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**Brussels, 2 February 2006**

## STAFF REGULATIONS OF THE ACP SECRETARIAT

[Adopted by the ACP Council of Ministers  
by Decision N°.2/LXXVIII/03]

[Revised pursuant to application of Decision No  
6/LXXX11/05 of the ACP Council of Ministers of 9  
December 2005]

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### ANNEXES TO STAFF REGULATIONS [DOC.ACP/41/018/03 Rev.5]

I	- Acting, Temporary and Cabinet Appointments
II	- Recruitment Procedure
III	- Salary Scales
IV	- Staff Allowances
V	- Conditions of Service for locally recruited members of staff

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## **THE COUNCIL OF MINISTERS :**

**HAVING REGARD** to the Georgetown Agreement creating the ACP Group;

**HAVING REGARD** to Decision No. 5/LXX/99 of the 70<sup>th</sup> Session of Council of 24 November 1999 on the implementation of Decision No. 4 of the first ACP Summit of Heads of State and Government;

**TAKING NOTE** of the reforms undertaken within the Secretariat since the year 2000;

**DESIROUS** of undertaking a general revision of the Staff Regulations to take account of the restructuring of the Secretariat as well as the need to align them with international standards and practices;

**HAVING CONSIDERED** the financial implications of the proposed amendments to the Staff Regulations;

### **HEREBY DECIDES:**

1. to adopt the Staff Regulations as set out in Document ACP/41/017/03 Rev. 5 and the accompanying annexes (Doc. ACP/41/018/03 Rev. 4; and
2. that the effective date of implementation shall be 1 January 2004 with the exception of Article 4 concerning the “L” category and the corresponding Annex V, which shall be implemented as from 1 January 2005.
3. to mandate the Committee of Ambassadors and the Secretary-General to complete the examination of the two long-standing issues of staff reclassification and the salary scale, and to submit a report to the next budgetary session of Council for a decision to be taken.

## **TITLE I : GENERAL PROVISIONS**

### **ARTICLE 1**

1. These Staff Regulations and Annexes define the basic conditions of service, rights, privileges, duties and obligations of the staff of the General Secretariat of the ACP Group of States.
2. Save otherwise expressly stipulated, these Staff Regulations shall apply to all members of staff of the General Secretariat of the ACP Group.

### **ARTICLE 2**

For the purpose of these Staff Regulations, a member of staff of the General Secretariat of the ACP Group of States means any person who has been appointed in conformity with these Staff Regulations, to a post in the ACP General Secretariat.

### **ARTICLE 3**

The Council of Ministers shall, on the recommendation of the Secretary-General determine the number, designation and qualifications of the posts to which members of staff of the General Secretariat may be appointed taking into account the need to ensure an efficient structure to carry out the objectives of the Georgetown Agreement.

### **ARTICLE 4**

The staff under these regulations shall be classified into categories and grades in the following hierarchical order:

1. The Secretary-General
2. The Assistant Secretaries-General
3. Professional Staff
4. General Services Staff

The Professional staff who are technically specialised in their field and possess academic qualifications at the appropriate university level shall be classified into 3 categories:

1. The first category shall comprise staff carrying out advisory, management and supervisory functions. It shall be classified as P5.
2. The second category shall comprise staff engaged in duties, which require them to exercise authority, carry out advisory duties, or undertake research. It shall be classified as P4.
3. The third category shall comprise staff performing executive and specialized duties. It shall be classified as grades P3, P2 and P1.

General Services staff who carry out duties in accordance with established practices and procedures shall be classified into two categories.

1. The first category shall comprise qualified administrative staff performing General Services duties. It shall be classified, as grades GS5, GS4, GS3, GS2 and GS1.
2. The second shall comprise locally recruited staff performing service or routine clerical duties. It shall be classified as grades L5, L4, L3, L2 and L1.

This category shall comprise staff subject to the labour legislation of the country of employment or staff who are covered by an equivalent regime. The application of this equivalent system shall be stipulated in Annex V of these regulations.

