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COMPENSATION  
FUND 1992

ASSEMBLY  
4th session  
Agenda item 19

92FUND/A.4/17  
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## AMENDMENTS TO THE STAFF RULES

### Note by the Director

<b>Summary:</b>	Amendments to the Staff Rules issued by the Director in accordance with Staff Regulation 31.
<b>Action to be taken:</b>	Information to be noted.

1 Under Staff Regulation 17, the 1992 Fund's staff members' salaries, allowances and grants, and the conditions of entitlement thereto, shall, except as may otherwise be provided in the Staff Regulations, conform whenever appropriate with the United Nations common system, as applied by the International Maritime Organization (IMO). Changes to the IMO Staff Regulations and Staff Rules therefore have to be reflected, *mutatis mutandis*, in the 1992 Fund's Staff Regulations and Rules.

2 The Director shall issue amendments to the 1992 Fund's Staff Rules necessary to implement the Staff Regulations. Such amendments shall be reported to the Assembly (Staff Regulation 31).

3 Changes made to the IMO Staff Regulations and Staff Rules since the 3rd session of the Assembly of the 1992 Fund were reported by the Secretary-General of IMO in IMO documents C 80/14, C 81/10, C 81/10/Add.1, C 82/9 and C 82/9/Add.1. The amendments relate to staff assessment and the scale of pensionable remuneration for staff in the Professional and higher categories and to salary scales, dependency allowances, education grants, recovery of payments made in error and retroactivity of payments for staff in all categories. In addition, the Director has amended rules relating to sick leave and language allowance.

#### 4 Salary scale for staff in the Professional and higher categories

4.1 At its 1998 session, the United Nations General Assembly approved a recommendation of the International Civil Service Commission (ICSC) to consolidate several classes of post adjustment into the base salary scale for staff in the Professional and higher categories, with effect from 1 March 1999. For

London, the effect of this consolidation is neutral in income terms. Whilst base salaries increased by 2.48%, the post adjustment payments decreased by a corresponding amount.

4.2 In accordance with prior authority given to him by the IMO Council, the Secretary-General of IMO implemented a new salary scale for staff in the Professional and higher categories with effect from 1 March 1999.

4.3 The Director implemented the new scale of base salaries with effect from 1 March 1999. This scale, which is reproduced in Annex I to this document, forms a new Annex A to the 1992 Fund's Staff Rules.

## **5 Staff assessment for staff in the Professional and higher categories**

5.1 The staff assessment rates are based on a weighted average of the national income taxes at the seven headquarters locations of the United Nations system. These rates are utilised - by reverse application on the net salaries - to obtain the gross salaries of staff in the Professional and higher categories. At its 1998 session, the United Nations General Assembly approved a recommendation of the ICSC to amend the rate of staff assessment for staff with neither a dependent spouse nor a dependent child with effect from 1 March 1999.

5.2 In accordance with prior authority given to him by the IMO Council, the Secretary-General of IMO implemented this amendment to the scale of staff assessment for staff in the Professional and higher categories with effect from 1 March 1999.

5.3 The Director implemented the corresponding amendments to the scale of staff assessment with effect from 1 March 1999. This amended scale, which is reproduced in Annex II to this document, forms Annex B to the 1992 Fund's Staff Rules.

## **6 Scale of pensionable remuneration for staff in the Professional and higher categories**

6.1 The scale of pensionable remuneration for staff in the Professional and higher categories is used to calculate contributions to the 1992 Fund's Provident Fund. This scale is subject to an adjustment mechanism approved by the United Nations General Assembly and implemented by the ICSC. As part of the approved adjustment process a new scale of pensionable remuneration for staff in the Professional and higher categories was issued by the ICSC with effect from 1 November 1998. The increase in pensionable remuneration amounted to 2.73%.

6.2 In accordance with prior authority given to him by the IMO Council, the Secretary-General of IMO implemented this new scale of pensionable remuneration for staff in the Professional and higher categories with effect from 1 November 1998.

