



Sixth session

PERMANENT STAFF REGULATIONS OF THE UNITED NATIONS

Third report of 1951 of the Advisory Committee on
Administrative and Budgetary Questions

1. By resolution 469 (V) of 15 December 1950 the General Assembly, at its fifth session, decided: (a) to defer consideration of the permanent staff regulations for the United Nations until its following session; and (b) to request the Advisory Committee on Administrative and Budgetary Questions to examine the relevant proposals presented by the Secretary-General, and to report thereon to the General Assembly at its sixth session.
2. The proposals in question were considered by the Advisory Committee during its two sessions held in 1951 when the Committee had an opportunity of discussing with representatives of the Secretary-General the text of the proposed new regulations (A/1360). The Committee also had before it observations submitted on behalf of certain of the specialized agencies, as well as the views which the Staff Council of the United Nations communicated both orally and in writing.
3. The Advisory Committee has thought it desirable that its recommendations should, so far as practicable, follow a pattern appropriate not only to the United Nations but, more generally, to every agency brought into relationship with the Organization, thus constituting a decisive step towards a set of common staff regulations for an international civil service.
4. It may be noted in this connexion that the basic principles set forth in the Secretary-General's proposals (A/1360) have, with few exceptions, been agreed upon, at the administrative level, by the United Nations and the

specialized agencies, subject, however, to the reservation that some of the agencies consider that they may be unable, by reason of differences in organizational structure, to adopt an identical form of wording for their staff regulations. Each member of the Administrative Committee on Co-ordination has at the same time been requested to bring these principles before the appropriate authorities of his agency with a view to their adoption as common basic principles to be embodied in the staff regulations.

5. In these circumstances, the Advisory Committee has given careful consideration to the comments on each of the proposed regulations contained in annex B of document A/1360. Regarded as a whole, the Secretary-General's proposals afford a valuable means of securing co-ordinated administration and personnel policies, a desideratum to which the General Assembly has in the past devoted close attention.

6. The amendments which the Advisory Committee recommends are set forth in The Appendix to the present report. They are, for the most part, drafting changes not affecting the substance of the proposed regulations. In certain cases, however, substantive amendments have been recommended, involving - in respect of some regulations - the retention of the text of the existing provisional regulations.

7. In this connexion, the Advisory Committee desires to emphasize that it has interpreted its mandate under resolution 469 (V) as calling for a review to be conducted independently by the Committee as a subsidiary body of the General Assembly. Accordingly, the regulations now recommended for adoption, while in the main adhering to the text proposed by the Secretary-General, embody certain provisions which reflect views expressed in the General Assembly, as well as representations made on behalf of the Staff Council of the United Nations.

8. The Advisory Committee believes that the amended regulations submitted in the present report will be suitable for adoption as staff regulations both for the United Nations, and subject to minor variations of form, for the specialized agencies. The staff regulations which the Secretary-General is

/proposing to

proposing to replace were designated by the General Assembly in resolution 13 (I) of 13 February 1946, as provisional regulations. The Committee notes that the relevant draft resolution submitted by the Secretary-General in document A/1360, paragraph 14, recommends for adoption "as permanent" the staff regulations annexed thereto. In view, however, of the fact that modifications and additions may in certain circumstances be required, the Committee recommends the omission of the words "as permanent" and the adoption of the title "Staff Regulations of the United Nations". Accordingly, the Committee recommends that the General Assembly should adopt the following draft resolution:

STAFF REGULATIONS OF THE UNITED NATIONS

The General Assembly

Adopts as the Staff Regulations of the United Nations the regulations contained in the annex to the present report. These regulations, which shall supersede all previous staff regulations, shall become effective on 1 January 1952.

APPENDIX

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Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee on
Administrative and
Budgetary Questions

Observations by the
Advisory Committee
on Administrative
and Budgetary
Questions

SCOPE AND PURPOSE

The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of the United Nations Secretariat staff. They are the broad principles of personnel policy for the guidance of the Secretary-General in the staffing and administration of the secretariat. The Secretary-General may, as Chief Administrative Officer, provide and enforce such Staff Rules consistent with these principles as he considers necessary.

SCOPE AND PURPOSE

The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of the United Nations Secretariat. 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.

The omission of the words "for the guidance of the Secretary-General", which are considered too restrictive, is recommended. Many of the principles included in the regulations are equally intended for the guidance of other staff members in matters pertaining to their status, service and conduct.