## **TITLE II: RECRUITMENT AND APPOINTMENT**

### **ARTICLE 5**

1. To be appointed a member of staff of the General Secretariat, an applicant shall fulfill the following general conditions:
  - a) be a national of one of the Member States of the ACP Group (this condition shall not apply to Category L staff);
  - b) be of good character and without a criminal record;
  - c) have the requisite qualifications for the post;
  - d) have a good command of English or French or Portuguese or Spanish. A working knowledge of one of the other three would be an added advantage;
  - e) satisfy the recruitment procedures as per Annex II titled Recruitment Procedure; and

- f) submit a medical certificate to the ACP General Secretariat certifying that he/she is fit to carry out the assigned duties. The Secretariat reserves the right to have a staff member additionally examined by its own appointed medical practitioner.
2. Prior to an appointment being made, the Secretariat shall reserve the right to verify any information regarding the nationality, judicial record or good character of the applicant.

#### **ARTICLE 6**

All appointments shall correspond to vacant posts within the limits of the budget.

#### **ARTICLE 7**

In the recruitment of members of the staff of the Secretariat, account shall be taken of equitable geographical distribution among the ACP States, bearing in mind the need to ensure the smooth running and efficiency of the ACP General Secretariat.

#### **ARTICLE 8**

1. The vacancy of the post of Secretary-General shall be communicated to the Member States through the President of the Council of Ministers, six months prior to the expiry of the term of office of the incumbent.
2. The vacancy of the posts of Assistant Secretaries-General shall be communicated to the Member States by the Secretary-General. The incumbent Assistant Secretaries-General may be requested to remain at post until the replacement takes up office. However, this period shall not exceed one year.
3. In the case of the professional and general services categories, the Secretary-General shall simultaneously notify Member States of the ACP Group and the staff members at post of all vacancies. However, the post shall be given to an internal candidate if he/she possesses all the requisite qualifications and is at the same level of competence as the external candidates.
4. Where an appointment needs to be made owing to service requirements, the Secretary-General may, in accordance with Annex I titled Acting, Temporary and Cabinet Appointments:
  - a. make an acting appointment from within the Secretariat, temporarily re-deploy a staff member to the post or, if these are not possible;
  - b. make a temporary recruitment from outside the Secretariat.

## **ARTICLE 9**

The Secretary-General shall be appointed by the Council of ACP Ministers.

## **ARTICLE 10**

The normal term of office of the Secretary General shall be five (5) years save otherwise decided by the Council of Ministers. It may be renewed only once.

At least three months prior to expiry, the Council of Ministers shall inform the Secretary General of its decision to renew or extend his appointment.

## **ARTICLE 11**

The Assistant Secretaries-General shall be appointed by the Secretary-General after consultations with the regions concerned, in keeping with the principle of regional representation, on the basis of competence and relevant qualifications.

## **ARTICLE 12**

Staff of the Professional and General Services categories shall be appointed by the Secretary-General in accordance with the provisions of Articles 5 and 7 and the procedures in Annex II titled Recruitment Procedure of these regulations.

## **ARTICLE 13**

1. A successful candidate for a post shall be issued with a contract duly signed by the Secretary-General.
2. All the terms of employment shall be clearly stipulated in the contract and its duration, save as provided for in Article 15, shall coincide with the Financial Protocol of the ACP-EC Partnership Agreement.
3. Six months before the end of each contract, the appointing authority shall notify the staff member of its offer to renew or extend it by indicating the duration of the contract. The staff member shall be required to make his answer known within one month following notification.

## **ARTICLE 14**

1. For the purposes of home leave and repatriation arrangements for themselves and their family members, the country of origin of members of staff shall be declared pursuant to Article 5 of these regulations.

2. The declaration of a country of origin for these purposes may be modified in special circumstances by the Secretary-General on the basis of a justified request of the staff concerned.

