



UNITED NATIONS



## *Appendix D to Staff Rules*

*Provisional Rules Governing Compensation  
in the Event of Death, Injury or Illness  
Attributable to the Performance of Official  
Duties on Behalf of the United Nations*

*Secretary-General's Bulletin*

SECRETARY-GENERAL'S BULLETIN

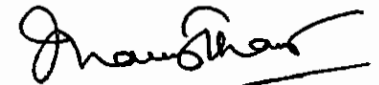
To: Members of the Staff of the United Nations

Subject: PROVISIONAL RULES GOVERNING COMPENSATION IN  
THE EVENT OF DEATH, INJURY OR ILLNESS ATTRIBU-  
TABLE TO THE PERFORMANCE OF OFFICIAL DUTIES  
ON BEHALF OF THE UNITED NATIONS

1. The rules annexed hereto are issued as appendix D to the Staff Rules in accordance with Staff Rule 106.4, effective from 1 January 1963.

2. These rules amend and supersede the rules issued under symbol ST/AFS/SGB/94/Add.1 in May 1953.

3. Provisions for annual compensation payments under these rules shall have retroactive effect with respect to awards made on or after 1 April 1961.



U THANT  
*Secretary-General*

## CONTENTS

Article	Page
1. Applicability . . . . .	1
2. Principles of award . . . . .	1
3. Sole compensation . . . . .	3
4. Relation to benefits under the United Nations Joint Staff Pension Fund . . . . .	3
5. Relation to non-United Nations compensation payments or entitlements . . . . .	3
6. Claims against third parties . . . . .	3
7. Non-assignment . . . . .	4
8. Minors . . . . .	4
9. Reopening of cases . . . . .	4
10. Death . . . . .	4
11. Injury or illness . . . . .	7
12. Time limit for entering claims . . . . .	11
13. Type and degree of incapacity . . . . .	11
14. Medical examination . . . . .	11
15. Documentary evidence . . . . .	11
16. Advisory Board on Compensation Claims . . . . .	11
17. Appeals in case of injury or illness . . . . .	12
18. Relation to other benefits under the Staff Rules . . . . .	13

PROVISIONAL RULES GOVERNING COMPENSATION IN THE EVENT OF DEATH, INJURY OR ILLNESS ATTRIBUTABLE TO THE PERFORMANCE OF OFFICIAL DUTIES ON BEHALF OF THE UNITED NATIONS

Section I. Applicability

Article 1. Applicability

(a) Subject to the provisions of this article, this appendix shall apply to all staff members appointed by the Secretary-General and holding one of the following appointments specified in Staff Rules 104.12 or 104.13:

- (i) A probationary appointment;
- (ii) A fixed-term appointment (except as provided under paragraph (c) of this article);
- (iii) An indefinite appointment;
- (iv) A permanent appointment;
- (v) A regular appointment;

(b) The Secretary-General may, in appropriate cases, arrange for the coverage of staff members who are locally recruited under an applicable national social security scheme, in which case the provisions of this appendix shall not apply to such staff members;

(c) Personnel engaged for conferences or other short-term service shall be entitled to compensation payments in accordance with articles 10.1, 11.1 (a) and 11.2 (a), and to such additional compensation payment or payments as the Secretary-General may deem appropriate;

(d) This appendix shall not apply to technical assistance project personnel except as may be prescribed by the Secretary-General;

(e) This appendix shall not apply to internes nor to persons under contract with the United Nations by special service agreement unless otherwise expressly provided by the terms of their appointments.

Section II. Principles of award and general provisions

Article 2. Principles of award

The following principles and definitions shall govern the operation of these rules:

(a) Compensation shall be awarded in the event of death, injury or illness of a staff member which is determined to be attributable to the performance of official duties on behalf of the United Nations,

except that no compensation shall be awarded when such death, injury or illness has been occasioned by:

- (i) The wilful misconduct of any such staff member; or
- (ii) Any such staff member's wilful intent to bring about the death, injury or illness of himself or another;

(b) Without restricting the generality of (a), death, injury or illness of a staff member shall be deemed to be attributable to the performance of official duties on behalf of the United Nations in the absence of any wilful misconduct or wilful intent when:

- (i) The death, injury or illness resulted as a natural incident of performing official duties on behalf of the United Nations; or
- (ii) The death, injury or illness was directly due to the presence of the staff member, in accordance with an assignment by the United Nations, in an area involving special hazards to the staff member's health or security, and occurred as the result of such hazards; or
- (iii) The death, injury or illness occurred as a direct result of travelling by means of transportation furnished by or at the expense or direction of the United Nations in connexion with the performance of official duties; provided that the provisions of this sub-paragraph shall not extend to private motor vehicle transportation sanctioned or authorized by the United Nations solely on the request and for the convenience of the staff member;

(c) Compensation with respect to a child shall be paid until the end of the month in which the child reaches eighteen years of age; provided that if the child is in full-time attendance at a school or university (or similar educational institution) or is totally disabled, compensation shall be continued until the end of the month in which the child reaches twenty-one years. The Secretary-General may extend these age limits in the case of a child whose disability is total and where failure to grant an extension would work a severe hardship;

(d) "Dependants" shall mean and include only: a wife, dependent husband, dependent child, dependent parent, dependent brother or dependent sister;

(e) "Pensionable remuneration" shall have the meaning assigned thereto under the Regulations of the United Nations Joint Staff Pension Fund and Staff Rule 103.16; provided, however, that where the staff member claiming under this appendix was not a participant or associate participant in the Joint Staff Pension Fund at the date of his death, injury or illness, "pensionable remuneration" shall in such cases mean the gross salary applicable to the grade and step of the staff member, plus any non-resident's allowance, language allowance and personal allowance payable to such staff member (under Staff Rules 103.5, 103.6 and 103.10), less one-half of any staff assessment deductible from such salary and allowances under Staff Regulation 3.3.

### *Article 3. Sole compensation*

The compensation payable under these rules shall be the sole compensation to which any staff member or his dependants shall be entitled in respect of any claim falling within the provisions of these rules.

### *Article 4. Relation to benefits under the United Nations Joint Staff Pension Fund*

(a) Compensation awarded under this appendix is intended to supplement benefits awarded under the Regulations of the Joint Staff Pension Fund. Subject to the provisions of paragraph (b) of this article, there shall be deducted from any compensation payable under articles 10.2, 11.1 (c) and 11.2 (d) of this appendix the amount of all benefits paid to the staff member or to persons entitled through him under the Regulations of the Joint Staff Pension Fund, other than any part of such benefits deriving solely from voluntary contributions paid by the staff member himself under article XVIII of those regulations, provided that such benefits have become payable as a result of the same death, injury or illness which gave rise to the entitlement to compensation under this appendix;

(b) Deductions made under paragraph (a) of this article shall in no case have the effect of reducing the compensation otherwise payable under articles 10.2, 11.1 (c) and 11.2 (d) to less than 10 per cent thereof, provided always that the total annual amount payable both under these articles and under the Regulations of the Joint Staff Pension Fund does not exceed the final pensionable remuneration of the staff member plus the annual dependency allowances to which he was entitled at the date of the cessation of his employment.

### *Article 5. Relation to non-United Nations compensation payments or entitlements*

In determining the amount of compensation under these rules, the Secretary-General may take into account any compensation payment or benefits under governmental, institutional or industrial schemes for which the staff member or his dependants may qualify; provided that this article shall not operate to reduce compensation payments under these rules below the level provided by these rules. No account shall be taken in determining the amount of compensation of commercial insurance carried by the staff member and of which he or his dependants may be the beneficiaries.

