



OPCW

Conference of the States Parties

Twenty-Second Session
27 November – 1 December 2017

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30 November 2017
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DECISION

AMENDMENTS TO THE OPCW STAFF REGULATIONS

The Conference of the States Parties,

Recalling the decision of the Conference of the States Parties (hereinafter “the Conference”) adopting the Staff Regulations of the OPCW (C-IV/DEC.25, dated 2 July 1999), which “embody the broad principles of personnel policy for the staffing and administration” of the Technical Secretariat;

Also recalling Staff Regulation 12.1, which states that “[t]he present Staff Regulations may be supplemented or amended by the Conference of the States Parties, without prejudice to the existing contracts of staff members”;

Bearing in mind that the recommendations of the International Civil Service Commission’s comprehensive review of the United Nations compensation package were approved by the United Nations General Assembly in its resolution 70/244, adopted on 23 December 2015, and that subsequently these recommendations have been implemented in the United Nations common system;

Noting the decision of the Executive Council at its Eighty-Sixth Session (EC-86/DEC.8, dated 11 October 2017) recommending to the Conference that it adopt the amendments to the Staff Regulations annexed thereto, which are also annexed to the present document;

Hereby:

Adopts the amendments to the Staff Regulations of the OPCW annexed hereto.

Annex: Amendments to the Staff Regulations of the OPCW



Annex

AMENDMENTS TO THE STAFF REGULATIONS OF THE OPCW

TABLE 1: CHANGES TO THE OPCW STAFF REGULATIONS AS A RESULT OF THE NEW COMPENSATION ELEMENTS

Existing Text of the Staff Regulations <u>Regulation 3.1 and Annex I</u>	Amendments to the Staff Regulations <u>Regulation 3.1 and Annex I</u>
<p><u>Annex I:</u></p> <p>1. Except as provided in paragraph 3 of the present annex, the salary scales for staff shall be fixed in accordance with the provisions of Staff Regulation 3.1.</p> <p>2. Subject to satisfactory service, salary increments in accordance with the salary scales set forth in Annex I to the Staff Regulations of the United Nations, and published in information circulars at the OPCW, shall be awarded annually, except that any increments to step XII of the P-2 level, steps XIV and XV of the P-3 level, steps XIII, XIV and XV of the P-4 level, steps XI, XII and XIII of the P-5 level, above step IV of the D-1 level, and above step I of the D-2 level, shall be preceded by two years at the previous step.</p> <p>3. The Director-General shall determine the salary rates to be paid to personnel specifically engaged for conferences and other short-term services, to consultants, and to technical assistance experts.</p> <p>4. No salary shall be paid to staff in respect of periods of unauthorised absence from work unless such absence was caused by reasons beyond their control or duly certified</p>	<p><u>Annex I:</u></p> <p>1. Except as provided in paragraph 5 of the present annex, the salary scales for staff shall be fixed in accordance with the provisions of Staff Regulation 3.1.</p> <p>2. Subject to satisfactory service, salary increments within the Professional levels shall be awarded annually, except that any increments above step VII shall be preceded by two years at the previous step.</p> <p>3. Salary increments at the D-1 level shall be awarded annually, except that any increments above step IV shall be preceded by two years at the previous step. Salary increments at the D-2 level shall be awarded biennially.</p> <p>4. Subject to satisfactory service, salary increments within the General Service levels shall be awarded annually, except that any increments to step XI shall be preceded by 20 years of service in the Organisation or in the United Nations common system, including five years at the previous step.</p> <p>5. The Director-General shall determine the salary rates to be paid to personnel specifically engaged for conferences and</p>

