

INTERNATIONAL OIL POLLUTION COMPENSATION FUND

FONDS INTERNATIONAL D'INDEMNISATION POUR LES DOMMAGES
DUS A LA POLLUTION PAR LES HYDROCARBURES

EXECUTIVE COMMITTEE -
3rd session
Agenda item 6

FUND/EXC.3/5
15 July 1980
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AMENDMENT OF PROVISIONS ON PROVIDENT FUND

Note by the Director

1. The Executive Committee, at its second session, adopted the terms and conditions of the Provident Fund as contained in Rule VIII.5 of the IOPC Fund's Staff Rules (see page 2, item 6 of document FUND/EXC.2/6, Record of Decisions). When discussing these provisions, the Executive Committee requested the Director to consider the possibility of allowing staff members employed on a part-time basis, in addition to full-time staff members, to participate in the Provident Fund.
2. The Provident Fund provisions of commodity organizations based in London, along the lines of which Rule VIII.5 was drafted, do not restrict membership in the Provident Fund to full-time staff members but apply to "staff members holding permanent appointments". Permanent appointments are not foreseen by the IOPC Fund's Staff Regulations.
3. The UN Joint Staff Pension Fund, applicable to IMCO staff members, states in Supplementary Article A to Article 54 that its provisions shall equally apply to members "whose employment is for at least half the time of full-time members of the staff, ...". So far, IMCO has not employed any staff member on a part-time basis.

4. The Provident Fund is intended to provide social security for staff members. In view of this objective, it appears appropriate to include in this scheme staff members working only a little less than full-time employees. Staff members working less than half the time of full-time staff members, however, would not normally rely on their earnings with the IOPC Fund for their social security and, therefore, need not essentially be included in the Provident Fund. But, as the Fund is unlikely to employ staff members for a "period exceeding six months" (Rule VIII.5(h)) on less than a half-time basis, it may not be necessary, for the purpose of defining membership in the Provident Fund, to specify the extent of work of the part-time staff member in the Staff Rules.

5. It is, therefore, suggested that in the first sentence of Rule VIII.5(h) of the Fund's Staff Rules, the words "for full time service" be deleted.
