

INTERNATIONAL OIL POLLUTION
COMPENSATION FUND

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ADOPTION OF STAFF REGULATIONS

Note by the Secretariat of IMCO

Annexed hereto are the Provisional Staff Regulations for the Fund as adopted by the first session of the Assembly. In accordance with Regulation 27 they shall be deemed to be provisional until the next session of the Assembly.

ANNEX

PROVISIONAL
STAFF REGULATIONS
FOR THE
INTERNATIONAL OIL POLLUTION COMPENSATION FUND
(hereinafter referred to as "the Fund")

SCOPE AND PURPOSE

The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of the Director and other staff members of the Secretariat of the Fund. They represent the broad principles of personnel policy for the staffing and administration of the Secretariat.

I. Duties and ObligationsRegulation 1

The Director and all other staff members of the Secretariat of the Fund are international civil servants. Their responsibilities are not national but exclusively international. By accepting appointment, they pledge themselves to discharge their functions and to regulate their conduct with the interests of the Fund only in view. In the performance of their duties they shall neither seek nor accept instructions from any Government or from any authority external to the Fund. All staff members of the Secretariat are subject to the authority of the Director and are responsible to him in the exercise of their functions.

Regulation 2

Every staff member of the Secretariat, on taking up his duties, shall make and sign the following oath or declaration:

"I solemnly swear (undertake, affirm, promise) to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the International Oil Pollution Compensation Fund to discharge these functions and regulate my conduct with the interests of the Fund only in view, and not to seek or accept instructions in regard to the performance of my duties from any Government or from any authority external to the Fund."

Regulation 3

Any privileges and immunities accorded to the Fund are conferred in the interests of the Fund. No such privileges and immunities shall excuse staff members of the Secretariat from the performance of their private obligations or from the observance of laws and regulations otherwise applicable to them. Any incident giving rise to controversy on the applicability of any privilege or immunity shall immediately be reported by the staff member of the Secretariat concerned to the Director with whom alone it rests to decide whether such privilege or immunity shall be waived. In the case of the Director, the Assembly or the Executive Committee shall decide whether the privileges and immunities shall be waived.

Regulation 4

Staff members of the Secretariat shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person any information known to them by reason of their official position which has not been made public, except so far as is necessary for their duties or by authorization of the Director. Nor shall they at any time use such information to private advantage. These obligations do not cease upon separation from the Secretariat of the Fund.

Regulation 5

Staff members of the Secretariat are not expected to give up their national sentiments or their political or religious convictions, and they may exercise their right to vote. However, they shall avoid any action, and in particular any kind of public pronouncement or political activity, which may adversely reflect on their position as international civil servants, at all times bearing in mind the reserve and tact incumbent upon them by reason of their international status.

Regulation 6

The whole time of staff members of the Secretariat shall be at the disposal of the Director and they shall not accept or hold any office or engage in any occupation or activity incompatible with the proper discharge of their duties. In particular, they shall not participate in any manner or have any financial interest in an enterprise whose aims or activities are closely related to those of the Fund.

Regulation 7

No staff member of the Secretariat shall accept any honour, decoration, favour, gift or remuneration from any government or other source without the Director's prior agreement. Agreement shall be granted only in exceptional cases and provided acceptance is not incompatible with the individual's status as an international civil servant.

II. Appointment, Renewal and Promotion

Regulation 8

Within the budgetary and other limits established by the Assembly and the Executive Committee, as appropriate, the Director shall appoint the staff members of the Secretariat and such other additional personnel for short-term duties and assignments as may be found necessary. Each staff member of the Secretariat shall receive a letter of appointment in accordance with the provisions of the Annex to these Regulations, signed by the Director or his duly authorized representative.

Regulation 9

The paramount consideration in the appointment of staff members of the Secretariat of the Fund shall be to secure the highest standards of efficiency, competence and integrity. Subject to this requirement, all persons shall be equally eligible for all posts in the Secretariat without distinction as to sex, race, creed or religion.

Regulation 10

Selection shall normally be made on a competitive basis. Subject to this, recruitment shall be on as wide a geographical basis as possible and with a view to ensuring equitable representation in the Secretariat of nationals of the States Parties to the Fund Convention.

Regulation 11

Staff members of the Secretariat shall normally be appointed on a fixed-term basis for service of a prescribed duration. Appointments may be renewed but shall not carry any legal entitlements, express or implied,

to such renewal. The maximum period of a fixed-term appointment shall be five years.

Regulation 12

The Director shall establish appropriate medical standards which persons shall be required to meet before appointment.

III. Classification of Posts

Regulation 13

Subject to the budgetary provisions made by the Assembly of the Fund, the Director shall determine appropriate categories and grades for established posts, on the basis of the classification standards approved by the Assembly or the Executive Committee.

IV. Salaries and Related Allowances

Regulation 14

The salaries, allowances and grants and the conditions of entitlement thereto, for all staff members of the Secretariat shall, except as may be otherwise provided in the Staff Regulations, conform whenever appropriate with those applied in the United Nations common system.

Regulation 15

The terms and conditions of service of the Director shall be determined by the Assembly or the Executive Committee with reference to the provisions of Regulation 14 and shall be specified in a contract between the Director and the Fund represented by the Chairman of the Assembly or of the Executive Committee.

V. Leave

Regulation 16

Staff members of the Secretariat shall be allowed annual leave, sick leave, maternity leave and home leave, and may be allowed special leave with or without pay under the conditions specified in the Staff Rules.

VI. Separation

Regulation 17

The normal age of retirement for staff members of the Secretariat shall be 60 years. This age limit may be extended in the interest of the Fund in exceptional cases.

Regulation 18

An appointment may be terminated by the Director before the expiry date if it becomes necessary to abolish the post or reduce the staff, if the services and conduct of the individual concerned prove unsatisfactory, or if the staff member of the Secretariat concerned is, for reasons of health, incapacitated for further service.

Regulation 19

The terms and conditions governing termination under Regulation 18, including provisions for the payment of termination indemnity, shall be specified in the Staff Rules.

Regulation 20

Where it is not intended to offer reappointment to a staff member of the Secretariat serving under a fixed-term contract, that staff member of the Secretariat shall be entitled to be informed of the intention not to offer reappointment at least six months before the date of expiry of the contract.

Regulation 21

Unless otherwise specified in the letter of appointment, thirty days' written notice of resignation shall be given by staff members of the Secretariat. The Director may, however, accept resignations on shorter notice.

VII. Travel and Removal Expenses

Regulation 22

The Fund shall pay the travel and related expenses, including removal costs, of staff members of the Secretariat and their dependants on the terms and conditions specified in the Staff Rules.

VIII. Social Security

Regulation 23

Staff members of the Secretariat shall be entitled to appropriate compensation in the event of death, injury or illness attributable to the performance of official duties on behalf of the Fund, on terms and conditions specified in the Staff Rules. Health and accident insurance schemes shall be made available to staff members of the Secretariat in accordance with the relevant provisions of the Staff Rules.

IX. Staff Relations

Regulation 24

Staff members of the Secretariat shall be entitled to make proposals to the Director regarding personnel policies and general questions of staff welfare.

XI. General Provisions

Regulation 25

These Regulations may be supplemented or amended by the Assembly or the Executive Committee, without prejudice to the acquired rights of staff members of the Secretariat.

Regulation 26

The Director shall issue Staff Rules and administrative instructions necessary to implement these Regulations. These will be subject to confirmation by the next session of the Assembly or the Executive Committee, as appropriate.

Regulation 27

These Regulations shall be deemed to be provisional until the next session of the Assembly.