The provision and enforcement of staff rules should, in the opinion of the Advisory Committee, be mandatory upon the Secretary-General; accordingly, the substitution of "shall" for "may" is recommended in the final sentence.

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the Advisory
Committee on Administrative and
Budgetary Questions

Observations by the Advisory
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ARTICLE I. DUTIES, OBLIGATIONS
AND PRIVILEGES

ARTICLE I. DUTIES, OBLIGATIONS
AND PRIVILEGES

Regulation 1.1

All staff members of the Organization 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 United Nations only in view.

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 United Nations only in view.

Provisional Regulation 1 reads: "The Secretary-General and all members of the staff of the Organization ...". The Committee was informed that specific reference to the Secretary-General has been omitted in the proposed new regulation on the ground that his status is dependent upon the Charter rather than upon the staff regulations. Nevertheless, the Committee believes that, having regard to Articles 97 and 101, paragraph 1, of the Charter, which clearly define the Secretary-General as a member of the Secretariat and an international official, it would be preferable to substitute the term "members of the Secretariat" except where, as in regulation 1.2, the context shows that a particular provision cannot apply to the Secretary-General.

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the Advisory
Committee on Administrative and
Budgetary Questions

Observations by the Advisory
Committee on Administrative and
Budgetary Questions

Regulation 1.2

All 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 United Nations. They are responsible to him in the exercise of their functions. In principle, the whole time of staff members shall be at the disposal of the Secretary-General.

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 United Nations. 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.

The deletion of the word "all" as superfluous, before "staff members" is recommended.

The Committee does not see sufficient justification for the addition of the words "In principle" at the beginning of the third sentence. Clearly, the Secretary-General must retain the first call and, if necessary an exclusive call upon a staff member's time, and by the same token may grant or withhold permission, at his discretion, to a staff member to engage in an outside part-time occupation. As regards the latter point, the discretion of the Secretary-General may be limited by national legislation in the country of the duty station precluding salaried employment outside the United Nations. Accordingly, the omission of the words "in principle" is recommended in order to emphasize the conception that the staff member is expected, if necessary, to devote his whole time to the Organization. As a corollary, however, the Committee suggests that the provision concerning a normal working week, which is included in provisional regulation 17, should be retained.

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

Observations by the
Advisory Committee

Regulation 1.3

In the performance of their duties staff members shall neither seek nor accept instructions from any government or from any other authority external to the Organization.

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.

The Committee considers that the phrase "in the performance of their duties" must be given a broad interpretation to cover the status and even the attitude of an international civil servant.

Regulation 1.4

No staff member shall accept, hold or engage in any office or occupation which is incompatible with the proper discharge of his duties with the United Nations.

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 United Nations. They shall avoid any action and in particular any kind of public pronouncement which may adversely reflect on their 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.

The Committee recommends a merger of regulations 1.4 and 1.5, and the substitution for the words "office or occupation" of the word "activity", as being more comprehensive. Minor drafting amendments result from the change in the order of the sentence.

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

Observations by the
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Regulation 1.5

Staff members shall conduct themselves at all times in a manner compatible with their status as international civil servants. They shall avoid any action and in particular any kind of public pronouncement which may adversely reflect on 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 1.6

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. At no time shall they in any way use to private advantage information known to them by reason of their official position. These obligations do not cease with separation from service.

Regulation 1.5

(Merged with regulation 1.4)

Regulation 1.6

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.

Drafting amendments are recommended by the Committee (a) in the interest of conciseness; (b) in order that the qualifying phrase "which has not been made public" may apply to both parts of the second sentence in column B. This regulation applies to all members of the Secretariat (see observation on regulation 1.1).

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

Observations by the
Advisory Committee

Regulation 1.7

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

No member of the Secretariat shall accept any honour, decoration, favour, gift or fee from any government or from any government or from any other source external to the Organization during the period of his appointment, except for war service.

The text proposed by the Secretary-General appears to be somewhat too wide, and the Committee therefore recommends the retention of the wording of provisional regulation 9, with the substitution of "member" of the Secretariat for "staff member" in the first line. The Committee presumes that only in very exceptional cases will the Secretary-General concur in any derogation from the provision, for example, where it is proposed to confer an honorary degree upon a member of the Secretariat or to award a decoration in recognition of services rendered prior to a member's appointment to the Secretariat.