### *Article 6. Claims against third parties*

(a) If a death, injury or illness for which compensation may be awarded under these rules is caused in circumstances which, in the opinion of the Secretary-General, create a legal liability in a third person to pay damages therefor, either to the staff member or to another person who is entitled to compensation under these rules in respect of the death, injury or illness, the Secretary-General may, as a condition to granting such compensation, require the member of the staff or such person to assign to the United Nations any right

of action to enforce such liability, or to participate with the United Nations in prosecuting such action;

(b) The staff member or such persons shall furnish the United Nations with such data and evidence as may be available to him for prosecuting such action and render the United Nations all other assistance which may be required for prosecuting such action. The staff member or such person shall not settle any claim or action against such third person without the consent of the United Nations, but the United Nations shall be entitled to settle or require the staff member or such person to settle any claim or action against such third person upon such terms as seem reasonable to the United Nations;

(c) If the staff member or such person, or the staff member or such person and the United Nations prosecute to judgement or settle any claim against such third person or make any settlement of such claim, the proceeds derived therefrom shall be used (i) to defray the costs of the suit or settlement, including reasonable attorney fees, and (ii) to reimburse the United Nations for any compensation including expenses of medical services provided under these rules with respect to the death, injury or illness. The balance, if any, shall be paid over to the staff member or such person and the United Nations' liability under these rules shall to that extent be reduced.

#### *Article 7. Non-assignment*

A person who may be entitled to compensation under these rules may not assign his rights under these rules to another person.

#### *Article 8. Minors*

All awards of compensation required to be made to minors under these rules shall be paid to or for the benefit of such minors. The Secretary-General may require the appointment of a guardian in any such case.

#### *Article 9. Reopening of cases*

The Secretary-General, on his own initiative or upon the request of a person entitled to or claiming to be entitled to compensation under these rules, may reopen any case under these rules, and may, where the circumstances so warrant, amend in accordance with these rules any previous award with respect to future payments.

### **Section III. Compensation payments**

#### *Article 10. Death*

In the event of the death of a staff member attributable to the performance of official duties on behalf of the United Nations, the following provisions shall apply:

##### *Article 10.1*

In addition to any compensation payable under article 10.2, the United Nations shall pay:

(a) A reasonable amount for the preparation of the remains and funeral expenses;

(b) The expenses of return transportation of the deceased staff member and his dependants either:

- (i) To the place where the Organization would have had an obligation to return the staff member on separation; or
  - (ii) In cases where the staff member was serving on an official assignment away from his duty station at the date of his death, to the place of his official duty station; or
  - (iii) To another place provided that the maximum expense borne by the United Nations shall not exceed the amount under (i);
- (c) All reasonable medical, hospital and directly related costs.

#### *Article 10.2*

(a) The United Nations shall pay to the deceased staff member's widow and/or other dependants the compensation specified hereunder, provided that the total annual compensation so payable shall not exceed two-thirds of the final annual pensionable remuneration of the staff member plus the annual dependency allowances to which he was entitled at the date of his death;

(b) There shall be paid to the deceased staff member's widow (or dependent widower while the latter is seriously incapacitated) an annual compensation until death or remarriage equal to one-third of the staff member's final annual pensionable remuneration, provided that:

- (i) If the amount so calculated is less than \$2,200 per annum, it shall be increased to either \$2,200 per annum or to twice the amount first calculated, whichever is the smaller;
- (ii) Upon remarriage of the widow (or dependent widower) a lump sum, equivalent of two years' compensation under this subparagraph, shall be paid to her (or him);

(c) There shall be paid to each unmarried child of the deceased staff member, during such time as he or she qualifies for a child's compensation under article 2 (c), the following annual compensation:

- (i) If there is a surviving widow or widower of the staff member, an annual compensation equal to one-third of the compensation which would have been payable to the staff member under article 11.1 (c) had he been totally incapacitated, provided that the compensation for each child shall not be less than \$300 per annum and shall not exceed \$1,000 per annum and that the total compensation payable in respect of the children of one staff member shall not exceed \$3,000 per annum;

- (ii) If, or at such time as, there is no surviving widow or widower of the staff member, the annual child's compensation under article 10.2 (c) (i) shall be increased by an amount equivalent to one-half of the widow's compensation under article 10.2 (b) where there is only one child qualifying for compensation, and by the full amount of the widow's compensation under article 10.2 (b) where there are two or more children quali-

ying for compensation, provided always that the total children's compensation payable under this provision shall be divided in equal shares among all the children entitled, and shall be recalculated at such times as any one of such children ceases to qualify under article 2 (c);

