
**INTERNATIONAL COMMISSION
for the
CONSERVATION of ATLANTIC TUNAS**

**STAFF REGULATIONS AND RULES
English version**

Introduction

This volume contains the Regulations and Rules covering the Secretariat staff of the International Commission for the Conservation of Atlantic Tunas (ICCAT). The Rules were originally based on the United Nations Staff Regulations, and on decisions adopted at the First Regular Meeting of the Commission (Rome, November, 1969) and at the First Special Meeting of the Council (Madrid, November, 1970). The basic Rules were approved during the Second Regular Meeting of the Commission (Madrid, December, 1971). They have since been revised by the Standing Committee on Finance and Administration (STACFAD), recommended to the Commission as Rules and Regulations and approved by that body at its Seventh Regular Meeting (Tenerife, November 1981), for a period of one year. They were formally adopted at the Third Special Meeting of the Commission (Madeira, November, 1982). At the Twelfth Regular Meeting of the Commission (Madrid, November 1991), the Commission requested that these Staff Regulations and Rules be updated. At its Fourteenth Regular Meeting (Madrid, November 1995) the Commission approved these Staff Regulations and Rules in their entirety.

At its 12th Special Meeting (Marrakech, November 2000), the Commission approved the revisions introduced in the texts of the Staff Regulations and Rules, which duly reflect the decisions adopted by the Commission at its 16th Regular Meeting (Rio de Janeiro, November 1999).

At its 13th Special Meeting (Bilbao, November 2002), the Commission approved the revisions introduced in the texts of the Staff Regulations and Rules.

At its 18th Regular Meeting (Dublin, November 2003), the Commission approved the revisions introduced in the texts of the Staff Regulations and Rules.

At its 14th Special Meeting (New Orleans, November 2004), the Commission approved the revisions introduced in the texts of the Staff Regulations and Rules.

Scope and purpose

The Staff Regulations and Rules establish the fundamental working principles, conditions of service and the basic rights, duties and obligations of those persons who, having been formally appointed and receiving remuneration, render their services in the Secretariat of the International Commission for the Conservation of Atlantic Tunas (hereinafter called "The Commission").

The Executive Secretary, as the Chief Administrative Officer, shall provide and enforce such Staff Regulations and Rules consistent with these principles as he considers necessary.

Section I - Duties, obligations and privileges

Article 1 - Code of conduct

- 1.1 Members of the Secretariat (hereinafter called "staff members") are international civil servants. By accepting appointment, they pledge themselves to discharge faithfully their duties and to adjust their conduct, bearing in mind the interests of the Commission.
- 1.2 Staff members are subject to the authority of the Executive Secretary and are responsible to him in the exercise of their functions.
- 1.3 Staff members shall at all times conduct themselves in a manner compatible with the international character of the organization. They will avoid all actions, statements or public activities which may be detrimental to the Commission and its aims.
- 1.4 Staff members are not required to renounce their national feelings nor political or religious convictions, but they must always bear in mind the loyalty, discretion and tact imposed on them by their international responsibilities in the discharge of their mission.

STAFF REGULATIONS AND RULES

- 1.5 In the performance of their duties, staff members may neither seek nor accept instructions from any government or authority other than the Commission.
- 1.6 Staff members shall observe maximum discretion regarding official matters.
- 1.7 Except in the discharge of their duties or with authority from the Commission, they shall abstain from releasing information they possess by reason of their position.
- 1.8 Staff members are expected to devote themselves exclusively to the discharge of their duties in the Secretariat, any other employment being incompatible. Exceptions to the foregoing require the prior authorization of the Executive Secretary, or of the Commission when it affects the Executive Secretary.
- 1.9 No staff member may be actively associated in the management of a business, industry, or other enterprise, or have a financial interest therein, if as a result of the official position held in the Secretariat, benefit may be derived from such association or interest. Ownership of stock in a company shall not be considered to constitute a financial interest in the meaning of this Article.
- 1.10 Normally all staff members shall have their residence at their duty station.

Article 2 - Hours of work

- 2.1 The Executive Secretary shall establish the work schedule and alter it as conditions warrant.
- 2.2 The normal work schedule shall be eight hours daily, Monday through Friday, for a total of 40 hours weekly.