Regulation 1.8

Any staff member who becomes a candidate for a public office of a political character shall resign from the Secretariat.

Regulation 1.8

Any member of the Secretariat who becomes a candidate for a public office of a political character shall resign from the Secretariat.

Drafting change only.

Regulation 1.9

The immunities and privileges attaching to the United Nations by virtue of Article 105 of the Charter are conferred in the interests of the Organization. These privileges and immunities furnish no excuse to staff members for non-performance of their private obligations or failure to observe laws and police regulations. The decision whether to waive any privileges or immunities of the staff in any case that arises shall rest with the Secretary-General.

Regulation 1.9

The immunities and privileges attaching to the United Nations by virtue of Article 105 of the Charter 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.

It appears to the Committee that, since the text proposed by the Secretary-General involves no substantive change (A/1360, page 16), provisional regulation 4, as containing a more precise direction to the staff member, should be retained.

Text proposed by the
Secretary-General

Text recommended by the
Advisory Committee

Observation by the
Advisory Committee

Regulation 1.10

All staff members 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 United Nations, to discharge these functions and regulate my conduct with the interests of the United Nations 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 1.11

The oath or declaration shall be made orally by the Assistant Secretaries-General at a public meeting of the General Assembly, and by the other staff members before the Secretary-General or his authorized deputy.

Regulation 1.10

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 United Nations, to discharge these functions and regulate my conduct with the interests of the United Nations 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 1.11

The oath or declaration shall be made orally by the Secretary-General and Assistant Secretaries-General at a public meeting of the General Assembly and by all other members of the Secretariat before the Secretary-General or his authorized deputy.

No change, except for the deletion of the word "all" in the first line.

Two amendments are recommended: (i) that specific reference should be made to the Secretary-General (as in provisional regulation 3); and (ii) that "all other members of the Secretariat" should be substituted for "the other staff members".

The Committee further suggests, though not for inclusion in the proposed text, that in practice high-ranking officers of a status broadly comparable with that of Assistant Secretaries-General should also be required to make an oath or declaration in public.

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

Observations by the
Advisory Committee

ARTICLE II. CLASSIFICATION OF POSTS
AND STAFF

Regulation 2.1

Appropriate provision shall be made
by the Secretary-General for the
classification of posts and staff
according to the nature of the duties
and responsibilities required.

ARTICLE II. CLASSIFICATION OF POSTS
AND STAFF

Regulation 2.1

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

The amendment recommended by
the Committee is intended to
show that authority in respect
of the classification of posts
and the salary scheme rests
with the General Assembly.
The Secretary-General would
not be precluded by the
amendment from making at any
time necessary reclassifications
of duties and responsibilities
within the categories of posts.

ARTICLE III. SALARIES AND RELATED
ALLOWANCES

Regulation 3.1

The salaries for Assistant Secretaries-
General and Principal Directors shall
be determined by the General Assembly
as specified in Annex I of these
Regulations.

ARTICLE III. SALARIES AND RELATED
ALLOWANCES

Regulation 3.1

Salaries of staff members shall be
fixed by the Secretary-General in
accordance with the provisions of
Annex I to the present regulations.

The text of paragraph 2 of
General Assembly resolution 470
(V), which is reproduced in
column A with the substitution
of the word "or" for "outlined
in", supersedes regulations
3.1, 3.2 and 3.3, as proposed
by the Secretary-General.

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

Observations by the
Advisory Committee

Regulation 3.2

The salaries of other staff members shall be determined by the Secretary-General at levels below that adopted for the post of principal director: salaries and wages for stenographic, clerical and manual work, and for work of a comparable nature, shall be fixed in accordance with best prevailing conditions of employment in the locality of the United Nations office concerned.

Regulation 3.3

The basic salary rates may be adjusted at duty stations away from Headquarters by the application of salary differentials which take into account relative cost of living, standards of living and related factors.

Regulation 3.4

The Secretary-General shall establish a scheme for the payment of children's allowances, education grants and such other allowances as he may deem necessary in the interests of the Organization.

Regulation 3.4

The Secretary-General shall establish a scheme for the payment of children's allowances and education grants under the conditions specified in Annex II of the present regulations.