(d) If there is no surviving widow, widower or child of the deceased staff member to whom compensation is payable under article 10.2 (b) or (c) but the staff member is survived by a dependent mother or father or brother or sister in respect of whom a dependency allowance was being paid at the date of the death of the staff member, then subject to the provision of article 10.2 (f), annual compensation shall be payable as follows:

(i) A dependent mother or dependent father shall receive a widow's compensation in the same amount and subject to the same conditions as provided for under article 10.2 (b), except only that in the event of the remarriage of the dependent mother or father, the Secretary-General may, if he deems fit, continue the payment of the compensation;

(ii) A dependent brother or dependent sister shall receive, during such time as he or she is a child within the meaning of article 2 (c), a child's compensation in the same amount and subject to the same conditions as provided for under article 10.2 (c) (i);

(e) Where the annual compensation payable under the preceding provisions of article 10.2 is less than two-thirds of the staff member's final annual pensionable remuneration, plus the dependency allowances which were paid by the United Nations at the cessation of the staff member's employment, and the staff member had other dependants (as defined in article 2 (d)) at the date of his death in respect of whom no compensation is payable under the preceding provisions of article 10.2, then subject to the provision of article 10.2 (f), such dependants may be awarded a lump-sum payment, the amount of which shall be determined by the Secretary-General and shall not exceed the equivalent of twice the staff member's final annual pensionable remuneration or \$10,000 whichever is smaller. Where two or more dependants qualify under this sub-paragraph, the Secretary-General may allocate compensation between them in such manner as appears to him fair and equitable;

(f) Where a dependent parent or dependent brother or dependent sister is awarded compensation under article 10.2 (d), and an additional parent or one or more additional dependent brothers and/or dependent sisters are awarded compensation under article 10.2 (e), the total compensation so awarded under both paragraphs, when added together (on the basis of such conversion tables as may be established by the Secretary-General for this purpose), shall be subject to the maximum limitation set out in article 10.2 (a) above, and may, if the Secretary-General so decides, be divided between the dependants to whom such compensation is payable in such manner as he deems fair and equitable, and in the form of either annual or lump-sum payments;

(g) In any case where annual compensation has been awarded under the provisions of articles 10.2 (b), 10.2 (c) or 10.2 (d), the

Secretary-General may, if the beneficiary or beneficiaries agree (and subject to article 10.2 (f)), commute all or part of the annual compensation award to a lump-sum payment which is the actuarial equivalent of such award, using conversion tables established by the Secretary-General for this purpose.

#### *Article 11. Injury or illness*

In the event of an injury or illness of a staff member attributable to the performance of official duties on behalf of the United Nations, the following provisions shall apply:

##### *Article 11.1*

In the case of injury or illness resulting in incapacity which is determined by the Secretary-General to be total, and whether or not the staff member is continued in the employment of the Organization or is separated:

(a) The United Nations shall pay all reasonable medical, hospital and directly related costs;

(b) Without prejudice to the staff member's entitlements under other provisions of the Staff Regulations and Rules, the salary and allowances which the staff member was receiving at the date on which he last attended at duty (but not including special post allowance under Staff Rule 103.11) shall continue to be paid to the staff member until either:

(i) He returns to duty; or

(ii) If, by reason of his incapacity, he does not return to duty, then until the date of the termination of his appointment or the expiry of one calendar year from the first day of absence resulting from the injury or illness, whichever is the later, provided, however, that if the staff member dies before the expiry of such period, the payments shall cease on the date of death;

(c) Immediately following the date on which salary and allowances cease to be payable under the Staff Regulations and Rules applicable, including paragraph (b) of this article, and for the duration of the staff member's total incapacity, he shall receive annual compensation payments equivalent to two-thirds of his final pensionable remuneration plus one-third of such annual rate in respect of each unmarried child of the staff member qualifying under article 2 (c), subject always to the successive application of the three limitations set out below:

(i) Payments in respect of each such child shall not be less than \$300 per annum and shall not exceed \$1,000 per annum and the total compensation payable in respect of the children of one staff member shall not exceed \$3,000 per annum;

(ii) The total annual compensation payments under article 11.1 (c) shall not be less than the smaller of the following two amounts:

The pensionable remuneration applicable to the salary level of G.1, step 1, or its equivalent in the General Service

category at the last permanent duty station of the staff member, plus \$300 for each of his dependants in respect of whom a dependency allowance was payable; or

The maximum amount specified in article 11.1 (c) (iii);

- (iii) The total annual compensation payments under article 11.1 (c) shall not exceed the amount of the final annual pensionable remuneration of the staff member plus the annual dependency allowances to which he was entitled at the date of the cessation of his employment.