#### **ARTICLE 15**

1. All newly recruited members of staff shall serve a probationary period of twelve months.
2. Three months prior to the end of this probationary period the recruit's performance shall be assessed, and subject to satisfactory assessment, the staff member shall be given a letter of confirmation in the twelfth month of their service.
3. If the assessment of the recruit is not satisfactory, the provisions on separation from service shall apply. However, he/she shall be paid an additional one month's basic salary in lieu of a re-settlement grant.

#### **ARTICLE 16**

All appointments shall take effect from the date of departure of the appointees from the country of recruitment to take up their duties.

#### **ARTICLE 17**

1. Staff shall be subject to an annual assessment as set out in the Internal Rules and Administrative procedures. The system of assessment shall provide the means of measuring the performance of staff in the preceding year. This provision shall not apply to the Secretary-General.
2. Staff whose assessment is satisfactory shall advance along the salary scale applicable to the post.

#### **ARTICLE 18**

Any member of staff who acquires new skills or new qualifications relevant to his/her post may be entitled to a salary increment or any other appropriate benefits in accordance with the Internal Rules.

#### **ARTICLE 19**

Where a member of staff is appointed to fill a vacancy in a grade higher than that which he/she currently occupies, he/she shall enter that grade at its minimum level. However, if his/her current salary is already within the grade, he/she shall enter the grade at the step immediately higher than the salary he/she is currently receiving, provided that the increase is not less than the value of one step in his/her previous grade.

## ARTICLE 20

### SEPARATION FROM SERVICE

The separation from service of a member of staff may occur in the following circumstances:

**a) Resignation:**

A member of staff may resign by giving the Secretary-General three months' notice in writing, unless a shorter period of notice is mutually agreed upon.

During that period of notice, the member of staff shall not absent himself from his/her post unless duly authorized.

Such member of staff shall not benefit from the provisions in (b) hereunder.

**b) Termination of service:**

If the appointing authority takes the initiative to terminate the contract of a staff member, the former shall give to the latter six months' notice in writing unless a shorter period of notice is mutually agreed upon.

Except in the case of gross misconduct or termination of service on medical grounds, in which latter case, early retirement benefits shall apply, the staff member concerned shall be entitled to a severance settlement equal to:

- i. one third of current net monthly basic salary for each year of service from 1 to 5 years of service;
- ii. half of current net monthly basic salary for each year of service from 5 years and up to a maximum of 12 years of service.

**c) Dismissal:**

A member of staff may be dismissed on the following grounds:

- i. where he/she was appointed on the strength of forged documents;
- ii. where the conditions laid down in Article 5 (a) and (b) are no longer fulfilled;
- iii. when he/she has been proven incompetent or has committed an act of gross misconduct;
- iv. where, without prior authority, he/she leaves his/her post or does not resume duty after an authorized absence but remains absent for more than ten working days without any justifiable explanation.

**d) Retirement:**

Retirement shall take effect on the last day of the month in which the staff member reaches the age of 60. When the exigencies of the service so require, and taking into account the past performance of the officer, the Secretary-General may retain his/her services on a special contractual basis for a period of not more than one year.

**e) Early retirement:**

A staff member shall be eligible for early retirement provided he/she has been employed for a minimum of 20 years and is not older than 55 years of age.

A staff member wishing to proceed on early retirement shall make a written application to the Secretary-General six months prior to the date on which he/she intends to retire. This application shall be subject to the Secretary-General's approval.

Not more than two applications for early retirement shall be approved per annum.

Early retirement benefits shall be calculated on the basis of the following formula.

4% of the current annual net basic salary multiplied by the number of years of service.

Such staff shall not be entitled to a re-settlement grant.

**f) Incapacity:**

Where the staff member becomes incapacitated and this condition is certified by a medical practitioner, the requirement of notice in paragraph (a) shall be waived in these circumstances and the staff member shall benefit from a disability payment, which shall be calculated on the basis 4% of the current annual net basic salary multiplied by the number of years of service.

