

financial procedures, the accounting system, the internal financial controls and, in general, the financial consequences of administrative practices.

6. In no case, however, shall the Auditor include criticism in his audit report without first affording the Secretariat an opportunity of explanation to him of the matter under observation. Audit objections to any items arising during the examination of the accounts shall be immediately communicated to the Director of Administration.

7. The Auditor shall prepare a report on the accounts certified, in which he should mention:

(a) The extent and character of his examination of any important changes therein;

(b) Matters affecting the completeness of accuracy of the accounts, such as:

(i) Information necessary to the correct interpretation of the account;

(ii) Any amounts which ought to have been received but which have not been brought to account;

(iii) Expenditures not properly substantiated;

(c) Other matters which should be brought to the notice of the Assembly, such as:

(i) Cases of fraud or presumptive fraud;

(ii) Wasteful or improper expenditure of Organization's money or other assets (notwithstanding that the accounting for the transactions may be correct);

(iii) Expenditure likely to commit the Organization to further outlay on a large scale;

(iv) Any defect in the general system or detailed regulations governing the control of receipts and expenditure, or of supplies and equipment;

(v) Expenditure not in accordance with the intention of the Assembly, after making allowance for duly authorized transfers within the budget;

(vi) Expenditure in excess of appropriations as amended by duly authorized transfers within the budget;

(vii) Expenditure not in conformity with the authority which governs it;

(d) The accuracy or otherwise of the supplies and equipment records as determined by stock-taking and examination of the records. In addition, the reports may contain reference to:

(e) Transactions accounted for in a previous year, concerning which further information has been obtained, or transactions in a later year concerning which it seems desirable that the Assembly should have early knowledge.

8. The Auditor, or such of his officers as he may designate, shall certify the financial statements in the following terms:

'The financial statements of the Inter-Governmental Maritime Consultative Organization for the financial period ended 31 December . . . have been examined in accordance with our directions.

I have obtained all the information and explanations that I have required and I certify, as a result of the audit, that, in my opinion, the financial statements are correct',

adding, should it be necessary,

'subject to the observations in my report'.

9. The Auditor shall have no power to disallow items in the accounts, but shall draw to the attention of the Secretary-General for appropriate action any transaction concerning which he entertains doubt as to legality or propriety.

10. The Auditor, or a representative named by him, shall be present when his report is being considered by the Assembly.

19 January 1959

Agenda item 10(f)

#### Resolution A.15 (I)

##### STAFF REGULATIONS OF THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION

The Assembly,

*Adopts* the Staff Regulations, the text of which is attached hereto.

##### SCOPE AND PURPOSE

The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of the Secretary-General and staff of the Secretariat of the Inter-Governmental Maritime Consultative Organization. They represent the broad principles of personnel policy for the staffing and administration of the Secretariat. The Secretary-General, as the Chief Administrative Officer, shall provide and enforce such Staff Rules consistent with these principles as he considers necessary.

##### ARTICLE I

##### *Duties, Obligations and Privileges*

*Regulation 1.1:* Members of the Secretariat 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 Organization only in view.

*Regulation 1.2:* Staff members are subject to the authority of the Secretary-General and to assignment by him to any of the activities or offices of the

**Organization.** They are responsible to him in the exercise of their functions. The whole time of staff members shall be at the disposal of the Secretary-General. The Secretary-General shall establish a normal working week.

*Regulation 1.3:* In the performance of their duties members of the Secretariat shall neither seek nor accept instructions from any government or from any other authority external to the Organization.

*Regulation 1.4:* Members of the Secretariat shall conduct themselves at all times in a manner befitting their status as international civil servants. They shall not engage in any activity that is incompatible with the proper discharge of their duties with the Organization. They shall avoid any action and in particular any kind of public pronouncement which may adversely reflect on their duties with the Organization. They shall avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status, or on the integrity, independence, and impartiality which are required by that status. While they are not expected to give up their national sentiments or their political and religious convictions, they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status.