**Article 11.2**

In the case of injury or illness resulting in incapacity which is determined by the Secretary-General to be partial:

(a) The United Nations shall pay all reasonable medical, hospital and directly related costs, whether or not the staff member remains in the employment of the United Nations;

(b) The provisions of article 11.1 (b) shall apply:

- (i) During such time as the staff member is incapacitated by the injury or illness from the performance of his official duties; and
- (ii) Whenever the incapacity of the staff member results in the termination of his appointment on the ground that he is for reasons of health incapacitated for further service;

(c) Where as a result of his partial incapacity, a staff member who remains in the employment of the United Nations is reassigned to a post at a lower salary level than that which he held prior to the injury or illness;

(i) Compensation shall be paid at an annual rate equal to two-thirds of the difference between his gross salary rate before reassignment and the gross salary rate at which he is re-assigned. This compensation shall be added to the latter gross salary, and the whole shall be subject to staff assessment under staff regulation 3.3, and shall be included in the salary element of pensionable remuneration under Staff Rule 103.16;

(ii) The payment of compensation under article 11.2 (c) (i) shall not affect the salary increments applicable to the lower salary level at which the staff member is reassigned, provided, however, that where the amount of the salary, including increments, payable to the staff member subsequently rises to an amount which, when added to the compensation payable under article 11.2 (c) (i), exceeds the level of salary, including increments, which the staff member would have received had he remained in the grade which he held at the time of the injury or illness, then the Secretary-General may make appropriate reduction or reductions in the compensation payable;

(d) Where, upon the separation of a staff member from United Nations service, it is determined that he is partially incapacitated

as a result of the injury or illness in a manner which adversely affects his earning capacity, he shall be entitled to receive such proportion of the annual compensation provided for under article 11.1 (c) as corresponds with the degree of the staff member's incapacity, assessed on the basis of medical evidence, and in relation to loss of earning capacity in his normal occupation or an equivalent occupation appropriate to his qualifications and experience.

**Article 11.3**

(a) In the case of injury or illness resulting in permanent disfigurement or permanent loss of a member or function, there shall be paid to the staff member a lump sum, the amount of which shall be determined by the Secretary-General on the basis of the schedule set out in paragraph (c) below, and in accordance with the principles of assessment set out in paragraph (d) below, and applying, where necessary, proportionate and corresponding amounts in those cases of permanent disfigurement or loss of member or function not specifically referred to in the schedule;

(b) The payment of lump-sum compensation under paragraph (a) shall be made in addition to any other compensation payable under article 11, whether or not the staff member remains in the employment of the United Nations, and whether or not the permanent disfigurement or loss of member or function affects the staff member's earning capacity;

(c) SCHEDULE (PERMANENT DISFIGUREMENT OR PERMANENT LOSS OF MEMBER OR FUNCTION)

Loss or total loss of use	Amount \$
<b>Arm</b>	
At or above elbow . . . . .	15,750
Below elbow . . . . .	13,500
Hand . . . . .	11,250
Thumb . . . . .	3,400
<b>Fingers</b>	
First (index) . . . . .	2,050
Second (middle) . . . . .	1,350
Third (ring) . . . . .	1,150
Fourth (little) . . . . .	700
<b>Leg</b>	
At or above knee . . . . .	14,650
Below knee . . . . .	12,400
Foot . . . . .	9,000
Great toe . . . . .	1,800
Toe, other than great toe . . . . .	600
Loss of sight, one eye . . . . .	7,450
Loss of hearing, one ear . . . . .	2,950
Loss of hearing, both ears . . . . .	10,150