Article 3 - Holidays

- 3.1 The staff members shall be entitled to a maximum of ten holidays per year. These days shall be officially announced by the Executive Secretary at the beginning of each year. The Executive Secretary shall, to the extent possible, align them to official holidays and customs of the host country.
- 3.2 If, under special circumstances, staff members are required to work on any of these days, they shall be granted another day in lieu thereof; or if any of these dates fall on a Saturday or Sunday, the holiday shall be observed on another date, to be set by the Executive Secretary subject to service needs and, if possible, staff preference.

Article 4 - Privileges and immunities

- 4.1 Staff members shall enjoy the privileges and immunities to which they are entitled under the Seat Agreement signed between the Government of the host country and the Commission. These privileges and immunities are conferred in the interests of the Organization. They furnish no excuse to the staff members who enjoy them for non-performance of their private obligations or failure to observe laws and police regulations.

Section II - Classification of posts and staff

Article 5 - Staff structure

- 5.1 Staff members shall be classified in either of the following categories:
 - a) *Professional or Higher category*
These are positions of high responsibility of a technical, administrative or scientific nature. These will be filled by professionals, preferably with university graduation or equivalent. Staff members in this category will normally be recruited internationally.
 - b) *General Services category*
These include auxiliary technical and administrative positions as well as clerical, secretarial and other office personnel. Normally such staff will be recruited locally.

c) *Contract Personnel*

The Executive Secretary may contract for the services of temporary personnel or casual labor with short-term appointment that he deems necessary to carry out the responsibilities of the Secretariat. Whenever possible, such staff will be recruited locally.

Section III - Salaries, allowances and other remuneration***Article 6 - Salaries and allowances*****6.1 Professional or Higher categories**

- a) **Salary:** The salary scale for staff members in the Professional or Higher categories, as approved and established by the Commission, shall be based on the most current salary schedule (for Madrid, in Euros) published by the United Nations and provided by the International Civil Service Commission. This salary schedule, which is established in U.S. dollars, is subject to post adjustment, and is payable in convertible currency.
- b) **Post Adjustment:** A non-pensionable post adjustment shall be applied to the salary rates of the Professional or Higher categories in accordance with the most current post adjustment information (a variable multiplier for Madrid), provided on a monthly basis by the International Civil Service Commission.
- c) **Pension Plan:** Staff members in the Professional or Higher categories shall also be entitled to participation in the Van Breda Retirement Benefit Plan (established in U.S. dollars). The Commission's contribution to pension shall be up to a maximum of 23.7 percent of the figure given for the staff member's corresponding grade and step in the most current schedule of "Annual Pensionable Remuneration for Professional or Higher Categories", that is provided by the International Civil Service Commission. The current contribution rate for the Commission's pension plan is 23.7 percent for staff contracted up to 1999. For staff contracted since January 2000, the changes introduced at the Commission Meeting in Rio de Janeiro in November 1999 will be applied, such that the Commission's contribution to the pension plan will be two-thirds of the maximum and the staff member will contribute one-third.

Participation in the Van Breda Retirement Benefit Plan is compulsory for those staff members in the Professional or Higher categories whose date of employment is on or after January 1, 1983.

In the case of staff members contracted on a fixed-term basis, an alternate pension plan may be considered, to be negotiated between the staff member and the Executive Secretary, in consultation with the Chairman of the Standing Committee on Finance and Administration (STACFAD).

- d) **Dependency Allowance:** Staff members in the Professional or Higher categories shall be entitled to a dependency allowance for each dependent child (up to the age of 21) in an amount equivalent to that in effect according to the most current U.N. salary schedule, as provided periodically by the International Civil Service Commission. The dependency allowance payable in respect of a child shall be offset or reduced by the amount of any allowance paid therefore as a social benefit for a source external to the Commission.
- e) **Medical, accident and disability insurance:** Adequate medical, accident and disability insurance are compulsory for all staff members in the Professional or Higher categories. The Commission will contribute up to 2.5 percent of net base salary for these benefits. Each staff member is required to furnish to the Executive Secretary appropriate documentation of his or her current medical, accident and disability insurance.