In so far as children's allowances and education grants are concerned, the regulation proposed by the Secretary-General has been superseded by the text adopted by the General Assembly in paragraph 5 of resolution 470 (V). The Committee suggests that, as a matter of

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

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convenience, the text of these regulations might be transferred to the attached Annex II.

As regards the Secretary-General's proposal covering "such other allowances as he may deem necessary in the interests of the Organization", the Committee feels that such a provision is unduly wide in scope, and makes no distinction between common allowances already approved by the General Assembly and special allowances to meet extraordinary situations, for example, clothing allowances to staff members on certain missions. While recommending the omission of this provision, the Committee does not intend to deprive the Secretary-General of the power to propose special allowances that may be required in certain circumstances.

ARTICLE IV. APPOINTMENT AND
PROMOTION

Regulation 4.1

The Secretary-General shall
appoint staff members as required.

ARTICLE IV. APPOINTMENT AND
PROMOTION

Regulation 4.1

As stated in Article 101 of the Charter, the power of appointment of staff members rests with the Secretary-General. Upon appointment each staff member shall receive a letter of appointment signed by the Secretary-General or by an official in the name

In view of the fact that the appropriation resolution adopted annually by the General Assembly imposes a budgetary limitation, the phrase "as required" seems unduly wide. The wording of Article 101, paragraph 1, of

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

Observations by the
Advisory Committee

the Charter is considered
preferable.

The Committee notes with approval that the letter of appointment stipulates that the appointment is "subject to the terms and conditions specified herein or otherwise provided in the Staff Regulations and the Staff Rules and any directives lawfully issued in pursuance thereto, together with such amendments as may from time to time be made to such Staff Regulations, such Staff Rules and such directives". The Committee trusts that the form of this letter of appointment will not be modified.

Regulation 4.2

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

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.

The Committee recommends the omission, as superfluous, of the words "and maintaining" in the second sentence. The concept of maintaining, as well as recruiting, the staff on a wide geographical basis is clearly implicit in the relevant Charter provision.

Regulation 4.3

Selection of staff members shall be without regard to race, creed or sex. So far as is practicable, selection shall be made on a competitive basis.

Regulation 4.4

Vacancies shall be filled on a competitive basis. Without prejudice to the inflow of fresh talent at all levels, the experience of persons already in the service of the United Nations shall be taken into account in promotions. This consideration shall also be applied, on a reciprocal basis, to the specialized agencies brought into relationship with the United Nations.

Regulation 4.3

In accordance with the principles of the Charter, 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 Article 101, paragraph 3, of the Charter, and without prejudice to the inflow 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 the service of the United Nations. This consideration shall also apply on a reciprocal basis, to the specialized agencies brought into relationship with the United Nations.

The Committee considers that if, as the Secretary-General has proposed, the text of provisional regulation 10 is "broadened to guard against distinction based on race or creed" as well as on sex, it would be preferable to use the language of the Charter and to link the regulation with the provisions of that document.

The following substantive amendments are recommended by the Committee:

(i) To omit the first sentence proposed by the Secretary-General, which appears to be repetitive of the latter part of regulation 4.3;

(ii) To replace the words "in making promotions" by "in filling vacancies". Appointments to vacancies do not necessarily involve promotion;

(iii) To insert the phrase "requisite qualifications and" before "experience of persons..." Undue prominence should not, in the opinion

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

Observations by the
Advisory Committee

Regulation 4.5

Appointments of Assistant Secretaries-General and Principal Directors shall be for a period not to exceed five years, subject to renewal. Other 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.

Regulation 4.5

Appointments of Assistant Secretaries-General, Principal Directors and officials of comparable status shall normally be for a period of five years, subject to prolongation or renewal. Other 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.

of the Committee, be given to experience, which constitutes one among several elements to be taken into account. For this reason, it is further recommended that this regulation be linked with the provisions of Article 101, paragraph 3, of the Charter.

The Committee has reached the conclusion that it may not be in the best interest of the Organization that the appointments provided for in the first part of this regulation should necessarily be co-terminous with that of the Secretary-General, and the word "prolongation" is accordingly inserted before "renewal" to cover such a contingency.