Existing Text of the Staff Regulations	Amendments to the Staff Regulations
<p>medical reasons.</p> <p>5. The net base salaries referred to in paragraph 1 of the present annex shall be adjusted by application of a post adjustment the amount of which shall be determined in accordance with the terms and conditions promulgated by the ICSC.</p>	<p>other short-term services, to consultants, and to technical assistance experts.</p> <p>6. No salary shall be paid to staff in respect of periods of unauthorised absence from work unless such absence was caused by reasons beyond their control or duly certified medical reasons.</p> <p>7. The net base salaries of those staff members in the Professional and higher category referred to in paragraph 1 of the present annex shall be adjusted by application of a post adjustment the amount of which shall be determined in accordance with the terms and conditions promulgated by the ICSC.</p>
<p><u>Regulation 3.2</u></p> <p>(a) The Director-General shall establish terms and conditions under which an education grant shall be available to an internationally recruited staff member serving outside his or her recognised home country whose dependent child is in full-time attendance at a school, university, or similar educational institution of a type that will, in the opinion of the Director-General, facilitate the child's re-assimilation in the child's home country. The grant shall be payable in respect of the child up to the end of the fourth year of post-secondary studies, but in any case not exceeding the age of 25. The amount of the grant per scholastic year shall be 75 per cent of the admissible educational expenses actually incurred, subject to a maximum amount as approved by the United Nations General Assembly for the United Nations common system and endorsed by the Executive</p>	<p><u>Regulation 3.2</u></p> <p>(a) The Director-General shall establish terms and conditions under which an education grant shall be available to an internationally recruited staff member serving outside his or her recognised home country whose child is in full-time attendance at a school, university, or similar educational institution of a type that will, in the opinion of the Director-General, facilitate the child's re-assimilation in the staff member's recognised home country. The grant shall be payable in respect of a child up to the end of their fourth year of post-secondary studies, but in any case not exceeding the age of 25. The amount of the grant per scholastic year for each child will be determined by the Director-General in an Administrative Directive and shall be in accordance with the amount approved by the United Nations General Assembly for the United Nations common system.</p>

Existing Text of the Staff Regulations	Amendments to the Staff Regulations
<p>Council.</p> <p>(b) The Director-General shall also establish terms and conditions under which an education grant, not in excess of levels authorised for the United Nations, 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 or her own.</p> <p>(c) The Director-General shall also establish terms and conditions under which an education grant shall be available to a staff member whose child is unable, by reason of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training, or while attending a normal educational institution, requires special teaching or training to assist him or her in overcoming the disability. The amount of this grant per year for each disabled child shall be equal to 100 per cent of the educational expenses actually incurred, up to a maximum amount approved by the United Nations General Assembly for the United Nations common system and endorsed by the Executive Council.</p> <p>(d) Travel costs of each child covered by the education grant or the special-education grant may be paid for an outward and return journey once in each scholastic year between the educational institution and The Hague.</p>	<p>(b) The Director-General shall also establish terms and conditions under which an education grant, not in excess of levels authorised for the United Nations, 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 or her own.</p> <p>(c) The Director-General shall also establish terms and conditions under which a special education grant shall be available to a staff member whose child is unable, by reason of physical or mental disability, to attend a regular educational institution and therefore requires special teaching or training, or while attending a regular educational institution, requires special teaching or training to assist him or her in overcoming the disability. The amount of this grant per year for each child with a disability shall be determined by the Director-General in an Administrative Directive and shall be in accordance with the amount approved by the United Nations General Assembly for the United Nations common system.</p> <p>(d) Travel costs of each child covered by the special education grant may be paid for an outward and return journey twice in each scholastic year between the educational institution and The Hague.</p>