6.2 General Services Category

- a) **Salary:** The salary scale for staff members in the General Services category, as approved and established by the Commission, shall be based on the most current salary schedule (for Madrid, in Euros) published by the United Nations, and provided by the International Civil Service Commission. Salaries for staff in this category are payable in local currency.

- b) Language Allowance: Staff members in the General Services category appointed for one year or more shall normally be entitled to receive a pensionable language allowance, at a flat rate, as determined by the United Nations and provided by the International Civil Service Commission, for duly proven proficiency in more than one official language of the Commission.
- c) Pension Plan: Staff members in the General Services category shall be entitled to participation in the Van Breda Retirement Benefit Plan (established in U.S. dollars). The Commission's contribution to pension shall be up to a maximum of 23.7 percent of the total net base salary and, where applicable, the language allowance, according to the staff member's grade and step, as given in the most current salary schedule for the General Services category for Madrid, that is provided by the International Civil Service Commission. The current contribution rate for the Commission's pension plan is 23.7 percent for staff contracted up to 1999. For staff contracted since January 2000, the changes introduced at the Commission Meeting in Rio de Janeiro in November 1999 will be applied, such that the Commission's contribution to the pension plan will be two-thirds of the maximum and the staff member will contribute one-third. As this General Services staff salary schedule is established in Euros, the amount applied towards pension is converted to U.S. dollars at the official U.S. dollar exchange rate provided on a monthly basis by the International Civil Service Commission.

Participation in the Van Breda Retirement Benefit Plan is compulsory for those staff members in the General Services category whose date of employment is on or after 1 January, 1983. By exception, those staff members who are nationals or residents of the country of the duty station could choose, at the time of their hiring, to take part in the Public Social Security System of the duty station, if this System so admits at that time. This choice will be unique and irrevocable.

Due to differences that could exist, in the costs as well as in contingencies covered by the Public Social Security System, the staff members who ultimately choose to take part in this System will not have the right to medical insurance, to accident and personal liability insurance regulated in paragraph e) of this same article and paragraph, and their salary will be adjusted such that the cost to the Commission is the same as if the staff member had not elected to take part in the Public Social Security System.

Staff members who are nationals or residents of the country of the duty station who have been hired prior to 1 March 2004 (date of entry into force of this amended text) and who up to this date were included in the Van Breda Pension Plan, can choose, prior to 1 September 2004 to withdraw from the aforementioned pension plan and take part in the Public Social Security System of the duty station, if this System so admits, according to the effects and economic conditions expressed in the previous paragraph. This choice will be unique and irrevocable.

In the case of staff members contracted on a fixed-term basis, an alternate pension plan may be considered, to be negotiated between the staff member and the Executive Secretary, in consultation with the Chairman of the Standing Committee on Finance and Administration (STACFAD).

- d) Dependency Allowance: Staff members in the General Services category shall be entitled to a dependency allowance for each dependent child (up to the age of 21) at a flat rate per annum, as provided periodically by the International Civil Service Commission. The dependency allowance payable in respect of a child shall be offset or reduced by the amount of any allowance paid therefore as a social benefit for a source external to the Commission.
- e) Medical, accident and disability insurance: Adequate medical, accident and disability insurance are compulsory for all staff members in the General Services category. The Commission will contribute up to 2.5 percent of net base salary for these benefits, except for those staff members who take part in the Public Social Security System. Each staff member is required to furnish to the Executive Secretary appropriate documentation of his or her current medical, accident and disability insurance.

6.3 *Contract Personnel*

The Executive Secretary shall determine the salary rates and the terms and conditions of employment applicable to such short-term, contracted personnel.

- 6.4 Benefits under this section will be aligned with FAO schemes and relevant provisions of the FAO Staff Regulations, FAO Staff Rules, and FAO Administrative Manual, and will be reflected and regularly updated in the ICCAT Staff Regulations and Rules.