With regard to the appointment of other staff members, the Committee adheres to the position set forth in its first report of 1950 (A/1313, paragraph 82): "The Committee of Experts reached the conclusion that as a general principle and subject to certain reservations, staff members should not remain for unduly long periods on temporary appointments. While the Advisory Committee agrees generally, it believes that the policy followed up to date is not altogether unsound and that the

granting of temporary rather than permanent status may constitute an important safeguard in many cases, as a surety that staff members, and particularly recruits from overseas, are fully competent and qualified to perform the duties to which they have been appointed." The Committee further believes that, as an additional safeguard, it is important that the highest possible standards be applied in the recruitment of new staff members.

As regards the omission of any reference in the regulations to the subject of staff training (Provisional Regulation 13), the Secretary-General has stated (A/1360, page 20) that "in discussion with administrative representatives of the specialized agencies, it has been agreed that in-service training is an inescapable responsibility of the administration, and that specific mention of it, as in provisional regulation 13, is not necessary". The Committee concurs in the omission of any such reference and suggests further that the opinion quoted above may require a certain qualification. The Preparatory Commission of the United Nations, in recommending that a system of in-service training should be established, emphasized that such training should be for the particular benefit of those whose education had been interrupted by the war (PC/20, Chapter VIII, section 2 D, paragraph 55). The Committee is of the opinion that the system of in-service training in the United Nations should at this stage be directed principally to any special needs of the Organization that may arise. In such cases, reasonable facilities for the training of staff at the expense of the Organization may appropriately be provided.

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

Observations by the
Advisory Committee

Regulation 4.6

The Secretary-General shall establish appropriate medical standards which prospective staff members shall normally be required to meet before appointment.

ARTICLE V. ANNUAL AND SPECIAL LEAVE

Regulation 5.1

Staff members shall be allowed appropriate annual leave. In exceptional cases, special leave may be authorized by the Secretary-General.

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.

The Committee construes the word "appropriate" as related to the exigencies of the service. It recommends that the question of special leave should be divorced from that of annual leave and treated in a separate regulation, to mark the fact that only exceptional cases can warrant the granting of special leave.

Regulation 5.11

Special leave may be authorized by the Secretary-General in exceptional cases.

Regulation 5.2

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

Regulation 5.2

In order that staff members may take their leave periodically in their home countries, the United Nations shall allow necessary travelling time for that purpose, under conditions and definitions prescribed by the Secretary-General.

The Secretary-General's proposal has been replaced by the text of paragraph 4 of General Assembly resolution 470 (V).

Text proposed by the
Secretary-General
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Text recommended by the
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country while performing his official
duties shall not be eligible for
home leave.

ARTICLE VI. SOCIAL SECURITY

Regulation 6.1

Provision shall be made for the parti-
cipation of staff members in the United
Nations Joint Staff Pension Fund in
accordance with the regulations of that
Fund.

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
arising out of or in the course of per-
forming official duties on behalf of
the United Nations.

ARTICLE VII. TRAVEL AND REMOVAL EXPENSES

Regulation 7.1

Subject to conditions and definitions
prescribed by the Secretary-General,
the United Nations shall pay the travel
expenses of staff members and in

ARTICLE VI. SOCIAL SECURITY

Regulation 6.1

Provision shall be made for the partici-
pation of staff members in the United
Nations Joint Staff Pension Fund in
accordance with the regulations of that
Fund.

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 United
Nations.

ARTICLE VII. TRAVEL AND REMOVAL EXPENSES

Regulation 7.1

Subject to conditions and definitions
prescribed by the Secretary-General, the
United Nations shall in appropriate cases
pay the travel expenses of staff members
and their dependents.

No change.

The proposed amendment is
intended to facilitate the
procedure in respect of
compensation.

In view of the qualifying
phrase at the beginning of
this and the following regu-
lation, the Committee

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

Observations by the
Advisory Committee

appropriate cases, their dependents.

- Upon appointment and on subsequent change of official duty station;
- Upon the taking of leave at home when authorized; and
- Upon separation from the service.

Regulation 7.2

Subject to conditions and definitions prescribed by the Secretary-General, the United Nations shall pay removal costs for staff members

- Upon appointment and on subsequent change of official duty station; and
- Upon separation from the service.

ARTICLE VIII. STAFF RELATIONS

/staff
Text proposed by the Secretary-General during March 1951/

Regulation 8.1

- (a) A Staff Council, elected by the staff, shall be established for the purpose of ensuring continuous contact between the

Regulation 7.2

Subject to conditions and definitions prescribed by the Secretary-General, the United Nations shall pay removal costs for staff members.