Existing Text of the Staff Regulations	Amendments to the Staff Regulations
<p><u>Regulation 3.4</u></p> <p>(a) Staff members in the Professional and higher category shall be entitled to receive dependency allowances as follows:</p> <p>(i) For each dependent child an annual amount equal to the amount approved by the United Nations General Assembly for the United Nations common system, except that the allowance shall not be paid in respect of the first dependent child if a staff member has no dependent spouse, in which case the staff member shall be entitled to the dependency rate of staff assessment;</p> <p>(ii) For each disabled child an annual amount equal to the amount approved by the United Nations General Assembly for the United Nations common system. However, if the staff member has no dependent spouse and is entitled to the dependency rate of staff assessment in respect of a disabled child, that allowance will be limited to an amount equal to the amount provided for in subparagraph (a)(ii) of Regulation 3.4 of the United Nations Staff Regulations;</p> <p>(iii) Where there is no dependent spouse, a single annual amount equal to the amount approved by the United Nations General Assembly for the United Nations common system for either a dependent parent, a dependent brother or a dependent sister.</p> <p>(b) If both husband and wife are staff members, one may claim for dependent children under subparagraphs (a)(i) and (ii) above, in which case the other may claim only under subparagraph (a)(iii)</p>	<p><u>Regulation 3.4</u></p> <p>(a) Staff members in the Professional and higher category shall be entitled to receive a dependent spouse allowance in the amount of six percent of net base salary plus post adjustment, under conditions established by the Director-General.</p> <p>(b) Staff members in the Professional and higher category without a spouse shall be entitled to receive a single parent allowance in respect of the first dependent child in the amount of six percent of net base salary plus post adjustment, under conditions established by the Director-General.</p> <p>(c) Staff members in the Professional and higher category shall be entitled to receive further dependency allowances as follows:</p> <p>(i) For each dependent child an annual amount equal to the amount approved by the United Nations General Assembly for the United Nations common system, except that the allowance shall not be paid in respect of the first dependent child if a staff member receives a single parent allowance under paragraph (b) above;</p> <p>(ii) For each disabled child an annual amount equal to the amount approved by the United Nations General Assembly for the United Nations common system. However, if the staff member is entitled to the single parent allowance under paragraph (b) above in respect of a disabled child, the further dependency allowance shall be the same as the allowance for a dependent child in subparagraph (c)(i) above;</p>

Existing Text of the Staff Regulations	Amendments to the Staff Regulations
<p>above, if otherwise entitled.</p> <p>(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 Director-General shall prescribe conditions under which the dependency allowance for a child specified in subparagraph (a)(i) above shall be payable only to the extent that the dependency benefits enjoyed by the staff member or his or her spouse under applicable laws amount to less than such a dependency allowance.</p> <p>(d) Staff members whose salary rates are set by the Director-General under paragraph 3 of Annex I to the present Staff Regulations shall be entitled to receive dependency allowance at rates and under conditions determined by the Director-General, due regard being given to the circumstances in The Hague.</p> <p>(e) Claims for dependency allowances shall be submitted in writing and supported by evidence satisfactory to the Director-General. A separate claim for dependency allowance shall be made each year.</p>	<p>(iii) Where there is no dependent spouse, a single annual amount equal to the amount approved by the United Nations General Assembly for the United Nations common system for either a dependent parent, a dependent brother or a dependent sister.</p> <p>(d) If both spouses are staff members, one may claim for dependent children under subparagraphs (c)(i) and (ii) above, in which case the other may claim only under subparagraph (c)(iii) above, if otherwise entitled.</p> <p>(e) 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 Director-General shall prescribe conditions under which the dependency allowance for a child specified in paragraph (b) and subparagraph (c)(i) above shall be payable only to the extent that the dependency benefits enjoyed by the staff member or his or her spouse under applicable laws amount to less than such a dependency allowance.</p> <p>(f) Staff members in the General Service category shall be entitled to receive dependency allowance at rates and under conditions determined by the Director-General, due regard being given to the circumstances in The Hague.</p> <p>(g) Claims for dependency allowances shall be submitted through the relevant electronic system and supported by evidence</p>