*Regulation 1.5:* Staff members 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 in the course of their duties or by authorization of the Secretary-General. Nor shall they at any time use such information to private advantage. These obligations do not cease upon separation from the Secretariat.

*Regulation 1.6:*<sup>1</sup> No staff member shall accept any honour, decoration, favour, gift or remuneration from any Government excepting for war service; nor shall a staff member accept any honour, decoration, favour, gift or remuneration from any source external to the Organization, without first obtaining the approval of the Secretary-General. Approval shall be granted only in exceptional cases and where such acceptance is not incompatible with the terms of regulation 1.2 of the Staff Regulations and with the individual's status as an international civil servant.

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<sup>1</sup>It is noted that at the IXth Session of the General Assembly the Secretary-General proposed an alternative text as follows:

'No staff member shall accept any honour, decoration, favour, gift, or remuneration from any government or from any other source external to the Organization, if such acceptance is incompatible with his status as an international civil servant.'

*Regulation 1.7:* Staff members may exercise the right to vote but shall not engage in any political activity which is inconsistent with or might reflect upon the independence and impartiality required by their status as international civil servants.

*Regulation 1.8:* The immunities and privileges attached to the Inter-Governmental Maritime Consultative Organization are conferred in the interests of the Organization. These privileges and immunities furnish no excuse to the staff members who enjoy them for non-performance of their private obligations or failure to observe laws and police regulations. In any case where these privileges and immunities arise, the staff member shall immediately report to the Secretary-General, with whom alone it rests to decide whether they shall be waived.<sup>2</sup> The Council shall decide whether the privileges and immunities shall be waived in the case of the Secretary-General.

*Regulation 1.9:* Members of the Secretariat shall subscribe to 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 Inter-Governmental Maritime Consultative Organization, to discharge these functions and regulate my conduct with the interests of the Organization only in view and not to seek or accept instructions in regard to the performance of my duties from any Government or other authority external to the Organization.'

*Regulation 1.10:* The oath or declaration shall be made orally by the Secretary-General in the presence of the Chairman of the Council or in the presence of a member of the Council designated by the Chairman of the Council and by all other members of the Secretariat before the Secretary-General or his authorized deputy.

## ARTICLE II

### *Classification of Posts and Staff*

*Regulation 2.1:* In conformity with principles laid down by the Council, the Secretary-General shall make appropriate provision for the classification of posts and staff according to the nature of the duties and responsibilities required.

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<sup>2</sup>It may prove desirable to establish provisions concerning the waiving of privileges and immunities in respect of the Secretary-General, for example, by empowering the Council to make the decision.

### ARTICLE III

#### *Salaries and Related Allowances<sup>3</sup>*

*Regulation 3.1:* Salaries of staff members shall be determined by the Council on recommendation of the Secretary-General in accordance with the provisions of Annex 1 to the present regulations.

*Regulation 3.2:* The Secretary-General shall establish terms and conditions under which an education grant shall be available to a staff member serving outside his recognized home country, whose dependent child under the age of twenty-one is in full-time attendance at a school, university, or similar educational institution of a type which will, in the opinion of the Secretary-General, facilitate the child's re-assimilation in the staff member's recognized home country. The maximum amount of the grant shall be \$400 per annum for a child. Travel costs of the child may also be paid for an outward and return journey once in each scholastic year between the educational institution and the duty station, by a route approved by the Secretary-General, but not in an amount exceeding the cost of such a journey between the home country and the duty station.

The Secretary-General shall also establish terms and conditions under which an education grant shall be available to a staff member serving in a country whose language is different from his own and who is obliged to pay tuition for the teaching of the mother tongue to a dependent child attending a local school in which the instruction is given in a language other than his own.

The Secretary-General may decide in each case whether the education grant shall extend to adopted children or stepchildren.