ARTICLE VIII. STAFF RELATIONS

Regulation 8.1

- (a) A Staff Council, elected by the staff, shall be established for the purpose of ensuring continuous contact between the

considers it superfluous to indicate the circumstances in which such travel and removal expenses shall be paid by the United Nations.

See observations above.

During March 1951 the Secretary-General submitted to the Committee two draft regulations, of which the second (Regulation 8.2 below) is intended to replace Regulation 8.1 as submitted in document A/1360.

Paragraph (a): Representations were made to the Advisory Committee by the Staff Council to the effect that this paragraph might be construed as

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

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staff and the Secretary-General. Council shall be entitled to make proposals to the Secretary-General for improvements in the situation of staff members, both as regards their conditions of work and their general conditions of life.

staff and the Secretary-General. The Council shall be entitled to make proposals to the Secretary-General for improvements in the situation of staff members, both as regards their conditions of work and their general conditions of life.

implying that the Staff Council would be restricted to contacts with the Secretary-General alone, and as denying it the right of appearing before Committees of the General Assembly.

The Advisory Committee makes no recommendation on this matter, since it considers that it is for the General Assembly to decide in each particular case, on the question of representation of the staff before its subsidiary organs.

(b) The Staff Council shall be composed in such a way as to afford equitable representation to all levels of the staff.

(b) The Staff Council shall be composed in such a way as to afford equitable representation to all levels of the staff.

(c) Election of the Staff Council shall take place annually under regulations agreed upon by the Secretary-General and the Staff Council. All members of the staff present at Headquarters shall be afforded an opportunity to vote.

(c) Election of the Staff Council shall take place annually under regulations drawn up by the Staff Council and agreed to by the Secretary-General.

Paragraph (c): The proposed amendment to the first sentence, while granting to the Staff Council the right to draw up the regulations governing elections, maintains the principle that the General Assembly and the Secretary-General have an interest in ensuring that the method of election accords with the principle of equitable representation referred to in paragraph (b).

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

Observations by the
Advisory Committee

(d) The Staff Council may designate committees from time to time to serve for it with respect to specific problems.

Regulation 8.2

The Secretary-General shall establish joint administrative machinery with staff participation to advise him regarding personnel policies and general questions of staff welfare and to make to the Secretary-General such proposals as it may desire for amendment of the staff regulations and rules.

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The Secretary-General shall establish joint administrative machinery with staff participation to advise him regarding personnel policies and general questions of staff welfare and to make to the Secretary-General such proposals as it may desire for amendment of the staff regulations and rules.

As regards the second sentence proposed by the Secretary-General, the Committee appreciates the administrative difficulties of polling personnel detailed to missions or in travel status. It nevertheless, considers it preferable to omit the sentence and to afford, so far as practicable, an opportunity of voting to all staff members.

Paragraph (d): The omission of this paragraph is recommended, on the ground that it is the right of any such council to designate a subsidiary body to deal with particular problems.

No change.

ARTICLE IX. SEPARATION FROM SERVICE

Regulation 9.1*

The Secretary-General may terminate the appointment of a staff member in accordance with the terms of his appointment, or 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.

Regulation 9.2

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

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Regulation 9.2

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

No change.

* This and the following regulation are presented in the reverse order in A/1360.

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

Observations by the
Advisory Committee

Regulation 9.3

Regulation 9.3

If the Secretary-General terminates an appointment the staff member shall be given notice and indemnity payment in accordance with the terms of his appointment.

If the Secretary-General terminates an appointment the staff member shall be given notice and indemnity payment in accordance with the terms of his appointment.

The Committee desires to draw attention to the following problem affecting a staff member who, having received notice of termination, enters an appeal with the Joint Appeals Board. Legislation in many Member States precludes staff members of foreign nationality from remaining in the country of duty station beyond a limited period (in certain cases, of thirty days) after the termination of employment with the United Nations. If therefore the decision of the Board should be delayed, a situation might arise in which a staff member, for reasons beyond his control, would be unable to attend the Board for the purpose of arguing his appeal. The Committee understands that in practice the Secretary-General requests an extension of the staff member's visa in such cases.

While not submitting a firm recommendation, the Committee suggests two possible alternatives:

(a) Where such a case may arise, the Appeals Board should be required to reach a decision within ten days' time; or

(b) Irrespective of the prescribed period of notice, the effective date of termination should be deferred until the actual date on which the Joint Appeals Board communicates its opinion to the Secretary-General.