6.3 The Director implemented the corresponding new scale of pensionable remuneration with effect from 1 November 1998. The scale, which is reproduced in Annex III to this document, forms a new Annex E to the IOPC Fund's Staff Rules.

## **7 Dependency allowances for staff in the Professional and higher categories**

7.1 At its 1998 session, the United Nations General Assembly approved a recommendation of the ICSC to increase the dependency allowance for children and secondary dependants for staff in the Professional and higher categories by 14.6%.

7.2 In accordance with prior authority given to him by the IMO Council, the Secretary-General of IMO implemented the increased allowances for staff in the Professional and higher categories with effect from 1 January 1999.

7.3 The Director made amendments to Rule IV.10(a) of the 1992 Fund's Staff Rules to reflect the increased allowances introduced within IMO. The revised text of Staff Rule IV.10 is reproduced at Annex IV to this document.

## **8 General Service salary scale**

8.1 The General Service salary scale is subject to interim adjustments in accordance with recommendations by the ICSC. These adjustments are based on an average of the movement of the United Kingdom Retail Price Index (RPI) and the United Kingdom Average Earnings Index (AEI). Increases are implemented as of the first day of the month following that in which the average of the increases of the RPI and AEI has reached or overtaken a level of 5% above its level at the previous adjustment. If this increase has not reached 5% or more within one year, the interim adjustment is made on an annual basis. The increase in net salaries corresponds to 90% of the movement of the average index.

8.2 In accordance with the above mechanism, an increase in the General Service salary scale became due on 1 October 1998. The increase in salaries amounted to 3.4%. This increase was implemented within IMO from 1 October 1998.

8.3 The Director introduced the corresponding new salary scale for 1992 Fund staff in the General Service category with effect from 1 October 1998, to reflect the changes within IMO. This scale, which is reproduced in Annex V to this document, forms a new Annex C to the IOPC Fund's Staff Rules.

## **9 Dependency allowances for staff in the General Service category**

9.1 In connection with the new salary scale for staff in the General Service category referred to in paragraph 8.2 above, the linked dependency allowances have been increased with effect from 1 October 1998 as set out below:

<i>Allowances</i>	<i>Staff joining on or after 1 July 1996 Net per annum</i>	<i>Staff joining prior to 1 July 1996 Net per annum</i>
Dependent spouse	£285	£430
First dependent child of a married staff member	£595	£595
First dependent child of a single, widowed or divorced staff member	£1 174	£1 174
Each additional dependent child	£484	£590

9.2 The Secretary-General of IMO implemented the revised allowances with effect from 1 October 1998.

9.3 The Director introduced the corresponding new dependency allowances with effect from 1 October 1998. The revised allowances are set out in Annex C of the 1992 Fund's Staff Rules, which is reproduced in Annex V to this document.

### **Education grant**

9.4 At its 1998 session, the United Nations General Assembly approved a recommendation of the ICSC to increase the maximum education expenses in certain currency areas.

9.5 In accordance with prior authority given to him by the IMO Council, the Secretary-General of IMO implemented the recommendations with effect from the academic year in progress on 1 January 1999.

9.6 The Director made amendments to Rule IV.9 of the IOPC Fund's Staff Rules to reflect the increased amounts introduced within IMO. The revised text of Staff Rule IV.9 is reproduced at Annex VI to this document.

**10     Recovery of payments made in error and retroactivity of payments**

10.1     In December 1998, the Secretary-General of IMO introduced two new rules to the IMO Staff Rules relating to recovery of payments made in error and retroactivity of payments.

10.2     The Director introduced the corresponding provisions in new Rules IV.14 and IV.15 of the 1992 Fund's Staff Rules with effect from 1 August 1999. The text of Staff Rules IV.14 and IV.15 is reproduced at Annex VII to this document.