The travel expenses for the return voyage of such a member of staff shall be paid by the Secretariat as provided for in Article 54 of these regulations.

**TITLE III :**  
**GENERAL OBLIGATIONS, RESPONSIBILITIES AND**  
**PRIVILEGES OF STAFF**

**ARTICLE 21**

Members of staff shall perform the duties required of them by virtue of the Georgetown Agreement and, in particular, in conformity with the regulations regarding the organization of the ACP General Secretariat.

**ARTICLE 22**

1. Staff of the General Secretariat shall carry out their assigned duties with all diligence and attention.
2. They shall observe courtesy in their relations as far as the performance of their duties is concerned, and work at all times as a team.

**ARTICLE 23**

Members of staff shall perform their duties with the sole interest of the ACP States in mind.

**ARTICLE 24**

1. In the performance of their duties, members of staff shall observe absolute neutrality in their relations with ACP States and shall neither seek nor accept instructions from any Government or from any authority other than the ACP Secretary General.
2. They may not accept any distinction, decoration, gift or honorarium from any Government or authority except with the approval of the Secretary-General.

**ARTICLE 25**

1. The Secretary-General shall be accountable to the Council of Ministers and, in the periods between their sessions, to the Committee of Ambassadors.
2. Where, in the context of these Staff Regulations, it is provided that the Secretary General shall take decisions with respect to the staff, the Council of Ministers shall, on the recommendation of the Committee of Ambassadors, take such decisions with respect to the Secretary-General.
3. All members of staff shall be subject to the authority and direction of the Secretary-General and shall be responsible to him in the exercise of their functions.

## **ARTICLE 26**

1. Members of staff must abstain from any act particularly any public statement or publication liable to be incompatible with the normal accomplishment of their functions as members of staff of the ACP Secretariat.
2. They shall be bound to respect the confidentiality and sensitive nature of the information and documents entrusted to them in the performance of their duties.

## **ARTICLE 27**

Members of staff must abstain from all activities, remunerative or not, that might be incompatible with the performance of their duties or detrimental to the interests of the General Secretariat or of the ACP Group.

## **ARTICLE 28**

Members of staff of the General Secretariat may exercise the right of association without prejudice to the interests of the ACP Group.

## **ARTICLE 29**

Members of staff shall enjoy such privileges and immunities as may be accorded by Protocol N° 2 on privileges and immunities annexed to the ACP-EC Partnership Agreement.

## **ARTICLE 30**

Members of staff shall not use their titles or special privileges for personal or third party benefits.

## **ARTICLE 31**

1. Any member of staff may make a request or lodge a complaint to the Secretary-General concerning his/her personal situation within the General Secretariat. He/she must submit the request or complaint through the hierarchy, save when it concerns his/her immediate superior, in which case it must be submitted to the authority immediately higher, copied to the immediate supervisor.
2. The Secretary-General shall seek such advice as he/she may deem necessary and shall give his/her reasoned decision within a maximum of thirty calendar days from the date the request or claim is submitted. Any decision taken by the Secretary-General shall be communicated in writing to the member (s) of staff concerned.
3. Where the matter is of a disciplinary nature the Secretary-General may seek the advice of the Disciplinary Committee established under Article 32d) of these regulations.

## **TITLE IV: ADVISORY BODIES**

### **ARTICLE 32**

The Secretary-General shall set up bodies whose composition he/she shall determine to advise him on personnel matters as follows:

- a) Advisory Group: to advise the Secretary-General on general administrative matters. The Group shall be composed of six (6) members appointed by the Secretary-General, including three (3) proposed by the Staff Association.
- b) Recruitment Advisory Committee: This Committee shall carry out the following tasks:
  - i) Make recommendations to the Secretary-General on persons to be short-listed for interviews and tests for appointments in the Professional and General Services categories and;
  - ii) Conduct interviews and tests for the short-listed candidates and thereafter make recommendations to the Secretary-General.