Article 7 - Overtime

- 7.1 As a general rule, staff members will not receive additional compensation for hours of work performed beyond the normal 40-hours work week.
- 7.2 When, at the request of the Executive Secretary, staff members are required to work more than 40 hours per week and as warranted by special circumstances involving the needs of the service, such additional hours of work shall be compensated:
- a) With compensatory time off equal to the number of additional hours of work performed computed at one and a half times the normally scheduled hours, or
 - b) With remuneration for each hour of additional work performed, the rate of which will be computed at one and a half times the normally scheduled hourly rate.
- 7.3 Staff members in the Professional category are only eligible for compensatory time off as applicable in paragraph a) above. A maximum of 12 days in compensatory time off can be carried over from one calendar year to the next; compensatory time off cannot be accumulated between consecutive years.

Article 8 - Step increase for tenure

- 8.1 The salary for staff members in the Professional or Higher and General Services categories shall be that of the initial step for the corresponding grade of the staff member, beginning at Step 1.
- 8.2 Only in very special cases and upon the basis of a proposal and justification by the Executive Secretary, after consulting with the Chairman of the Standing Committee on Finance and Administration (STACFAD), may a staff member be initially employed at a higher step than Step 1 of the grade.

Professional or Higher categories:

- 8.3 Incremental steps within each grade (Step Increase) for staff in the Professional or Higher categories are granted on an annual basis, according to the U.N. salary schedule, payable on the anniversary date of such service, as long as performance has been considered satisfactory by the Executive Secretary.

General Services category:

- 8.4 For staff in the General Services category, incremental steps within each grade (Step Increase) are granted on an annual basis until reaching the last top regular step, as long as performance has been considered satisfactory by the Executive Secretary. Thereafter, the qualifying criterion for an in-grade increase to the long-service step, as defined in the U.N. salary schedule, is that the staff member remain at the top regular step of the current grade for at least three years.
- 8.5 Upon completion of the at least three years at the top long-service step of a given U.N. General Services grade, and as long as performance has been considered satisfactory by the Executive Secretary, the staff members in the General Services category are entitled to be upgraded to the next grade, at the corresponding step whose net base salary is at least equal to, but not less than, the staff member's current net base salary.

Article 9 - Remuneration adjustments

- 9.1 Any change in the staff structure and corresponding remuneration requires the prior approval of the Commission, and it may be retroactive.
- 9.2 Commission approval is not required for salary adjustments when these apply to staff structure and scales already approved by the Commission.

Article 10 - Tax exemption

- 10.1 Salaries are exempt from payment of taxes under pertinent agreements between the Commission and the host country. In the event staff members are required to pay taxes to the host country, they will be reimbursed for such taxes by the Commission. However, reimbursements for such taxes will be limited to that portion which affects income derived from the Commission.

Section IV - Other benefits**Article 11 - Trip expenses for internationally-recruited staff**

- 11.1 The Commission shall cover the travel expenses for arrival of the internationally-recruited staff member and family from place of recruitment to the duty station and return thereto.

Article 12 - Settling-in compensation

- 12.1 The Commission shall contribute toward the expenses related to the initial settling-in costs of staff members who, upon appointment, were not residing within commuting distance of the duty station. This allowance may be up to a maximum of 30 days of per diem at the U.N. daily subsistence allowance rate prevailing on the day of arrival at the duty station. Payment, in local currency, is based on the most current daily subsistence allowance rate for the duty station, as provided periodically by the International Civil Service Commission.

Article 13 - Shipment of household goods

- 13.1 The Commission shall pay for shipment of household goods and personal effects from place of recruitment to the duty station of the internationally-recruited staff member serving outside his home country. Such shipment (which will not exceed 5,000 kg for a staff member with dependents or 3,000 kg for a staff member without dependents) shall be effected by the most appropriate and economical means.
- 13.2 Likewise, upon separation from service, the internationally-recruited staff member shall have expenses covered for the return of household goods and personal effects to the place of recruitment.

Article 14 - Non-resident allowance

- 14.1 When in judgment of the Executive Secretary, shipment of household goods as provided in Article 13 is not warranted, or in case of the staff member electing, in writing, not to avail himself of the entitlement, the staff member will be paid an annual non-resident allowance as follows:

<i>Category</i>	<i>Staff member without recognized dependents (US \$)</i>	<i>Staff member with recognized dependents(US \$)</i>
P-5 and above	1,100	1,400
P-3 and P-4	950	1,200
P-1 and P-2	900	1,000
General Services	350	350

- 14.2 This allowance will be paid for each of the first five years of service. The staff member receiving payment of this allowance will not be entitled to future shipment of household goods.