Existing Text of the Staff Regulations	Amendments to the Staff Regulations
<p style="text-align: center;">ARTICLE VII TRAVEL AND REMOVAL EXPENSES</p> <p><u>Regulation 7.2</u></p> <p>Subject to the conditions and definitions prescribed in the Staff Rules promulgated by the Director-General, staff members shall be entitled to removal costs. Where, however, the Director-General considers that it is in the interest of the Organisation to do so, having regard to the cost of removal and the probable period of appointment or transfer, the Director-General may elect not to offer to pay the cost of removal of household goods and to pay instead for the shipment of personal effects and a non-removal element of the relevant allowance at the rate established for the United Nations common system.</p> <p><u>Regulation 9.4</u></p> <p>The Staff Rules shall establish a scheme for the payment of repatriation grants to defray expenses associated with repatriation upon separation from service. In principle, the repatriation grant shall be payable to staff members whom the Organisation is obliged to repatriate. The repatriation grant shall not, however, be paid to staff members who are summarily dismissed. Staff members shall be entitled to a repatriation grant only upon relocation outside the Netherlands. The amount of the grant shall be determined in accordance with the relevant Staff Rules. Detailed conditions relating to eligibility and requisite evidence of relocation shall be determined by the Director-General.</p>	<p>satisfactory to the Director-General. A separate claim for dependency allowance shall be made each year.</p> <p style="text-align: center;">ARTICLE VII TRAVEL AND RELOCATION EXPENSES</p> <p><u>Regulation 7.2</u></p> <p>Subject to the conditions and definitions prescribed in the Staff Rules promulgated by the Director-General, staff members shall be entitled to a relocation shipment of those household goods and personal effects that were in the staff member's possession at the time of appointment or separation, provided that the goods and personal effects are being transported for the staff member's own use.</p> <p><u>Regulation 9.4</u></p> <p>The Staff Rules shall establish a scheme for the payment of repatriation grants to defray expenses associated with repatriation upon separation from service. In principle, the repatriation grant shall be payable to staff members who have completed at least three years of qualifying service, whom the Organisation is obliged to repatriate and who at the time of separation are residing, by virtue of their service with the OPCW, outside their country of nationality. The repatriation grant shall not, however, be paid to staff members who are summarily dismissed. Staff members shall be entitled to a repatriation grant only upon relocation outside the Netherlands. The amount of the grant shall be determined in accordance with the</p>

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	relevant Staff Rules. Detailed conditions relating to eligibility and requisite evidence of relocation shall be determined by the Director-General.
	ARTICLE XIII TRANSITIONAL MEASURES
<p><u>Annex IV Repatriation Grant</u></p> <p>In principle, the repatriation grant shall be payable to staff members whom the Organisation is obliged to repatriate. The repatriation grant shall not, however, be paid to staff members who are summarily dismissed. Staff members shall be entitled to a repatriation grant only upon relocation outside the Netherlands. Detailed conditions and definitions relating to eligibility and requisite evidence of relocation shall be determined by the Director-General. The amount of the grant shall be proportional to the length of service with the Organisation and in accordance with the relevant United Nations scale as contained in Annex IV of the United Nations Staff Regulations. The Secretariat shall publish that scale, and any amendments thereto, in information circulars.</p>	<p><u>Annex IV Repatriation Grant</u></p> <p>In principle, the repatriation grant shall be payable to staff members who have completed at least three years of qualifying service, whom the Organisation is obliged to repatriate and who at the time of separation are residing, by virtue of their service with the OPCW, outside their country of nationality. The repatriation grant shall not, however, be paid to staff members who are summarily dismissed. Staff members shall be entitled to a repatriation grant only upon relocation outside the Netherlands. Detailed conditions and definitions relating to eligibility and requisite evidence of relocation shall be determined by the Director-General. The amount of the grant shall be determined by the Director-General, proportional to the length of service with the Organisation and based on the relevant United Nations scale as contained in Annex IV of the United Nations Staff Regulations. The Secretariat shall publish that scale, and any amendments thereto, as adjusted, in administrative issuances.</p>