#### *Dependency Benefits*

##### *Regulation 3.3:*

(a) Staff members in the Principal Officer and Director category or in the Professional category shall be entitled to receive dependency allowances as follows:

- (i) At \$200 per annum for a dependent wife or dependent husband and at \$300 per annum for each dependent child; or
  - (ii) Where there is no dependent spouse, a single annual allowance of \$200 for either a dependent parent, a dependent brother or a dependent sister.
- (b) If both husband and wife are staff members, one may claim, for dependent children, under

(i) above, in which case the other may claim only under (ii) above, if otherwise entitled.

<sup>4</sup>(c) Staff members whose salary rates are set by the Secretary-General under paragraph 6 or paragraph 7 of annex I to these regulations shall be entitled to receive dependency allowances at rates and under conditions determined by the Secretary-General, due regard being given to the circumstances in the locality in which the office is located.

(d) Claims for dependency allowances shall be submitted in writing and supported by evidence satisfactory to the Secretary-General. A separate claim for dependency allowances shall be made each year.

### ARTICLE IV

#### *Appointment and Promotion*

*Regulation 4.1:* As stated in article 33 of the Convention on the Inter-Governmental Maritime Consultative Organization, the power of appointment of staff members rests with the Secretary-General. Upon appointment each staff member shall receive a letter of appointment in accordance with the provisions of annex II to the present regulations and signed by the Secretary-General or by an official in the name of the Secretary-General.

*Regulation 4.2:* The paramount consideration in the appointment, transfer, or promotion of the staff shall be the necessity for securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

*Regulation 4.3:* Selection of staff members shall be made without distinction as to race, sex, or religion. So far as is practicable, selection shall be made on a competitive basis.

*Regulation 4.4:* Subject to the provisions of Regulation 4.2 and without prejudice to the recruitment of fresh talent at all levels, the fullest regard shall be had, in filling vacancies, to the requisite qualifications and experience of persons already in

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<sup>4</sup>The Secretary-General of the United Nations has proposed that the General Assembly, at its XIIIth session, amend a provision adopted at XIIth session, to form a new paragraph (c) as follows:

(c) With a view to avoiding duplication of benefits and in order to achieve equality between staff members who receive dependency benefits under applicable laws in the form of governmental grants and staff members who do not receive such dependency benefits, the Secretary-General shall prescribe conditions under which the dependency allowance for a child specified in (a) (i) above shall be payable only to the extent that the dependency benefits enjoyed by the staff member or his spouse under applicable laws amount to less than such a dependency allowance. (If this provision is adopted, paragraphs shown as (c) and (d) above would be renumbered (d) and (e).)

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<sup>3</sup>The provisions on salaries and related allowances follow the common scheme of the United Nations and the specialized agencies to which, in keeping with the practice of all other specialized agencies in Europe, staff assessment has *not* been applied.

the service of the Organization. This consideration shall also apply on a reciprocal basis to the United Nations and to the specialized agencies brought into relationship with it.

*Regulation 4.5:* (a) Staff members shall be granted either permanent or temporary appointments under such terms and conditions consistent with these regulations as the Secretary-General may prescribe.

(b) The Secretary-General shall prescribe which staff members are eligible for permanent appointments. The probationary period for granting or confirming a permanent appointment shall normally not exceed two years, provided that in individual cases the Secretary-General may extend the probationary period for not more than one additional year.

*Regulation 4.6:* The Secretary-General shall establish appropriate medical standards which staff members shall be required to meet before appointment.

#### ARTICLE V

##### *Annual and Special Leave*

*Regulation 5.1:* Staff members shall be allowed appropriate annual leave.

*Regulation 5.2:* Special leave may be authorized by the Secretary-General in exceptional cases.

##### *Home Leave*

*Regulation 5.3:* Eligible staff members shall be granted home leave once in every two years. A staff member whose home country is the country of his official duty station or who continues to reside in his home country while performing his official duties shall not be eligible for home leave.