Article 15 - Assignment allowance weight limits

- 15.1 In those cases where, in accordance with Article 14, a non-resident allowance is being paid, the staff member may be authorized shipment of personal effects for arrival at post and for repatriation. Surface transportation shall be authorized as follows:

Staff member only:	600 kg or 3.75 m ³
Dependent spouse:	400 kg or 2.49 m ³
Each dependent child:	200 kg or 1.25 m ³
Global maximum	1,600 kg or 9.96 m ³

- 15.2 Any staff member electing this provision will only be entitled to the same weights and limitations upon repatriation.

Article 16 - Education grant

- 16.1 An education grant is available to internationally recruited staff members serving outside their home country to cover a part of the cost of educating children in full-time attendance at an educational institution. The grant is payable up to the end of the fourth year of post-secondary studies or the award of a recognized first level degree, whichever is earlier, subject to a maximum age limit of 25 years. The amount of the grant is equivalent to 75 percent of allowable costs, subject to the maximum amounts indicated in the table on "Education Grant Entitlement" that is annexed to the FAO Staff Regulations and Rules.
- 16.2 This education grant shall not be paid:
- a) In respect of children of staff members serving in their home country;
 - b) In respect of attendance at a public (state) school or at a university in the country of the duty station;
 - c) For correspondence courses or private tutoring; or when schooling does not require regular attendance at an educational institution; or
 - d) In respect of education expenses covered from scholarship grants or subsidies from other sources.
- 16.3 Benefits under this section will be aligned with FAO schemes and relevant provisions of the FAO Staff Regulations, FAO Staff Rules, and FAO Administrative Manual, and will be reflected and regularly updated in the ICCAT Staff Regulations and Rules.

Article 17 - Education travel

- 17.1 Staff members in the Professional or Higher categories, serving outside their recognized home country, whose dependent children are in full-time attendance at a school, or university or similar institution, located outside the country of the duty station, are entitled to educational travel for a total of one round trip per scholastic year.
- 17.2 For the purpose of this Article, travel will be at the most economical and practical rate, and the cost will not exceed that between the duty station and the point from which the staff member was recruited. However, should cost of travel be less than entitlement, only actual cost will be payable.

Article 18 - Representation expenses

- 18.1 The Commission will pay for duly justified representation expenses incurred by the Executive Secretary or Assistant Executive Secretary in the fulfilment of their duties.

Section V - Recruitment and appointment

Article 19 - Appointment of the Executive Secretary

- 19.1 In accordance with Article VII of the ICCAT Convention, the Commission shall appoint the Executive Secretary, and establish tenure, remuneration, and those other conditions of employment as appropriate.
- 19.2 The Executive Secretary will serve a one-year probationary period. Upon completion of the probationary period, satisfactory to both parties, the Commission will confirm his appointment and the terms thereof.
- 19.3 Either party may terminate the appointment upon six months written notice.

Article 20 - Appointment of other staff members

- 20.1 The Executive Secretary shall select and appoint all staff members.
- 20.2 Staff members selected shall initially be given one-year probationary appointment. Upon satisfactory completion of the probationary period, the Executive Secretary shall confirm their appointment and the

terms thereof. During that period, either party may terminate the appointment upon one month's written notice.

- 20.3 The Executive Secretary is empowered to delegate to the Assistant Executive Secretary those duties he considers necessary to achieve the most efficient operation of the Secretariat.

Article 21 - Terms of appointment

- 21.1 Upon being appointed either on a fixed-term or continuing basis, each staff member shall receive a letter of appointment that states:
- a) That the appointment is subject to the provisions of the Staff Regulations and 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;
 - b) The nature of the appointment;
 - c) The date at which the staff member is required to report for duty;
 - d) The period of appointment, the notice required to terminate it and the period of probation, if any;
 - e) The category, grade, commencing rate of salary and the scale of increments;
 - f) Any special conditions that may be applicable.
- 21.2 A copy of the Staff Regulations and Rules shall be transmitted to the staff member with the letter of appointment. In accepting appointment the staff member shall acknowledge having been made acquainted with, and confirm acceptance, in writing, of the conditions laid down in these Staff Regulations and Rules.