The Committee shall function in accordance with Annex II titled Recruitment Procedure.

- c) Staff Assessment Disputes Advisory Committee: to advise the Secretary-General where a dispute arises regarding the assessment of a member of staff in the annual Assessment Report. This Committee shall function in accordance with the Internal Rules.
- d) Disciplinary Committee: to advise the Secretary-General on disciplinary matters. This Committee shall function in accordance with the Internal Rules.

## **TITLE V : CONDITIONS OF SERVICE**

### **ARTICLE 33**

The normal working hours shall be laid down by the Secretary-General.

### **ARTICLE 34**

1. Members of staff shall be entitled to 30 working days leave per annum, with full salary and allowances.

2. Annual leave may be carried over wholly or partly to the following year, if required by the exigencies of the service. However, such leave may not be accumulated beyond a maximum of 60 days. Any annual leave in excess of 60 days that is not taken shall be forfeited.

### **ARTICLE 35**

1. Upon the completion of each period of twenty-four (24) months of unbroken service, or exceptionally during the second twelve-month period, members of staff other than those in category L, their spouse and dependent children shall be entitled to return passage to their country of origin by the most direct and economical route.
2. Exceptionally, in cases of duly substantiated *force majeure*, this passage may be granted to another country of choice of the staff member, provided that the cost does not exceed the total value of the passage to the country of origin.
3. Dependent child attending an educational institution other than at the duty station shall be entitled to return passage as stated above to the country of origin or the duty station, as long as the cost of travel is no more than that of the cost of travel from the duty station to the country of origin.
4. Where a husband and wife are both members of the Secretariat staff and are both entitled to home leave, neither of them may be entitled to travel expenses as both member of staff and spouse. Similarly, travel costs shall be paid only once for their dependent children.

### **ARTICLE 36**

1. Staff shall be compensated for overtime in keeping with the provisions set out in the Internal Rules.
2. Subject to the exigencies of the service, all compensatory leave shall be taken in the year in which it is accumulated in keeping with the Internal Rules.

### **ARTICLE 37**

Staff who have travelled on official mission shall be entitled to recuperation leave in accordance with the Internal Rules.

### **ARTICLE 38**

Where a staff member is in active service for only part of the calendar year because of the date on which he/she takes up duty or ends his/her services, his/her leave shall be calculated on a pro-rata basis.

### **ARTICLE 39**

The Secretary-General may grant special leave upon application by members of staff. This leave when approved shall be taken in accordance with the Internal Rules.

### **ARTICLE 40**

Members of staff shall be granted sick leave to cover unavoidable absences from work owing to illness or accident or medical examination:

- a) In the event of sudden illness, members of staff shall be entitled to sick leave of not more than one day in each case and of not more than eight days in a calendar year, without submitting a medical certificate signed by a medical practitioner. The staff member concerned shall be required to inform his/her immediate supervisor directly.
- b) Members of staff may be authorized to take additional sick leave on full salary for up to three calendar months a year, on submission of an appropriate medical certificate.
- c) If a member of staff has already exhausted his/her sick leave entitlements under a) and b) above he/she may, at the discretion of the Secretary-General, be granted additional sick leave on half pay for a period not exceeding three months.
- d) If the illness of any of the members of staff exceeds 180 days, the question of his/her fitness for further service shall be considered by the Secretary-General on the basis of a full medical report.
- e) The Secretariat reserves the right to have the staff member additionally examined by its own appointed medical practitioner.

### **ARTICLE 41**

Save in the event of sickness or accident, a member of staff may not be absent from duty without prior permission from his/her immediate superiors. Any unauthorized or unjustified absence shall entail the application of disciplinary measures.

## **ARTICLE 42**

Female members of staff shall be entitled to maternity leave on full salary and allowances as follows:

1. Those in Professional and General Services categories -14 weeks.
2. Those in the Local category - in accordance with the local labour legislation.