TABLE 2: CHANGES TO THE OPCW STAFF REGULATIONS AS A RESULT OF INTERNAL ADMINISTRATIVE REVIEW

Existing Text of the Staff Regulations	Amendments to the Staff Regulations
<p>SCOPE AND PURPOSE OF THE STAFF REGULATIONS</p> <p>The staff regulations (hereinafter referred to as the “Staff Regulations”) contain fundamental conditions of service and basic rights, duties and obligations of the Technical Secretariat (hereinafter referred to as the “Secretariat”) of the Organisation for the Prohibition of Chemical Weapons (hereinafter referred to as the “Organisation”). These Staff Regulations embody the broad principles of personnel policy for the staffing and administration of the Secretariat.</p>	<p>SCOPE AND PURPOSE OF THE STAFF REGULATIONS</p> <p>The staff regulations (hereinafter referred to as the “Staff Regulations”) contain fundamental conditions of service and basic rights, duties and obligations of the Technical Secretariat (hereinafter referred to as the “Secretariat”) of the Organisation for the Prohibition of Chemical Weapons (hereinafter referred to as the “OPCW” or the “Organisation”). These Staff Regulations embody the broad principles of human resources policy for the staffing and administration of the Secretariat. For the purposes of these Staff Regulations, the expressions “staff members” or “staff” shall refer to all the staff members of the Secretariat, within the meaning of Article 8 of the Chemical Weapons Convention, whose employment and contractual relationship are defined by a letter of appointment subject to regulations promulgated by the Conference of the States Parties pursuant to its decision C-IV/DEC.25, dated 2 July 1999. The Director-General, as the chief administrative officer, shall provide and enforce such staff rules consistent with these principles as he or she considers necessary.</p>
<p><u>Regulation 1.2</u></p> <p>Staff members are subject to the authority of the Director-General and to assignment by him to any of the activities or offices of the Organisation. They are responsible to the Director-General in the exercise of their functions. The whole time of staff members shall be at the disposal of the Director-General. The Director-General shall establish a normal working week.</p>	<p><u>Regulation 1.2</u></p> <p>Staff members are subject to the authority of the Director-General and to assignment by him or her to any of the activities or offices of the Organisation. They are responsible to the Director-General in the exercise of their functions. The whole time of staff members shall be at the disposal of the Director-General. The Director-General shall establish a normal working week.</p>

Existing Text of the Staff Regulations	Amendments to the Staff Regulations
<p><u>Regulation 4.4</u></p> <p>(a) The OPCW is a non-career organisation. This means that no permanent contracts shall be granted. Staff members shall be granted one of the following types of temporary appointments: short-term or fixed-term. The initial contract period shall not normally exceed three years. Contract extensions are possible; however, contracts, including extensions, carry no expectation of renewal or re-employment. Contract extension will become progressively more difficult, and shall be assessed upon, inter alia, the staff member's performance measured in accordance with a rigorous performance appraisal system. Any contract extension will be based on a continuing need on the part of the Organisation for the specific skill and knowledge of the staff member.</p> <p>(b) The total length of service of Secretariat staff shall be seven years unless otherwise specified below:</p> <p>(i) The Director-General may exclude locally recruited General Service staff from the maximum length of service requirement on the basis of the needs of the Organisation, and may grant these staff members additional fixed-term contracts.</p> <p>(ii) The Director-General may also exclude linguist staff from these requirements on the basis of the needs of the Organisation and, in consultation with States Parties concerning options for improving linguistic services, may grant these staff members additional fixed-term contracts. Each such extension shall be subject to the same procedure.</p>	<p><u>Regulation 4.4</u></p> <p>(a) The OPCW is a non-career organisation. This means that no permanent contracts shall be granted. Staff members shall be granted one of the following types of temporary appointments: short-term or fixed-term. The initial contract period shall not normally exceed three years. Contract extensions are possible; however, contracts, including extensions, carry no expectation of renewal or re-employment. Contract extension will become progressively more difficult, and shall be assessed upon, inter alia, the staff member's performance measured in accordance with a rigorous performance appraisal system. Any contract extension will be based on a continuing need on the part of the Organisation for the specific skill and knowledge of the staff member.</p> <p>(b) The total length of service of Secretariat staff shall be seven years unless otherwise specified below:</p> <p>(i) The Director-General may exclude locally recruited General Service staff from the maximum length of service requirement on the basis of the needs of the Organisation, and may grant these staff members additional fixed-term contracts.</p> <p>(ii) The Director-General may also exclude linguist staff from these requirements on the basis of the needs of the Organisation and, in consultation with States Parties concerning options for improving linguistic services, may grant these staff members additional fixed-term contracts. Each such extension shall be subject to the same procedure.</p>