Article 22 - Age limits

- 22.1 Appointments shall not be granted to persons under 18 years of age or over the mandatory retirement age of 62.

Article 23 - Medical examination

- 23.1 Following initial selection and prior to appointment, all prospective staff members shall submit to a medical examination and present a certificate stating that they have no disease which might prevent them from performing their duties, or which will endanger the health of others.
- 23.2 Staff members shall undergo a routine medical examination from time to time in order to ensure capability to continue performance of their duties within the Secretariat. This medical examination may be at the expense of the Commission, if such an examination cannot be covered by the staff member's own medical insurance.

Section VI – Leave

Article 24 - Annual leave

- 24.1 Staff members shall be entitled to annual leave with pay at a rate of two and one-half workdays for each full month of service. Annual leave is cumulative, but unused leave in excess of 60 workdays may not be carried beyond the end of each calendar year.
- 24.2 Annual leave shall be authorized by the Executive Secretary who, insofar as possible, shall bear in mind the personal circumstances, needs and preferences of the staff members.
- 24.3 A staff member may, in exceptional circumstances, be granted advance annual leave up to a maximum of two weeks, provided that the services thereof are expected to continue for the period necessary to accrue the leave as advanced.
- 24.4 The leave period shall not cause an interruption of normal Secretariat operations. In accordance with this principle, the leave dates shall be subject to the exigencies of the service.

- 24.5 Any unauthorized absence from duty not provided for in these Staff Regulations and Rules shall be deducted from annual leave. Any unauthorized and unjustified absence shall be considered leave without pay, independently of any other action that may be taken under Section IX of these Staff Regulations and Rules.

Article 25 - Sick leave

- 25.1 No staff member shall be granted sick leave for a period of more than three consecutive days and more than a total of seven working days in any period of 12 months without producing a medical certificate.
- 25.2 Non-certified absences in excess of the number of days specified in this Article shall be deducted from the staff member's annual leave or, in the absence of sufficient annual leave, charged as special leave without pay.
- 25.3 Staff members are entitled to sick leave, with an appropriate medical certificate, but such leave will not exceed 12 months in any four consecutive years. The first six months of such leave in this period of four years shall be on full salary, and the second six months shall be on half salary. No more than four months on full salary shall normally be granted in any period of 12 consecutive months.

Article 26 - Maternity leave

- 26.1 Staff members who have completed their probationary period shall be entitled to maternity leave for a period of four months. Normally this period would commence eight weeks prior to confinement and end eight weeks thereafter, in accordance with medical advice. During this period the staff member shall continue to receive full pay and corresponding allowances, including accumulation of annual leave.

Article 27 - Home leave

- 27.1 Travel expenses to the home country on annual leave shall be granted following completion of 18 months of service and, following this, at two-year intervals thereafter for internationally-recruited Professional staff and their recognized dependents subject to the following:
- a) Dependents who have been granted education travel under Article 17 shall not be eligible unless they have resided at the duty station for at least six months prior to travel.
 - b) It is expected that the staff member will return to the duty station to continue rendering services for a minimum additional period of 12 months.
- 27.2 The possibility may also be studied of combining official travel on Commission business with home leave, as long as the interests of the staff member and family are duly borne in mind.

Article 28 - Special Leave

- 28.1 Death of an immediate family member: Special leave may be granted for the death of an immediate family member, up to a maximum of five days, without signing for annual leave.
- 28.2 Illness of a family member: Leave taken for illness of a family member shall be considered annual leave. In special cases, the Executive Secretary could authorize special leave for grave illness or hospitalization of an immediate family member.

Section VII - Travel and transportation

Article 29 - Authorization for official travel

- 29.1 All official travel shall be authorized in advance by the Executive Secretary.