## **ARTICLE 43**

1. In special cases and where the staff member has used up all his/her leave entitlements, the Secretary-General may grant him/her leave of absence with full pay for a period not exceeding-15 working days. This leave shall be deducted from the subsequent leave entitlements of the staff member.
2. The Secretary-General may grant leave without pay to members of staff for a period not exceeding six (6) months, renewable once.

## **ARTICLE 44**

A member of staff may, upon request, receive in advance any salary and allowance falling due during a period in which he shall be on leave.

## **TITLE VI: REMUNERATION**

### **ARTICLE 45**

1. The salaries and allowances, where applicable, of the members of staff of the General Secretariat are specified in Annexes III and IV of these Regulations titled Salary Scale and Staff Allowances respectively.
2. The salaries and allowances may be adjusted by the Council of Ministers on the recommendation of the Committee of Ambassadors in the light of the economic and social conditions in the place of employment.
3. Nonetheless, salaries and housing allowances will be adjusted annually in order to take account of trends in the cost of living and in purchasing power in the place of employment.

## **ARTICLE 46**

Members of staff other than category L staff, shall be entitled to the allowances set out in Annex IV as determined by the Council of Ministers. The entitlements of staff in category L who are not subject to the labour legislation of the country of employment are indicated in Annex V.

- a) **Settlement Grant:**  
A once-and-for-all settlement grant on first assumption of duty.
  
- b) **Housing allowance:**  
  
A housing allowance paid to staff in accordance with Annex IV of these regulations titled Staff Allowances. The Secretary-General, who is entitled to a furnished official residence, shall not be granted housing allowance.
  
- c) **Spouse Allowance:**  
For a spouse not gainfully employed and residing with the staff member.
  
- d) **Child Allowance:**  
For their dependent children.
  
- e) **Special needs child allowance**  
For their dependent children with medically certified special educational needs.
  
- f) **School Allowance:**  
Payable for the dependent child(ren) of eligible staff members up to the age of 24 years in full-time schooling (pre-primary, primary, secondary, higher and university or equivalent education) up to a fixed ceiling and excluding boarding and extra-curricular fees.
  
- g) **Transport Allowance:**  
This allowance is for official travel locally. It is paid to staff members in accordance with Annex IV of these regulations.
  
- h) **Re-settlement Grant:**  
A once-and-for-all, end-of-contract grant. Staff members who are dismissed shall not be so entitled.

## **ARTICLE 47**

When a husband and wife are employed by the General Secretariat and are both entitled to housing allowance, only one allowance shall be paid. This shall be granted to the spouse with the higher basic salary.

## **ARTICLE 48**

1. For the purposes of these Staff Regulations, a dependent child means the unmarried child of a member of staff or of his/her spouse or a legally adopted child up to the age of 21 years. A child beyond the age of 21 years shall continue to be considered as a dependent child in cases where the child's duly certified medical condition necessitates such consideration. The application of this provision regarding dependency beyond the age of 21 years shall be outlined in the Internal Rules.
2. The number of dependent children shall be limited to four.
3. Not more than one dependent-child allowance may be granted for one and the same child.
4. When a husband and wife with dependent children are in the employment of the General Secretariat, they shall be required to indicate which of them is actually responsible for the maintenance of each child.

## **TITLE VII: TRAVEL RULES AND EXPENSES**

### **ARTICLE 49**

All official journeys undertaken by members of staff shall be subject to a travel order duly issued by the Secretary-General.

### **ARTICLE 50**

1. Members of staff authorized to go on mission shall be entitled to per diem approved by the Committee of Ambassadors. On a proposal of the Secretary-General, the Committee of Ambassadors shall periodically review the scale of rates applicable.
2. Where the host country or authority bears the whole or part of the expenses of the member of staff, the per diem allowance shall be correspondingly abated.

### **ARTICLE 51**

1. Itineraries on official journeys shall be on the basis of the most direct and economical route.
2. The Secretary-General shall be entitled in all his/her travels to first-class passage.