Existing Text of the Staff Regulations	Amendments to the Staff Regulations
<p>(c) Staff members shall be required to serve a probationary period of six months. In individual cases, especially for short-term and part-time appointments, the Director-General may, in the best interest of the Organisation, adjust the terms and conditions of the probationary period.</p> <p>(d) For the top structure positions spelled out in Annex V, the initial contract period will be three years, with up to four one-year extensions.</p>	<p>(iii) The Conference of the States Parties may take decisions to exceptionally grant the Director-General the authority to extend the maximum length of service requirement for other categories of staff members under conditions specified in any such decision.</p> <p>(c) Staff members shall be required to serve a probationary period of six months. In individual cases, especially for short-term appointments, the Director-General may, in the best interest of the Organisation, adjust the terms and conditions of the probationary period.</p> <p>(d) For the top structure positions spelled out in Annex V, the initial contract period will be three years, with up to four one-year extensions.</p>
<p><u>Regulation 6.2</u></p> <p>The Director-General shall establish a cost-effective and administratively efficient scheme of social security for the staff, which includes adequate 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 Organisation.</p>	<p><u>Regulation 6.2</u></p> <p>The Director-General shall establish a cost-effective and administratively efficient scheme of social security for the staff, which includes adequate provisions for health protection, sick leave, maternity and paternity leave and reasonable compensation in the event of illness, accident or death attributable to the performance of official duties on behalf of the Organisation.</p>
<p><u>Regulation 7.1</u></p> <p>(a) Subject to the conditions and definitions prescribed in the Staff Rules promulgated by the Director-General, the Director-General shall in appropriate cases, in accordance with the Staff Rules issued under this Regulation, pay the travel expenses of staff members, their spouses and dependent</p>	<p><u>Regulation 7.1</u></p> <p>(a) Subject to the conditions and definitions prescribed in the Staff Rules promulgated by the Director-General, the Director-General shall in appropriate cases pay the travel expenses of staff members, their spouses and dependent children bearing in mind the need for maximum economy.</p>

<p>Existing Text of the Staff Regulations</p>	<p>Amendments to the Staff Regulations</p>
<p>children bearing in mind the need for maximum economy.</p> <p>(b) For official travel by air by inspectors for the purpose of conducting inspections the standard of accommodation may, at the discretion of the Director-General, exceed economy class, but remain below first class, for official travel of more than ten hours duration without stopover. Except for special cases, such as challenge inspections and investigations of alleged use where a stopover would be inconsistent with the short time lines involved, the less expensive of a stopover or business class travel by air shall be used.</p> <p><u>Regulation 8</u></p> <p>(a) The Director-General shall establish and maintain continuous contacts and communication with staff in order to ensure their effective participation in identifying, examining and resolving issues relating to conditions of work.</p> <p>(b) A staff representative body shall be established and shall be entitled to initiate proposals to the Director-General for the purpose set forth in paragraph (a) above. It shall be organised in such a way as to afford equitable representation to all staff.</p> <p>(c) The Director-General shall establish joint staff/management machinery to advise him regarding personnel policies and general questions of staff welfare and to make to him such proposals as it may desire for amendment of the Staff Regulations and Rules.</p>	<p>(b) For official travel by air by inspectors for the purpose of conducting inspections the standard of accommodation may, at the discretion of the Director-General, exceed economy class, but remain below first class, for official travel of more than ten hours duration without stopover. Except for special cases, such as challenge inspections and investigations of alleged use where a stopover would be inconsistent with the short time lines involved, the less expensive of a stopover or business class travel by air shall be used.</p> <p><u>Regulation 8</u></p> <p>(a) The Director-General shall establish and maintain continuous contacts and communication with staff in order to ensure their effective participation in identifying, examining and resolving issues relating to conditions of work.</p> <p>(b) A staff representative body shall be established and shall be entitled to initiate proposals to the Director-General for the purpose set forth in paragraph (a) above. It shall be organised in such a way as to afford equitable representation to all staff.</p> <p>(c) The Director-General shall establish joint staff/management machinery to advise him or her regarding human resources policies and general questions of staff welfare and to make to him or her such proposals as it may desire for amendment of the Staff Regulations and Rules.</p>

Existing Text of the Staff Regulations	Amendments to the Staff Regulations
<p><u>Regulation 12.4</u></p> <p>The Interim Staff Rules reported by the Director-General shall enter into force as Staff Rules on the first day of the month following the month in which they are approved by the Executive Council.</p>	<p><u>Regulation 12.4</u></p> <p>The Interim Staff Rules reported by the Director-General shall enter into force as Staff Rules on the first day of the month following the month in which they are approved by the Executive Council, unless otherwise specified.</p>

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