#### ARTICLE VI

##### *Social Security*

*Regulation 6.1:* Provisions shall be made for the participation of staff members in the United Nations Joint Staff Pension Fund in accordance with the regulations of that fund.<sup>5</sup>

*Regulation 6.2:* The Secretary-General shall establish a scheme of social security for the staff, including provisions for health protection, sick leave, and maternity leave, and reasonable compensation in the event of illness, accident, or death attributable to the performance of official duties on behalf of the Organization.<sup>6</sup>

<sup>5</sup>IMCO's entry into the United Nations Joint Staff Pension Fund early in 1959 was made possible by decision of the Joint Staff Pension Board at its session in September 1958.

<sup>6</sup>Detailed provisions governing compensation for service incurred, illness, accident, or death are set out in Appendix D to the United Nations Staff Rules. This pattern has been commonly accepted by the participating organizations.

#### ARTICLE VII

##### *Travel and Removal Expenses*

*Regulation 7.1:* Subject to conditions and definitions prescribed by the Secretary-General, the Organization shall in appropriate cases pay the travel expenses of staff members and their dependents.

##### *Removal Expenses*

*Regulation 7.2:* Subject to conditions and definitions prescribed by the Secretary-General, the Organization shall pay removal costs for staff members.

#### ARTICLE VIII

##### *Staff Relations*

*Regulation 8.1:* The staff shall be entitled to make proposals to the Secretary-General regarding personnel policies and general questions of staff welfare.

#### ARTICLE IX

##### *Separation from Service Termination*

*Regulation 9.1:* (a) The Secretary-General may terminate the appointment of a staff member who holds a permanent appointment and whose probationary period has been completed, if the necessities of the service require abolition of the post or reduction of the staff, if the services of the individual concerned prove unsatisfactory, or if he is, for reasons of health, incapacitated for further service.

The Secretary-General may also, giving his reasons therefor, terminate the appointment of a staff member who holds a permanent appointment:

- (i) If the conduct of the staff member indicates that the staff member does not meet the highest standards of integrity required by the Organization;
- (ii) If facts anterior to the appointment of the staff member and relevant to his suitability come to light which, if they had been known at the time of his appointment, should have precluded his appointment.

No termination under sub-paragraphs (i) and (ii) shall take place until the matter has been considered and reported on by a special advisory board appointed for that purpose by the Secretary-General.

Finally, the Secretary-General may terminate the appointment of a staff member who holds a permanent appointment if such action would be in the interest of the good administration of the Organization and in accordance with the standards required by the Organization, provided that the action is not contested by the staff member concerned.

(b) The Secretary-General may terminate the appointment of a staff member with a fixed-term appointment prior to the expiration date for any of

the reasons specified in paragraph (a) above, or for such other reason as may be specified in the letter of appointment.

(c) In the case of all other staff members, including staff members serving a probationary period for a permanent appointment, the Secretary-General may at any time terminate the appointment, if, in his opinion, such action would be in the interest of the Organization.

#### *Resignations*

*Regulation 9.2:* Staff members may resign from the Secretariat upon giving the Secretary-General the notice required under the terms of their appointment.

#### *Notice of Termination*

*Regulation 9.3:* (a) If the Secretary-General terminates an appointment the staff member shall be given such notice and such indemnity payment as may be applicable under the Staff Regulations and Staff Rules. Payments of termination indemnity shall be made by the Secretary-General in accordance with the rates and conditions specified in annex III to the present regulations.

(b) The Secretary-General may, where the circumstances warrant and he considers it justified, pay to the staff member terminated under the final paragraph of Regulation 9.1 (a) a termination indemnity payment not more than 50% higher than that which would otherwise be payable under the Staff Regulations.

#### *Repatriation Grant*

*Regulation 9.4:* The Secretary-General shall establish a scheme for the payment of repatriation grants or service benefits within the maximum rates and under the conditions specified in annex IV to the present regulations.

#### *Retirement*

*Regulation 9.5:* Staff members shall not be retained in active service beyond the age of sixty years. The Secretary-General may, in the interest of the Organization, extend this age limit in exceptional cases.