Article 30 - Transportation and reimbursement of expenses for official travel

- 30.1 In principle, air transportation by the most direct and economical route shall be regarded as the normal mode for all official travel. Nevertheless, the use of another means of transport may be authorized by the Executive Secretary if he esteems that it is in the interest of the Commission. Normally, tourist class shall be used for air travel. For staff members in the Professional or Higher categories, air travel in Class C (Affaire, Club or similar) may be authorized. Only in exceptional cases, and subject to the approval of the Executive Secretary, may higher class air travel be used.
- 30.2 Staff members on official travel shall receive an appropriate daily subsistence allowance, in accordance with a schedule of rates established periodically by the International Civil Service Commission. For official missions of a duration of more than 24 hours, a one-day subsistence allowance is payable for the day of departure at the rate applicable at the place of destination or of a stopover en route. Staff members are entitled to a daily subsistence allowance for each 24 hour period (counted from midnight to midnight local time), with the exception of the last day of the trip. The rate of the daily subsistence allowance shall be that which is applicable at the location where the staff member lodges for the night.
- 30.3 The Executive Secretary may authorize the reimbursement of other indispensable ordinary travel expenses that are duly justified.
- 30.4 Daily subsistence allowance is not paid for any period of annual leave taken during travel status, except when combined with an official mission (see Article 27.2).
- 30.5 Actual travel time spent during any day of the week is not charged against annual leave, nor is annual leave charged for stopovers authorized for rest purposes when travel is by air.

Section VIII - Separation from service

Article 31 - Voluntary separation from service

- 31.1 The Executive Secretary may separate from service by giving six months' advance to the Commission. (See Article 20.)
- 31.2 Staff members in the Professional category may separate from service by giving three months' advance notice to the Executive Secretary.
- 31.3 Staff members in the General Services category may separate from service by giving two-month's advance notice to the Executive Secretary.

Article 32 - Termination of employment by the Executive Secretary

- 32.1 The Executive Secretary may terminate the appointment of a staff member in the Professional category by giving three months' advance written notice, and a sixty-day advance written notice in the case of staff members in the General Services category, when he deems this to be in the interest of the Commission due to restructuring of the Secretariat or for other valid reasons.

Article 33 - Separation from service due to retirement

- 33.1 Staff members shall not be retained in active service beyond the age of 62 years, unless the Executive Secretary, and in his case the Commission, in the interests of the Organization, extends this age limit in exceptional cases. Normally, such extension will be one year at a time. Staff members may, however, elect to retire at the age of 60 years. Staff members hired before 1993 shall be exempt from the mandatory retirement provision for a period of three years from the final effective date of the revised Staff Rules (i.e. November, 1995).

Article 34 - Termination indemnity

- 34.1 A staff member whose appointment is terminated upon abolition of post, reduction of staff, or in the interest of the good administration of the Commission shall receive an indemnity equivalent to a rate of one month's net base salary for each full year of service, not to exceed 12 months.
- 34.2 In case of termination of appointment for reasons other than those specified above, the decision shall be made jointly by the Chairman of the Commission, the Chairman of the Standing Committee on Finance and Administration (STACFAD) and the Executive Secretary as to whether an indemnity is payable.
- 34.3 If, upon separation, a staff member has an accrued annual leave credit, compensation for the period of such accrued leave, up to a maximum of 60 working days, shall be paid in lieu thereof.
- 34.4 In no case will a termination indemnity be paid to:
- A staff member who resigns, except where resignation notice has been duly given and the termination date agreed upon;
 - A staff member whose fixed-term appointment is completed on the expiration date or terminated during the probationary period specified in the letter of appointment;
 - A staff member who is summarily dismissed;
 - A staff member who abandons his or her post;
 - A staff member who retires under the provisions of the Van Breda Pension Scheme.

Article 35 - Repatriation

- 35.1 In principle, a repatriation grant shall be payable to staff members whom the Commission is obliged to repatriate, and who take up residence in a country other than that of the duty station. The repatriation grant shall not, however, be paid to a staff member who is summarily dismissed.
- 35.2 The amount of the grant shall be proportionate to the length of service with the Commission according to the following scale:

<i>Completed years of continuous service away from home country</i>	<i>Staff members with no recognized dependants at time of separation (net base)</i>	<i>Staff members with spouse &/or one or more dependent children at time of separation Weeks of salary (net base)</i>
1	3	4
2	5	8
3	6	10
4	7	12
5	8	14
6	9	16
7	10	18
8	11	20
9	13	22
10	14	24
11	15	26
12 or more	16 (maximum)	28 (maximum)

- 35.3 If the staff member elects not to be repatriated, no grant is payable.