3. The Assistant Secretaries-General shall be entitled to travel in business class when the journey is by air, and in first class for all journeys by rail.
4. The other members of staff shall travel in economy class when the journey is by air. They shall be entitled to first class travel for all journeys by rail.

#### **ARTICLE 52**

1. On first appointment, the Secretary-General, as well as his/her spouse and dependent children shall be provided with first-class passage by the most direct and economical route from the place of recruitment to that of employment.
2. On first appointment the Assistant Secretaries-General and their spouses and dependent children shall be provided with business-class passage by the most direct and economical route from the place of recruitment to that of employment.
3. On first appointment, all other members of staff other than those in - category 'L' shall be provided with economy-class passages by the most direct and economical route from the place of recruitment to that of employment for themselves, their spouses and dependent children.
4. Paragraph 1 and 2 above shall apply respectively in relation to the separation from service of the Secretary-General and the Assistant Secretaries- General.

#### **ARTICLE 53**

1. On first appointment, all members of staff other than those in category L, shall be entitled to the following allowances in respect of the cost of packing, crating, transportation and insurance of their personal and household effects:
  - a) carried by air (in addition to the normal baggage allowance provided on the air tickets):
    - member of staff.....30 kg
    - spouse ..... 30 kg
    - each dependent child .....15 kg
  - b) sent by sea:
    - Member of staff with neither spouse nor dependent child: maximum of a 20 foot container and one car;
    - Member of staff with a spouse and/or dependent child: maximum of a 40 foot container and one car.

2. A member of staff may dispatch his/her personal and household effects by air, in which case the allowance granted shall be equal to a total amount not exceeding the amount to which the member of staff would have been entitled for transporting the same effects by sea.
3. A staff member's rights under this Article shall be exercised within a period of two years from the date of appointment.

#### **ARTICLE 54**

1. On separation from service, members of staff, other than category L staff, shall be entitled to travel passage to their country of origin in the application of Article 14 for themselves, their spouse and dependent children. Such return travel shall be by economy class by the most direct and economical route.
2. The member of staff shall also benefit from the provisions of Articles 53 and 55b of these regulations upon separation from service.
3. A staff member's rights under this article shall be exercised within a period of 2 years from the date of separation.
4. A dependent child who has benefited from the provisions of Articles 52 and 53, but who has subsequently ceased to benefit by the fact that Article 48 is no longer applicable to him/her shall be entitled to the benefits under this Article:
  - a) either before the end of the contract of the staff member on whom he/she depends', or
  - b) at the end of the contract of the staff member on whom he/she depends, provided that the entitlement is taken up within a period of not more than one year.

#### **ARTICLE 55**

Members of staff, their spouses and dependent children with the exception of category L staff shall be entitled:

- a. On arrival at the duty station, to accommodation of not more than one month, to be borne by the Secretariat;
- b. On separation, to accommodation of not more than one week, to be borne by the Secretariat.

## **ARTICLE 56**

In the event of the death of a member of staff, his/her spouse and dependent children and/or beneficiaries as declared by member of staff shall be entitled to payment or reimbursement of their own travel expenses and the expenses relating to the transportation of their own and the deceased's personal effects and baggage, under the terms of Articles 53, 54 and 55b. They shall also be paid the re-settlement grant.

## **TITLE VIII: SOCIAL SECURITY**

### **ARTICLE 57**

1. The General Secretariat shall subscribe to a medical insurance policy for members of staff, their spouse and dependent children to cover the costs of all medical charges and hospital, surgical, dental and pharmaceutical expenses, optical glasses (excluding frames) and dental prostheses.
2. The insurance coverage shall exclude cosmetic surgery.
3. One third of the contribution necessary to ensure this coverage shall be borne by the staff members insured.
4. The General Secretariat shall also take out an accident and death insurance policy for the members of staff to cover any risks of death or injury that may occur during their service in the General Secretariat.