As regards appeals before the Administrative Tribunal, the Committee was informed that, in cases where a terminated staff member has already been repatriated, travel and subsistence expenses (subject to certain conditions), to cover a journey to the meeting place of the Tribunal and return, are paid by the Organization.

Regulation 9.4

The Secretary-General shall establish a scheme for the payment of repatriation grants in accordance with the maximum rates and conditions specified in Annex III of these regulations.

Regulation 9.4

The Secretary-General shall establish a scheme for the payment of repatriation grants within the maximum rates and under the conditions specified in Annex III to the present regulations.

The Committee recommends that the text adopted by the General Assembly in paragraph 6 of resolution 470 (V) be amended to read "...within the maximum rates and under the

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

Observations by the
Advisory Committee

conditions....." in place of:
"..... in accordance with the
maximum rates and conditions
.....".

Regulation 9.5

Normally, staff members shall not be retained in active service beyond the age specified in the Pension Fund regulations as the age of retirement. The Secretary-General, may, in the interest of the Organization, extend this age limit in exceptional cases.

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.

The Committee considers it preferable to state the actual age of retirement, rather than rely upon a reference to an independent set of regulations.

ARTICLE X. DISCIPLINARY MEASURES

Regulation 10.1*

The Secretary-General may establish administrative machinery with staff participation which shall be available to advise him in disciplinary cases.

Regulation 10.1

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

The Committee notes that the mandatory form of provisional regulation 23 (a) has been discarded in the new regulation proposed by the Secretary-General, and that this has been done after consultation with the administrative heads of the specialized agencies. Consequently, the Committee is prepared to recommend the

* This and the following regulation are presented in the reverse order in A/1360.

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

Observations by the
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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.

Regulation 10.2

The Secretary-General may impose disciplinary measures on staff members whose conduct is unsatisfactory. He may, however, summarily dismiss a member of the staff for serious misconduct.

permissive form "...may establish...." and the substitution of "will" for "shall" in the relative clause.

Drafting amendment: insertion of the word "however" in the second sentence of the regulation.

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

Provision shall be made for an Administrative Tribunal which, under conditions prescribed in its statute, shall hear and pass judgment upon applications from staff members alleging non-observance of their terms of appointment, including all pertinent regulations and rules.

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.

No change.

The alternative text recommended by the Committee takes account of the fact that provision for an Administrative Tribunal has already been made (General Assembly resolution 351(IV) of 24 November 1949).

Text proposed by the
Secretary-General
(A/1360)

Text recommended by the
Advisory Committee

Observations by the
Advisory Committee

ARTICLE XII. GENERAL PROVISIONS

Regulation 12.1

These regulations may be supplemented or amended by the General Assembly, without prejudice to the acquired rights of staff members.

ARTICLE XII. GENERAL PROVISIONS

Regulation 12.1

These regulations may be supplemented or amended by the General Assembly, without prejudice to the acquired rights of staff members. No change.

Additional general provision:

Regulation 12.2

The Secretary-General shall report annually to the General Assembly such staff rules and amendments thereto as he may make to implement these regulations.

ANNEX I

Salary scales and related provisions

(For the relevant text see Annex I to resolution 470(V) adopted by the General Assembly on 15 December 1950)

The Advisory Committee recommends an amendment to paragraph 5, in accordance with the terms of which as at present drafted it is possible for a Principal Officer entering the service on the same date as a Director not only to reach the same salary as the latter, but at one stage to receive a higher salary. To correct this situation, it is recommended that paragraph 5 should be revised to read as follows:

"Salary increments within the levels set forth in paragraph 4 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 \$15,000 shall be two years".

ANNEX II

Children's allowances

(For relevant text see paragraph 5 of resolution 470(V) adopted by the General Assembly on 15 December 1950)

Education grant

(For the relevant text see Annex A to resolution 161(II) adopted by the General Assembly on 20 November 1947 (Article XII, provisional regulation 33))

NOTE: The age-limit of eleven years in paragraph (c) of provisional regulation 33 was raised to thirteen years by resolution 470(V) adopted by the General Assembly on 15 December 1950 (paragraph 5).

Repatriation grant

(For the relevant text see Annex II to resolution 470(V) adopted by the General Assembly on 15 December 1950)