**11     Language allowance for staff in the General Service category**

As the result of the Assembly's decision to introduce Spanish as an official language of the 1992 Fund with effect from 1 January 1999, the Director has amended Staff Rule IV.4 relating to language allowance for staff in the General Service category. The amended text of Staff Rule IV.4 is reproduced at Annex VIII to this document.

**12     Sick leave**

Staff Rule VIII.I (vi) provides:

"except with the approval of the Director, no staff member may be granted sick leave for a period of more than three consecutive working days without producing a certificate from a duly qualified medical practitioner, to the effect that he/she is unable to perform his or her duties and stating the nature of the illness, and the probable duration of incapacity. Such certificate shall, except in circumstances beyond the control of the staff member, be produced not later than the end of the fourth working day following the initial absence from duty of the staff member; "

The Director has found that only in some cases will a General Practitioner issue a medical certificate after only four days of absence (with a fee). Ordinarily, a National Health Service medical certificate is only issued after the seventh day of the absence. As a result the Director has amended Staff Rule VIII.I. The revised text is reproduced at Annex IX to this document.

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

The Assembly is invited to take note of the information contained in this document.

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**New Annex A to the Staff Rules**  
**SALARY SCALE FOR THE PROFESSIONAL AND HIGHER CATEGORIES SHOWING ANNUAL GROSS SALARIES**  
**AND NET EQUIVALENTS AFTER APPLICATION OF STAFF ASSESSMENT**  
**(in US Dollars)**  
**(Effective 1 March 1999)**

Steps

Grade	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
P.1	36 422	37 791	39 157	40 525	41 891	43 258	44 627	46 018	47 418	48 820					
Net(D)	30 044	31 001	31 956	32 912	33 867	34 822	35 779	36 734	37 689	38 645					
Net(S)	28 341	29 222	30 102	30 983	31 863	32 743	33 625	34 494	35 359	36 226					
P.2	47 805	49 265	50 721	52 180	53 636	55 098	56 594	58 087	59 585	61 080	62 573	64 071			
Net(D)	37 953	38 949	39 942	40 937	41 930	42 925	43 920	44 913	45 909	46 903	47 896	48 892			
Net(S)	35 598	36 501	37 401	38 302	39 202	40 105	41 021	41 934	42 851	43 766	44 680	45 596			
P.3	59 386	61 057	62 731	64 400	66 088	67 782	69 477	71 174	72 867	74 564	76 275	77 994	79 711	81 430	83 148
Net(D)	45 777	46 888	48 001	49 111	50 224	51 335	52 447	53 560	54 671	55 784	56 895	58 007	59 118	60 230	61 342
Net(S)	42 730	43 752	44 776	45 798	46 821	47 843	48 865	49 888	50 909	51 932	52 951	53 970	54 989	56 008	57 027
P.4	72 631	74 438	76 257	78 085	79 917	81 743	83 573	85 403	87 232	89 060	90 898	92 756	94 606	96 459	98 311
* Net(D)	54 516	55 701	56 883	58 066	59 251	60 433	61 617	62 801	63 984	65 167	66 349	67 536	68 718	69 902	71 086
* Net(S)	50 767	51 856	52 940	54 024	55 111	56 194	57 279	58 364	59 448	60 533	61 594	62 636	63 674	64 713	65 753
* P.5	88 099	89 975	91 875	93 775	95 674	97 571	99 471	101 371	103 269	105 169	107 067	108 966	110 878		
Net(D)	64 545	65 759	66 973	68 187	69 401	70 613	71 827	73 041	74 254	75 468	76 681	77 894	79 108		
Net(S)	59 963	61 075	62 142	63 208	64 273	65 337	66 403	67 469	68 534	69 600	70 665	71 730	72 773		
D.1	99 848	101 948	104 047	106 142	108 243	110 346	112 476	114 605	116 732						
Net(D)	72 068	73 410	74 751	76 090	77 432	78 773	80 115	81 456	82 796						
Net(S)	66 615	67 793	68 970	70 146	71 324	72 493	73 617	74 741	75 864						
D.2	112 824	115 311	117 797	120 283	122 768	125 256									
Net(D)	80 334	81 901	83 467	85 033	86 599	88 166									
Net(S)	73 801	75 114	76 427	77 739	79 052	80 365									
ASG	137 683														
Net(D)	95 995														
Net(S)	86 926														
USG	151 440														
Net(D)	104 662														
Net(S)	94 190														