### ARTICLE X

#### *Disciplinary Measures*

*Regulation 10.1:* The Secretary-General may establish administrative machinery with staff participation which will be available to advise him in disciplinary cases.

*Regulation 10.2:* The Secretary-General may impose disciplinary measures on staff members whose conduct is unsatisfactory.

He may summarily dismiss a member of the staff for serious misconduct.

### ARTICLE XI

#### *Appeals*

*Regulation 11.1:* The Secretary-General shall establish administrative machinery with staff participation to advise him in case of any appeal by staff members against an administrative decision alleging the non-observance of their terms of appointment, including all pertinent regulations and rules, or against disciplinary action.

*Regulation 11.2:* The United Nations Administrative Tribunal shall, under conditions prescribed in its statute, hear and pass judgment upon applications from staff members alleging non-observance of their terms of appointment, including all pertinent regulations and rules.<sup>7</sup>

### ARTICLE XII

#### *General Provisions*

*Regulation 12.1:* These regulations may be supplemented or amended by the Council, without prejudice to the acquired rights of staff members.

*Regulation 12.2:* The Secretary-General shall report annually to the Council such Staff Rules and amendments thereto as he may make to implement these regulations.

#### *Salary and Allowances*

##### *Annex 1<sup>8</sup>*

The staff regulations of the United Nations provide for an Under-Secretary level at a salary of \$23,000 gross (\$15,000 net i.e. after staff assessment) subject to post adjustment and the possibility of a representation allowance.

They also provide for two levels in the Director and Principal Officer categories with a salary of \$18,000 gross (\$12,500 net) for Director and a salary range from \$13,330 gross (\$10,000 net) to \$17,000 gross (\$12,000 net) for Principal Officer. Both are subject to post adjustment and a representation allowance not exceeding \$1000 per annum may be paid to a Director.

The salary scales for the Professional category which have been adopted by the participating organizations are in the table next following. Salaries are shown as net amounts after application of the United Nations staff assessment plan. A staff assessment plan is not envisaged in the draft staff regulations of IMCO. See footnote 3.

<sup>7</sup>Article 14 of the Statute of the United Nations Administrative Tribunal provides in part:

'The competence of the Tribunal may be extended to any specialized agency brought into relationship with the United Nations in accordance with the provisions of Articles 57 and 63 of the Charter upon the terms established by a special agreement to be made with each such agency by the Secretary-General of the United Nations.'

<sup>8</sup>See footnote 3 referred to in Article III above.

*Annex I, paragraph 1*

The salary and allowances of the Secretary-General shall be as provided in his contract.

*Annex I, paragraph 2*

The salary of the Secretary of the Maritime Safety Committee shall be \$11,500.

*Annex I, paragraph 3*

The salary scales for the Professional category are in the table next following in paragraph 4.

*Annex I, paragraph 4*

normally on the basis of the best prevailing conditions of employment in the locality of the office concerned, provided that the Secretary-General may, where he deems it appropriate, establish rules and salary limits for payment of a non-resident's allowance to General Service staff members recruited from outside the local area.

*Language Allowance*

*Annex I, paragraph 8*

The Secretary-General shall establish rules under

SALARY SCALES

	Step I	Step II	Step III	Step IV	Step V	Step VI	Step VII	Step VIII	Step IX	Step X
	\$US	\$US	\$US	\$US	\$US	\$US	\$US	\$US	\$US	\$US
<i>Professional Category.</i>										
Senior Officer	8,750	9,000	9,250	9,500	9,800	10,100	10,400	10,700	11,000	
First Officer	7,300	7,525	7,750	8,000	8,250	8,500	8,750	9,000	9,250	9,500
Second Officer	6,000	6,200	6,400	6,625	6,850	7,075	7,300	7,525	7,750	8,000*
Associate Officer	4,800	5,000	5,200	5,400	5,600	5,800	6,000	6,200	6,400	
Assistant Officer	3,600	3,800	4,000	4,200	4,400	4,600	4,800	5,000		

\*The Secretary-General may provide two further increments at \$8,250 and \$8,500 at two-yearly intervals, to staff in the Second Officer level who have remained in that level for at least five years and are, in his opinion, qualified for promotion.