In the case of General Service personnel, manual workers and locally-recruited mission personnel whose salaries or wages are fixed in accordance with Staff Rules 103.2, 103.3 or 103.4, appropriate adjustments in the amounts of compensation provided for in this



schedule may be made by the Secretary-General, taking into account the proportion which the staff members' salary or wage bears to Headquarters rates;

(d) Compensation under the immediately preceding provisions shall be determined in accordance with the following principles of assessment, where these are applicable:

- (i) The total loss, or loss of use, of both arms or both hands or both legs or both feet, or the sight of both eyes shall be assessed at the amount of \$30,000;
- (ii) Loss of binocular vision amounting to 80 per cent or more of the vision of one eye shall be assessed at the same amount as for the loss of sight of one eye;
- (iii) The assessment for the loss of more than one phalanx of a digit shall be the same as for the loss of the digit. The assessment for loss of the first phalanx shall be one-half of that for the entire digit;
- (iv) The assessment for the loss, or loss of use, of two or more digits, or of one or more phalanxes of each of two or more digits, of a hand or foot, shall be proportioned to the loss of the use of the hand or foot occasioned thereby;
- (v) The assessment for permanent total loss of use of a member shall be the same as for the loss of the member;
- (vi) The assessment for permanent partial loss, or loss of use, of a member shall be proportionate to the degree of loss or loss of use of the member;
- (vii) In any case in which there is loss, or loss of use, of more than one member or parts of more than one member, assessment shall be made separately for each injury, except where the injury affects only two or more digits of the same hand or foot, in which case assessment will be made in accordance with the principle under (iv). Where partial bilateral loss of hearing is involved, assessment shall be computed in proportion to the degree of the loss as affecting both ears.

#### *Article 11.4*

Notwithstanding any other provisions of article 11, the Secretary-General may award additional compensation as follows:

(a) Where the injury or illness of a staff member has resulted in total incapacity of such a nature that the staff member is obliged to depend, for his essential personal needs, on the attendance of another person, either constantly or occasionally, and such attendance entails expense, additional compensation may be paid, in such amount, as may be determined by the Secretary-General, not exceeding the reasonable cost of such attendance;

(b) In any case of permanent partial incapacity, where the staff member's earning capacity has been affected by an injury or illness attributable to the performance of official duties on behalf of the United Nations, an additional allowance may be authorized, in such

amount as may be determined by the Secretary-General, to assist in financing the cost of an appropriate course of vocational rehabilitation approved in advance by the Secretary-General.

#### *Article 11.5*

In any case where annual compensation has been awarded under the provisions of article 11.1 or 11.2, the Secretary-General may, if the staff member agrees, commute all or part of the annual compensation award to a lump-sum payment which is the actuarial equivalent of such award, using conversion tables established by the Secretary-General for this purpose.

### **Section IV. Administration and procedures**

#### *Article 12. Time limit for entering claims*

Claims for compensation under these rules shall be submitted within four months of the death of the staff member or the injury or onset of the illness; provided, however, that in exceptional circumstances the Secretary-General may accept for consideration a claim made at a later date.

#### *Article 13. Type and degree of incapacity*

The determination of the injury or illness and of the type and degree of incapacity shall be made on the basis of reports obtained from a qualified medical practitioner or practitioners.

#### *Article 14. Medical examination*

The Secretary-General may require the medical examination of any person claiming or in receipt of a compensation for injury or illness under these rules. In case of refusal or failure of a claimant or beneficiary to undergo such examination at such time or times as, in the opinion of the Secretary-General, may be reasonably necessary, the Secretary-General may bar the claimant or beneficiary from receiving compensation in full or in part.

#### *Article 15. Documentary evidence*

Every person claiming under these rules or in receipt of a compensation under these rules shall furnish such documentary evidence as may be required by the Secretary-General for the purpose of determination of entitlements under these rules.