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

Annex I

92FUND/A.4/17

Annex IINew Annex B to the Staff Rules**STAFF ASSESSMENT RATES FOR PROFESSIONAL AND HIGHER CATEGORIES**

(a) Staff assessment rates for purposes of pensionable remuneration and pensions

<b>Total assessable payments (in US dollars)</b>	<b>Percentage (effective 1 January 1997)</b>
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

(b) Staff assessment rates used in conjunction with gross base salaries.

<b>Total assessable payments (in US dollars)</b>	<b>Staff member with a dependent spouse or a dependent child (effective 1 January 1997) %</b>	<b>Staff member with neither a dependent spouse nor a dependent child (effective 1 March 1999) %</b>
First \$15 000 per year	9.0	11.8
Next \$5 000 per year	18.1	24.4
Next \$5 000 per year	21.5	26.9
Next \$5 000 per year	24.9	31.4
Next \$5 000 per year	27.5	33.4
Next \$10 000 per year	30.1	35.6
Next \$10 000 per year	31.8	38.2
Next \$10 000 per year	33.5	38.8
Next \$10 000 per year	34.4	39.7
Next \$15 000 per year	35.3	40.7
Next \$20 000 per year	36.1	43.9
Remaining assessable payments	37.0	47.6

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New Annex E to the Staff Rules

**Pensionable remuneration for Professional and higher categories  
(in United States dollars)  
Effective 1 November 1998**

**Steps**

Grade	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
P.1	48 508	50 178	51 842	53 508	55 174	56 838	58 507	60 171	61 836	63 503					
P.2	62 294	64 031	65 763	67 497	69 229	70 963	72 696	74 427	76 164	77 896	79 628	81 363			
P.3	75 932	77 871	79 810	81 745	83 685	85 622	87 559	89 500	91 529	93 649	95 767	97 886	100 004	102 122	104 243
* P.4	91 233	93 491	95 744	97 998	100 256	102 510	104 766	107 022	109 277	111 531	113 785	116 046	118 299	120 554	122 811
* P.5	110 348	112 661	114 974	117 287	119 601	121 911	124 225	126 539	128 849	131 163	133 476	135 795	138 274		
D.1	124 684	127 241	129 797	132 349	134 906	137 590	140 329	143 069	145 804						
D.2	140 777	143 976	147 175	150 371	153 570	156 769									
ASG	169 298														
USG	183 168														

Annex IV

**AMENDMENT TO STAFF RULE IV.10**

*(Amendments underlined)*

**RULE IV.10**

Dependency Allowances

- (a) Staff members in the Professional and higher categories shall be entitled to receive dependency allowances for a dependent child, a disabled child and a secondary dependant as follows:
  - (i) \$1 730 per annum for each dependent child except that, where there is no dependent spouse, no allowance shall be paid for the first dependent child in respect of whom the dependency rate of staff assessment shall apply. When a dependent child is determined by the Director, on the basis of medical evidence, to be physically or mentally handicapped either permanently or for a period expected to be of long duration, the allowance shall be \$3 460 per annum except where the staff member has no dependent spouse and staff assessment is applied at the dependency rate in respect of the child, in which case an allowance of \$1 730 per annum shall be payable.
  - (ii) where there is no dependent spouse, a single annual allowance of \$619 for either a dependent parent, a dependent brother or dependent sister.
- (b)-(h) [unchanged]