*Annex I, paragraph 5*

Salary increments within the levels set forth in paragraph 4<sup>9</sup> of the present annex shall be awarded annually on the basis of satisfactory service (provided that the period of satisfactory service required for increments to any salary step above \$US11,000 net shall be two years).<sup>10</sup>

*Annex I, paragraph 6*

The Secretary-General shall determine the salary rates to be paid to personnel specifically engaged for conferences and other short-term service and to consultants.

*Salary Scales – General Service Personnel and Manual Workers*

*Annex I, paragraph 7*

The Council on the recommendation of the Secretary-General shall determine the salary scales for staff members in the General Service category and the salary or wage rates for manual workers,

<sup>9</sup>Paragraph 4 of the United Nations text of the annex sets forth the salary scales for Directors and Principal Officers as well as for the Professional category.

<sup>10</sup>This proviso would apply only to Principal Officers as the salaries in the Professional category do not exceed \$11,000 net, while the salary of a Director is fixed at \$12,500 net.

which an extra payment may be paid to staff members in the General Service category who pass an appropriate test and demonstrate continued proficiency in the use of two or more official languages, such payment to be equivalent to an additional step increment which would continue beyond the maximum of the salary level of the staff member concerned.

*Post Adjustments<sup>11</sup>*

*Annex I, paragraph 9*

In order to preserve equivalent standards of living at different offices, the Secretary-General may adjust the basic salaries set forth in paragraphs 3 and 4 of the annex by the application of non-pensionable post adjustments, the amounts of which shall be determined on the basis of relative costs of living, standards of living, and related factors at the office concerned as compared to Geneva on 1 January 1956. Such post adjustments shall vary by salary level as determined from time to time by the Council.

<sup>11</sup>The schedule of post adjustments which has been agreed by the participating organizations follows.

**SCHEDULE OF POST ADJUSTMENTS (additions)<sup>1</sup>**  
(in US dollars)

(i) *For areas where cost of living is higher than at the base<sup>2</sup>*  
Classification of duty stations

	Class 2 (5%)		Class 3		Class 4		Class 5		Class 6		Class 7 (30%)	
	S	D	S	D	S	D	S	D	S	D	S	D
P-1	170	250	335	500	500	750	650	975	800	1,200	935	1,400
P-2	200	300	400	600	600	900	785	1,175	950	1,425	1,100	1,650
P-3	235	350	465	700	700	1,050	915	1,375	1,100	1,650	1,265	1,900
P-4	270	400	535	800	785	1,175	1,015	1,525	1,215	1,825	1,400	2,100
P-5	300	450	600	900	865	1,300	1,100	1,650	1,315	1,975	1,515	2,275
D-1	335	500	650	975	950	1,425	1,215	1,825	1,450	2,175	1,635	2,450
D-2	365	550	715	1,075	1,065	1,600	1,385	2,075	1,650	2,475	1,865	2,800
U/S	400	600	800	1,200	1,200	1,800	1,500	2,250	1,785	2,675	2,000	3,000

**SCHEDULE OF POST ADJUSTMENTS (deductions)<sup>1</sup>**  
(in US dollars)

(ii) *For areas where cost of living is lower than at the base<sup>2</sup>*  
Classification of duty stations

	Class A (-5%)	Class B	Class C	Class D	Class E	Class F (-30%)
	S and D	S and D	S and D	S and D	S and D	S and D
P-1	160	320	480	640	800	960
P-2	200	400	600	800	1,000	1,200
P-3	260	525	785	1,050	1,300	1,570
P-4	315	630	945	1,260	1,575	1,890
P-5	370	740	1,110	1,480	1,850	2,220
D-1	410	825	1,235	1,650	2,050	2,480
D-2	470	940	1,410	1,880	2,350	2,820
U/S	525	1,050	1,575	2,100	2,625	3,150

<sup>1</sup>The symbols P-1 through P-5 indicate the grades of Assistant Officer through Senior Officer in the Professional category; D-1, D-2, and U/S stand for Principal Officer, Director and Under-Secretary respectively.