Article 36 - Death of a staff member

- 36.1 In the event of death of a staff member, the effective date of separation is the day of death, when all salary and related emoluments and benefits shall cease.
- Shipment of remains:* Upon the death of a staff member, or death of the spouse or that of dependent children, whom the Commission is obligated to repatriate, the Commission shall pay the expenses of transportation of the remains from the duty station, or the place of death if death occurs while the

staff member travelling on official business, to the place recognized by the Commission as the staff member's home for purposes of home leave.

- b) *Family indemnity to surviving dependents*: If death results in a situation not covered by appropriate insurance and the deceased leaves any recognized dependents, a family indemnity is payable in accordance with the following scale:

<i>Years of service</i>	<i>Months of net salary</i>
3 or less	3 (minimum)
4	4
5	5
6	6
7	7
8	8
9 or more	9 (maximum)

- c) *Repatriation of surviving dependents*: Upon the death of a staff member whom the Commission is obliged to repatriate, the Commission shall pay the expenses of repatriation of the surviving dependents from the duty station, provided that the costs do not exceed those to the place recognized by the Commission as the staff member's home for purposes of home leave, or, in case no home leave entitlement exists, the place from which personal effects or household goods were shipped. If the family elects not to be repatriated, no grant is payable.

Section IX - Disciplinary measures

Article 37

- 37.1 The Executive Secretary may establish an administrative machinery with staff participation which will be available to advise him in disciplinary cases.
- 37.2 The Executive Secretary may impose disciplinary measures (suspension without pay, demotion, or dismissal) on staff members whose conduct is unsatisfactory, and may summarily dismiss a member of the staff for serious misconduct.
- 37.3 Staff members who are suspended without pay as a disciplinary measure shall not accrue service credits towards annual, sick, home leave, family visit travel, salary increment, separation payments schedule, termination indemnity or repatriation grant during the period.
- 37.4 Staff members whose appointments are terminated by the Executive Secretary or by the Commission, or who are demoted or suspended, shall be entitled to a written statement of cause at the time the notice is given, and an opportunity to reply in writing.

Section X – Application, amendment and recourse of these Staff Regulations and Rules

Article 38 - Application

- 38.1 These Staff Regulations and Rules shall be applicable to all staff members.
- 38.2 Any doubts arising from application of these Staff Regulations and Rules shall be resolved by the Executive Secretary following consultation with the Chairman of the Commission and the Chairman of the Standing Committee on Finance and Administration (STACFAD).

Article 39 - Amendment

- 39.1 These Regulations and Rules may be supplemented or amended, but without prejudice to the acquired rights of staff members.

- 39.2 The amendment of these Staff Regulations and Rules shall be in conformity with the relevant decisions of the Commission.
- 39.3 Amendments in the text of these Staff Regulations and Rules must be formally approved by the Commission.

Article 40 - Recourse

- 40.1 Recourse by a staff member to any administrative decision may be taken to the Chairman of the Standing Committee on Finance and Administration (STACFAD), through the Executive Secretary.

Section XI - General provisions

Article 41 - Financial responsibility

- 41.1 Staff members may be required to reimburse the Commission either partially or in full for any financial loss suffered as a result of their negligence or of their having violated any regulations, rule or administrative procedure.

Article 42 - Service evaluation reports

- 42.1 The service of a staff member shall be the subject of evaluation reports made from time to time by the Executive Secretary. Such reports, which shall be shown to the staff member, shall form a part of the staff member's permanent cumulative record.

Article 43 - Proprietary rights

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

Article 44 - Unforeseen matters

- 44.1 For all matters not specifically foreseen in these ICCAT Staff Regulations and Rules, the most current Staff Regulations and Rules in effect for the Food and Agriculture Organization of the United Nations (FAO) could be subsidiarily applied. However, all these matters will be duly brought to the attention of the Commission by the Executive Secretary.