\* \* \*



**New Annex C to the Staff Rules**

**GENERAL SERVICE CATEGORY - SALARIES**  
**Showing annual gross and net after application of staff assessment**  
**(In Pounds Sterling)**  
**Effective 1 October 1998**  
**Steps**

Grade		I	II	III	IV	V	VI	VII	VIII	IX	X	XI
G.1	Gross	13822	14402	14981	15559	16138	16718	17296	17876	18455	19033	19612
	Gross Pensionable	13895	14473	15051	15631	16209	16789	17367	17949	18537	19123	19709
	Total Net/Net Pensionable	11140	11586	12032	12477	12923	13370	13815	14261	14707	15152	15598
G.2	Gross	15559	16208	16855	17504	18151	18798	19447	20092	20741	21389	22035
	Gross Pensionable	15631	16278	16926	17574	18227	18885	19540	20196	20854	21509	22165
	Total Net/Net Pensionable	12477	12977	13475	13975	14473	14971	15471	15968	16467	16966	17464
G.3	Gross	17502	18228	18954	19681	20407	21134	21861	22587	23315	24041	24767
	Gross Pensionable	17572	18306	19043	19779	20515	21252	21988	22731	23477	24224	24969
	Total Net/Net Pensionable	13973	14532	15091	15651	16210	16770	17330	17889	18449	19008	19567
G.4	Gross	19679	20492	21305	22117	22931	23744	24557	25391	26237	27082	27927
	Gross Pensionable	19777	20600	21424	22250	23084	23918	24754	25587	26422	27257	28092
	Total Net/Net Pensionable	15650	16276	16902	17527	18154	18780	19406	20031	20657	21283	21908
G.5	Gross	22117	23028	23939	24851	25800	26746	27695	28642	29591	30536	31484
	Gross Pensionable	22250	23184	24120	25055	25989	26925	27860	28794	29737	30678	31619
	Total Net/Net Pensionable	17527	18228	18930	19632	20334	21034	21736	22437	23139	23839	24540
G.6	Gross	24854	25915	26977	28039	29101	30164	31226	32285	33349	34409	35472
	Gross Pensionable	25057	26105	27153	28199	29252	30307	31361	32416	33470	34524	35580
	Total Net/Net Pensionable	19634	20419	21205	21991	22777	23563	24349	25133	25920	26705	27491
G.7	Gross	28038	29226	30415	31603	32789	33978	35166	36353	37562	38836	40112
	Gross Pensionable	28198	29376	30555	31736	32916	34095	35276	36463	37652	38839	40027
	Total Net/Net Pensionable	21990	22869	23749	24628	25506	26386	27265	28143	29023	29902	30782

The difference between steps I - X within grades indicates annual increments awarded on the basis of satisfactory service. Step XI at all grades is only awarded to staff with over 20 years of service who have been at step X for five years and demonstrated an entirely satisfactory service record.

	<i>Staff joining on or after 1 July 1996 Net per annum</i>	<i>Staff joining prior to 1 July 1996 Net per annum</i>
<b>Allowances</b>		
Dependent spouse .....	285	430
First dependent child of a married staff member .....	595	595
First dependent child of a single, widowed or divorced staff member .....	1 174	1 174
Each additional dependent child .....	484	590
Secondary dependant (where there is no dependent spouse, for either a dependent parent, dependent brother or dependent sister) .....	Nil	Nil
Language allowance (to be included in pensionable remuneration) .....	714	714

**Annex V**

Annex VI

**AMENDMENT TO STAFF RULE IV.9**

*(Amendments underlined)*

**RULE IV.9**

Education Grant

Definitions

- (a) [unchanged]

Eligibility

- (b)-(c) [unchanged]

Amount of the Grant

- (d) In the case of attendance at an educational institution outside the duty station, the amount of the grant shall be:
- (i) Where the institution provides board for the child, the sum of 75% of the cost of attendance and board, up to a maximum grant of \$9 750 per year;
  - (ii) where the institution does not provide board, \$3 164 plus 75% of the cost of attendance, up to a maximum grant of \$9 750 per year.
- (e) In the case of attendance at an educational institution at the duty station, the amount of the grant shall be 75% of the cost of attendance, up to a maximum of \$9 750 per year.