<sup>2</sup>For this purpose the base is Geneva as of January 1956.

S - rate of post adjustment applicable to staff members with no primary dependants.

D - rate of post adjustment applicable to staff members with one or more primary dependants.

**Annex II**      *Letters of Appointment*

- (a) The letter of appointment shall state:
- (i) that the appointment is subject to the provisions of the Staff Regulations and of the Staff Rules applicable to the category of appointment in question, and to changes which may be duly made in such regulations and rules from time to time;
  - (ii) the nature of the appointment;
  - (iii) the date at which the staff member is required to enter upon his duties;
  - (iv) the period of appointment, the notice required to terminate it and period of probation, if any;
  - (v) the category, level, commencing rate of salary and if increments are allowable, the scale of increments and the maximum attainable.
  - (vi) any special conditions which may be applicable.

(b) A copy of the Staff Regulations and of the Staff Rules shall be transmitted to the staff member with the letter of appointment. In accepting appointment the staff member shall state that he has been made acquainted with and accepts the conditions laid down in the Staff Regulations and in the Staff Rules.

**Annex III**      *Termination Indemnity*

Staff members whose appointments are terminated shall be paid an indemnity in accordance with the following provisions:

(a) Except as provided in (d) and (e) below, the following schedule shall apply to members holding permanent appointments or temporary appointments which are not for a fixed term:

Months of Base Salary or Wage		
Completed Years of Service in the Secretariat	Confirmed Permanent Appointments	Temporary Appointments which are not for a Fixed Term and Unconfirmed (Probationary) Permanent Appointments
0	Not applicable	nil
1	Not applicable	1
2	3	1
3	3	2
4	4	3
5	5	4
6	6	5
7	7	6
8	8	7
9 or more	9	8

(b) Except as provided in (d) and (e) below, staff members who have temporary appointments for a fixed term of over six months which are terminated prior to the expiration date specified in the letter of appointment shall be paid five days' indemnity pay for each month of uncompleted service, but not less than thirty working days' indemnity pay.

(c) Indemnity pay shall be calculated on the basis of the staff member's base salary or wages at the time of termination.

(d) No indemnity payments shall be made to:

A staff member who resigns, except where termination notice has been given and the termination date agreed upon;

A staff member who has a temporary appointment which is not for a fixed term and which is terminated during the first year of service;

A staff member who has a temporary appointment for a fixed term which is completed on the expiration date specified in the letter of appointment;

A staff member who for disciplinary reasons is dismissed for misconduct otherwise than by summary dismissal, provided that the Secretary-General may grant in such a case, at his discretion, a termination indemnity in any amount not exceeding the full indemnity provided under paragraphs (a), (b), or (e) of this Annex, whichever is applicable;

A staff member who is summarily dismissed;

A staff member who abandons his post;

A staff member who is retired under the United Nations Joint Staff Pension Fund Regulations.

(e) Staff members specifically engaged for conference and other short-term service or for service with a mission, as consultants or as experts and staff members who are locally recruited for service in established offices away from Headquarters may be paid termination indemnity if and as provided in their letters of appointment.

(f) A staff member whose appointment is terminated for reasons of health shall receive the termination indemnity set out in this annex, to the extent that the amount of the termination indemnity, when added to the annual amount of the disability benefit payable to him under the Regulations of the Joint Staff Pension Fund, does not exceed one year's salary.