#### *Article 16. Advisory Board on Compensation Claims*

(a) An Advisory Board on Compensation Claims shall be established to make recommendations to the Secretary-General concerning claims for compensation under these rules;

(b) The Advisory Board may be consulted by the Secretary-General on any matter connected with the implementation and administration of these rules;

(c) The Advisory Board may decide on such procedures as it may consider necessary for the purpose of discharging its responsibilities under the provisions of this article;

(d) The Board shall consist of:

- (i) The three members of the United Nations Staff Pension Committee appointed by the Secretary-General in accordance with the Regulations of the United Nations Joint Staff Pension Fund;
- (ii) The three members of the United Nations Staff Pension Committee elected by the participants of the Fund in accordance with the Regulations of the United Nations Joint Staff Pension Fund;

(e) A Secretary shall be designated by the Secretary-General. He may not, at the same time, be a member of the Advisory Board on Compensation Claims.

#### *Article 17. Appeals in case of injury or illness*

(a) Reconsideration of the determination by the Secretary-General of the existence of an injury or illness attributable to the performance of official duties, or of the type and degree of incapacity may be requested within thirty days of notice of the decision; provided, however, that in exceptional circumstances the Secretary-General may accept for consideration a request made at a later date. The request for reconsideration shall be accompanied by the name of the medical practitioner chosen by the staff member to represent him on the medical board provided for under (b);

(b) A medical board shall be convened to consider and to report to the Advisory Board on Compensation Claims on the medical aspects of the appeal. The medical board shall consist of: (i) a qualified medical practitioner selected by the claimant; (ii) the Medical Director of the United Nations or a medical practitioner selected by him; (iii) a third qualified medical practitioner who shall be selected by the first two, and who shall not be a medical officer of the United Nations;

(c) The Advisory Board on Compensation Claims shall transmit its recommendations together with the report of the medical board to the Secretary-General who shall make the final determination;

(d) If after reviewing the report of the medical board and the recommendations of the Advisory Board on Compensation Claims, the Secretary-General alters his original decision in favour of the claimant, the United Nations will bear the medical fees and incidental expenses; if the original decision is sustained, the claimant shall bear the medical fees and the incidental expenses of the medical practitioner whom he selected and half of the medical fees and expenses of the third medical practitioner on the medical board. The balance of the fees and expenses shall be borne by the United Nations;

(e) Whenever an appeal under this article involves also an appeal against a decision of the Joint Staff Pension Board, the medical board established under the Rules and Regulations of the Joint Staff Pension

Board and such medical board's report shall be utilized to the extent possible for the purposes of this article.

#### *Article 18. Relation to other benefits under the Staff Rules*

In any case of death, injury or illness recognized under this appendix as attributable to the performance of official duties on behalf of the United Nations, the following provisions shall apply:

(a) Authorized absences occasioned by the injury or illness shall be charged to the sick leave of the staff member. Following the exhaustion of sick leave and subject to any prior separation, the staff member shall be placed on special leave (under Staff Rule 105.2). Any special leave granted under this paragraph covering the period when the staff member is paid compensation equivalent to salary and allowances in accordance with article 11.1 (b) or 11.2 (b), shall be deemed special leave with pay, while any period of subsequent special leave shall be deemed special leave without pay.

In any case where hardship is subsequently occasioned by the prior use of sick leave as the result of injury or illness attributable to service, a special sick leave credit may be granted, if and as required in the individual case, equal in whole or in part to the authorized sick leave previously so utilized;

(b) In the case of serious incapacity, where the absence of the staff member from his duties is likely to last six months or longer, the Secretary-General may, on request of the staff member, provide travel for the staff member and his eligible dependants to the place of entitlement as determined in accordance with Staff Rules 107.1 (b) and 107.2 (c), and for their return travel when the staff member returns to duty, provided that, in appropriate cases, the travel expenses involved shall be counted as travel expenses related to the next home leave entitlement of the staff member, or where the staff member does not return to duty, as travel on separation. Travel expenses and other conditions relating to such travel shall be as provided for home leave in accordance with chapter VII of the Staff Rules;

(c) The provisions of Staff Rule 104.3 relating to reinstatement following retirement on disability under the Joint Staff Pension Fund Regulations shall also apply to staff members separated for reasons of health as the result of injury or illness attributable to the performance of official duties on behalf of the United Nations.

(d) In the case of separation as the result of death, injury or illness attributable to the performance of official duties on behalf of the United Nations, the two years requirement for removal expenses on separation under Staff Rule 107.27 (a)(iv) shall not apply.