



INTERNATIONAL  
OIL POLLUTION  
COMPENSATION  
FUND 1992

ASSEMBLY  
10th session  
Agenda item 19

92FUND/A.10/18  
3 August 2005  
Original: ENGLISH

## APPOINTMENT OF MEMBERS AND SUBSTITUTE MEMBERS OF THE APPEALS BOARD

### Note by the Director

**Summary:** The term of office of the present members and substitute members of the Appeals Board expires at the 10th session of the Assembly.

**Action to be taken:** Appoint members and substitute members of the Appeals Board.

- 1 The 1992 Fund has an Appeals Board with the mandate to settle disputes between staff members or former staff members and the Director concerning individual decisions applying to persons in these categories who base their case on the non-observance of the Staff Regulations, the Staff Rules or the conditions of employment including the contract or letter of employment (Staff Regulation 29 (c) and Annex II, section I (a) of Annex II to the Regulations).
- 2 Section II of the Statute of the Appeals Board provides that the Appeals Board shall consist of three nationals of different Member States, to be appointed by the Assembly. Three substitute members from three other Member States shall also be appointed (paragraph (a)). The members and substitute members may be named individuals or the holders for the time being of any senior government office and residing in or near London. They shall not be staff members of the 1992 Fund. At least one member and one substitute member shall have legal qualifications (paragraph (b)). The members and substitute members shall be appointed for a term of two years and may be reappointed. In the event of the death or resignation of a member or substitute member, the Assembly shall appoint a replacement for the unexpired portion of his term. Pending such appointment, the member or substitute member shall be replaced by his successor in office (paragraph (c)).
- 3 At its 9th session held in October 2004 the Assembly appointed the following members and substitute members of the Appeals Board (document 92FUND/A.9/31, paragraph 19).

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#### Members

Mr G Gasc (France)  
Mr N Yamagami (Japan)  
Sir Michael Wood (United Kingdom)

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#### Substitute Members

Mr G Demetriades (Cyprus)  
Mr J Aguilar Salazar (Mexico)  
Mr E King (Trinidad & Tobago)

- 4 As mentioned above, the Statute of the Appeals Board provides that the members and the substitute members shall be appointed for a term of two years. Due to an oversight in the preparation of the Record of Decisions of the 9th session of the 1992 Fund Assembly, the above-mentioned members and substitute members of the Appeals Board were only appointed to hold office until the 10th session of the 1992 Fund Assembly, ie for a period of one year.
- 5 The Director proposes therefore that the Assembly should appoint members and substitute members of the Appeals Board for a term of two years, ie until the 12th session of the 1992 Fund Assembly.

**6 Action to be taken by the Assembly**

The Assembly is invited to appoint members and substitute members of the Appeals Board for a term of two years.

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