*Repatriation Grant*

*Annex IV, paragraph 1*

In principle, the repatriation grant shall be payable to staff members whom the Organization is obligated to repatriate, except staff members on temporary appointments for a fixed term entitled to a service benefit. Neither repatriation grant nor service benefit shall be paid to a staff member who



is summarily dismissed. Detailed conditions and definitions relating to eligibility shall be determined by the Secretary-General. The amount of the grant shall vary with the length of service with the Organization.

The maximum rates payable shall be as follows:

Years of Continuous Service away from Home Country	Staff Member with neither a Wife, Dependent Husband or Dependent Child at time of Termination (Weeks of Salary)	Staff Member with a Wife, Dependent Husband or Dependent Child at time of Termination (Weeks of Salary)
After 2 years	4	8
„ 3 „	5	10
„ 4 „	6	12
„ 5 „	7	14
„ 6 „	8	16
„ 7 „	9	18
„ 8 „	10	20
„ 9 „	11	22
„ 10 „	12	24
„ 11 „	13	26
„ 12 „	14	28

The maximum grant payable under this plan shall be \$US2,500 net for a staff member without dependants and \$US5,000 net for a staff member with dependants.

#### *Service Benefit*

##### *Annex IV, paragraph 2*

(a) If his letter of appointment so indicates, a staff member who has served at least one year on a temporary appointment for a fixed term shall receive upon separation a service benefit at the rate of 4% of salary during service in his home country and at the rate of 8% of salary during service outside his home country, for each year of service.<sup>10</sup> (b) Should such a staff member, without break in service, be granted a probationary or permanent appointment, or complete five years of qualifying service on temporary appointment for a fixed term, he shall lose entitlement to the service benefit.

<sup>10</sup>The Secretary-General of the United Nations has proposed that the General Assembly at its XIIIth Session, reword paragraph (b) above in the United Nations Staff Regulations, in order to bring it into effective conformity with Article II of the Regulations of the United Nations Joint Staff Pension Fund. The text proposed by the Secretary-General is:

'(b) Should such a staff member be granted a probationary or permanent appointment, complete five years of qualifying service and remain on a contract providing for further service of at least one year, or remain in employment for more than one year thereafter, he shall lose entitlement to the service benefit.'

(c) Service for calculation of the service benefit shall mean service subsequent to the entry of this provision in the letter of appointment.

19 January 1959

*Agenda item 10(g)*

#### **Resolution A.16 (I)**

##### REVIEW OF EXPENDITURES AND APPROVAL OF ACCOUNTS OF THE PREPARATORY COMMITTEE

The Assembly,

*Having considered* document IMCO/A.I/13,

*Noting* that as a result of advances made pursuant to a loan granted by the United Nations in answer to a request by the Chairman of the Preparatory Committee, repayment will have to be made to the United Nations.

*Noting further* that the details of expenditures and accounts in respect of those advances cannot be presented by the appropriate authorities until after the close of the current session of the Assembly,

*Decides* to refer to the Council the matter of repayment to the United Nations of the advances made pursuant to the agreement relating to the loan, and the review of expenditures and approval of accounts of the Preparatory Committee in connexion therewith.

19 January 1959

*Agenda item 10(d)*

#### **Resolution A.17 (I)**

##### DISSOLUTION OF THE PREPARATORY COMMITTEE

The Assembly,

*Noting* the useful and constructive work which has been accomplished by the Preparatory Committee of the Inter-Governmental Maritime Consultative Organization since it was established by resolution of the United Nations Maritime Conference (Geneva 1948), thus preparing the Assembly for its first session, and enabling it to launch the Organization in a satisfactory manner;

*Expresses its Appreciation and Thanks* to the members of the Preparatory Committee and to the following persons who have served as its Chairmen since its establishment:

Mr. J. J. Oyevaar (Netherlands)

Mr. J. V. Clyne (Canada)

Mr. L. C. Audette (Canada)

for performing their duties with efficiency, fairness, and dedication to the interests of the international community, and

*Decides* that the Preparatory Committee of the Inter-Governmental Maritime Consultative Organization hereby ceases to exist and is dissolved.

19 January 1959

*Agenda item 13*