incurred in any of the currencies set out in part A above or in the United States, the applicable amounts are set out in columns (1) to (6) against part C above.

Attendance at an educational institution outside the duty station

(i) Where the educational institution provides board, 75 per cent of the allowable costs of attendance and of the costs of board up to the maximum indicated in column (1), with a maximum grant indicated in column (2) per year.

(ii) Where the educational institution does not provide board, a flat sum as indicated in column (3), plus 75 per cent of the allowable costs of attendance up to a maximum grant as indicated in column (2) per year.

Attendance at an educational institution at the duty station

(iii) The amount shall be 75 per cent of the allowable costs of attendance up to the maximum indicated in column (1), with a maximum grant as indicated in column (2) per year.

(iv) Where such an educational institution is located beyond commuting distance from the area where the staff member is serving and, in the opinion of the Director General, no school in that area would be suitable for the child, the amount of the grant shall be calculated at the same rates as specified in (i) or (ii) above.

Staff serving at designated duty stations with inadequate or no education facilities with attendance at an educational institution at the primary or secondary level outside the duty station

(v) Where the educational institution provides board:

- i. 100 per cent of the costs of board up to the maximum indicated in column (4); and
- ii. 75 per cent of the allowable costs of attendance and of any part of the costs

of board in excess of the amount indicated in column (4), with a maximum reimbursable amount as indicated in column (5).

(vi) Where the educational institution does not provide board:

- i. A flat sum for board as indicated in column (4); and

ii. 75 per cent of the allowable costs of attendance, with a maximum reimbursable amount as indicated in column (5).

(vii) Paragraphs (v) and (vi) above are not applicable to special missions.

Appendix C

ARRANGEMENTS RELATING TO MILITARY SERVICE

(a) In accordance with section XX of the Convention on Privileges and Immunities of the Specialized Agencies, staff members who are nationals of those Member States which have acceded to that Convention shall be "immune from national service obligations" in the armed services of the country of their nationality.

(b) Any requests to Governments which have not acceded to the Convention to defer or exempt staff members from military service by reason of their employment with the International Bureau shall be made by the Director General and not by the staff member concerned.

(c) Staff members who have successfully completed one year of satisfactory service under a fixed-term appointment or who have a continuing appointment may, if called by a Member Government for military service, whether for training or active duty, be placed on special leave without pay for the duration of their required military service. Other staff members, if called for military service, shall be separated from the International Bureau according to the terms of their appointments.

(d) A staff member called for military service who is placed on special leave without pay shall have the terms of appointment maintained as they were on the last day of service before the staff member went on leave without pay. The staff member's re-employment in the International Bureau shall be guaranteed, subject only to the normal rules governing necessary reductions in force or abolition of posts.

(e) The period of special leave without pay for military service shall be counted for the purpose of establishing seniority.

(f) A staff member on special leave without pay for military service shall be required to advise the Director General within ninety days after release from military service if the staff member wishes to be restored to active duty with the International Bureau. The staff member shall also be required to submit a certificate of completion of military service.

(g) If a staff member, after the period of required military service, elects to continue such service or if the staff member fails to obtain a certified release there from, the Director General will determine, on the merits of the particular case, whether further special leave without pay will be granted and whether re-employment rights shall be maintained.

(h) If the staff member's absence on special leave without pay appears likely to last six months or more, the International Bureau will pay, if so requested, for transporting the staff member's spouse and dependent children to the staff member's place of entitlement and for their return travel after the staff member's return to active duty with the International Bureau, provided that the expenses involved will be counted as travel expenses related to the next home leave entitlement of the staff member.

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

(j) The provisions of the applicable staff rules relating to illness, accident or death attributable to the performance of official duties on behalf of the International Bureau shall not be applicable during periods of military service.

WO/CC/62/2
ANNEX I, page 90

(k) The Director General may, if the circumstances of the military service appear to warrant it, credit the staff member's period on special leave without pay for military service in fixing the salary step upon the staff member's return to active duty with the International Bureau.

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