### **ARTICLE 58**

In the event of the death of a member of staff, his/her spouse and dependent children and/or beneficiaries as declared by the member of staff shall, in addition to their other entitlements, receive a lump sum payment equivalent to two (2) months basic salary.

### **ARTICLE 59**

1. In the event of the death of a member of staff, his/her spouse or one of his/her dependent children, the General Secretariat shall bear the costs involved in transporting the mortal remains to the staff member's country of origin.
2. The General Secretariat shall also bear the cost of return travel for one member of the family to accompany the mortal remains.

## **ARTICLE 60**

The General Secretariat shall establish a Provident fund financed with employer's and employee's contributions. The Housing Allowance shall form part of the income for provident fund contributions. An amount equivalent to the rental value of the Secretary-General's residence up to a ceiling of € 5 000.00 (five thousand Euros) shall be paid for the purpose of this fund.

## **TITLE IX: DISCIPLINE**

### **ARTICLE 61**

Any failure by a member of staff to comply with his/her obligations under these Staff Regulations, whether intentionally or through negligence on his/her part, shall make him/her liable to disciplinary action. Disciplinary measures shall take one of the following:

- a) verbal warning;
- b) written warning;
- c) reprimand;
- d) deferment of advancement to a higher step;
- e) suspension without basic pay for a maximum of 30 days, without prejudice to the payment of other emoluments during the period of suspension;
- f) dismissal.

### **ARTICLE 62**

1. The disciplinary authority in respect of the Secretary-General shall be the Council of Ministers, which shall decide on its own initiative or on the basis of the recommendations of the Committee of Ambassadors.
2. The disciplinary authority in respect of the Assistant Secretaries-General shall be the Secretary-General.
3. The disciplinary authority in respect of the other members of staff shall be the Secretary-General, assisted by the Assistant Secretaries-General.

### **ARTICLE 63**

1. No disciplinary measures, except those prescribed under Article 61 a) to c), may be taken without prior consultation with the Disciplinary Committee.
2. Disciplinary action under Article 61 d, e and f shall only be taken after prior consultation with the Disciplinary Committee. A member of staff disciplined under this provision may appeal to the Secretary-General to re-consider his decision.

3. The disciplined staff member may, within a period of 60 days from the receipt of the decision of the Secretary-General, have recourse to the Reconciliation Committee where he/she disputes the disciplinary action taken under Article 63 (2). The Reconciliation Committee shall comprise the Dean of the Committee of Ambassadors as Chairman, the Chairman of the Committee of Ambassadors and the Chairman of the Subcommittee for Establishment and Finance.
4. The Reconciliation Committee shall transmit its conclusions in writing to the Secretary General within a period of 30 days.
5. Within a period of 30 days, the Secretary-General shall take a decision after receiving the conclusions of the Reconciliation Committee and shall accordingly notify the Staff member in writing and inform the Reconciliation Committee.
6. The staff member may, within a period of 90 days from the receipt of the notification of the latter decision, have recourse to the Administrative Tribunal of the International Labour Organization.

## **TITLE X: FINAL PROVISIONS**

### **ARTICLE 64**

1. Where the Secretary-General is absent or prevented from attending his/her duties, the powers conferred upon him/her under the Staff Regulations shall be exercised by the officer in charge.
2. In the event of the incapacity of the Secretary-General, the provisions of the Georgetown Agreement shall apply.

### **ARTICLE 65**

1. The Secretary-General shall adopt the measures of implementation that may appear necessary by virtue of these Regulations.
2. The Secretary-General shall be entrusted with the implementation of these Staff Regulations in conformity with the relevant provisions adopted by the Council of Ministers to which he/she shall submit half-yearly reports on the organization and functioning of the Secretariat.

### **ARTICLE 66**

These regulations may be amended on a proposal of the Secretary-General through the Committee of Ambassadors by the Council of Ministers without prejudice to the acquired rights of members of staff currently serving under them.

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