- (f)-(g) [unchanged]

Travel

- (h) [unchanged]

Tuition of the Mother Tongue

- (i) [unchanged]

Claims

- (j) [unchanged]

Local Currency

- (k) [unchanged]

Special Education Grant for Disabled Children

- (l) [unchanged]

- (m) The amount of the grant shall be 100% of the educational expenses actually incurred, up to a maximum grant of \$13 000 per year. If the disabled child is eligible for the regular education grant, the total amount payable under the two types of grant shall not exceed \$13 000 per year. "Educational expenses" reimbursable under the special education grant shall comprise the expenses incurred to provide an educational programme designed to meet the needs of the disabled child in order that he may obtain the highest possible level of functional ability. Expenses for special equipment required for the rehabilitation of a disabled child may be reimbursed, if not otherwise covered under health insurance, up to a maximum of \$1 000 per annum.

- (n)-(r) [unchanged]

\* \* \*

Annex VII

**NEW STAFF RULES IV.14 AND IV.15**

**RULE IV.14**

Recovery of payments made in error

- (a) The 1992 Fund shall be entitled to recover any payment made to a staff member in error or entitlement given in error provided that, except in cases where the bad faith of the staff member is established:
  - (i) the right of the 1992 Fund to recovery shall lapse two years after an overpayment has been made or, if several overpayments have been made over a period of time, two years after the last overpayment;
  - (ii) recovery of overpayments made over a period of time shall be limited to an amount equal to the overpayments made during the 12 months immediately preceding the last overpayment.
- (b) Unless otherwise agreed, reimbursement shall be made by deductions, over a period not exceeding 12 months, from the monthly or other payments due to the staff member concerned or from final payments in the case of a staff member separating from service.

**RULE IV.15**

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 a written claim:

- (i) 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;
- (ii) in every other case, within one year following the date on which the staff member would have been entitled to the initial payment.

\* \* \*

Annex VIII

**AMENDMENT TO STAFF RULE IV.4**

*(Amendments underlined)*

Language allowance

- (a) The language allowance referred to in Annex C shall be paid to a staff member in the General Service category who passes a test prescribed by the Director and who demonstrates continued proficiency in the use of two or three official languages of the 1992 Fund.
- (b) The amount of the allowance for a second official language shall be that specified in Annex C to these Rules; the allowance for the third official language shall be half that amount.
- (c) The language allowance shall be taken into account in determining Provident Fund, medical and group insurance contributions, overtime compensation and payments and indemnities on separation.

\* \* \*

Annex IX

**AMENDMENT TO STAFF RULE VIII.1**

*(Amendments underlined)*

**RULE VIII.1**

Sick leave

- (a) (i) - (v) [unchanged]
  - (vi) except with the approval of the Director, no staff member may be granted sick leave for a period of more than seven consecutive days without producing a certificate from a duly qualified medical practitioner, to the effect that he/she is unable to perform his or her duties and stating the nature of the illness, and the probable duration of incapacity. Such certificate shall, except in circumstances beyond the control of the staff member, be produced not later than the end of the eighth day following the initial absence from duty of the staff member;
  - (vii) - (ix)  
[unchanged]
  - (b) When sickness of more than seven consecutive days occurs within a period of annual leave, including home leave, sick leave may be approved on production of an appropriate medical certificate or other satisfactory evidence. In such circumstances, a staff member should submit his/her request for sick leave together with supporting certificate or other evidence as soon as practicable, and in any event immediately on his/her return to duty.
  - (c)- (d)  
[unchanged]
-