

	<b>Finance and Administration Committee</b>  <i>A Review of Changes to NASCO's Staff and Staff Fund Rules Since Their Inception</i>	<b>FAC(22)06</b>  Agenda item: <b>6</b>
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## *A Review of Changes to NASCO's Staff and Staff Fund Rules Since Their Inception*

### **Purpose**

The purpose of this paper is to catalogue the various versions of NASCO's Staff Rules and Staff Fund Rules and to show the changes that have been made to both sets of Rules since their inception. Many of these changes relate to pensions and / or the lump sum payment.

### **Decision**

No decision is required – the paper is for information only.

### **Background**

NASCO's Staff Rules were established in 1984 at the first Meeting of the Council of NASCO in Edinburgh in January 1984 (Annex 1). The first electronic version of the Staff Rules available in the HQ electronic filing system is from 2011, 'Rul30 Staff Rules'. The Staff Rules were first made available publicly, i.e. on the NASCO website, in 2014, in document [CNL\(14\)63](#).

NASCO's Staff Fund Rules were established in 2002, in electronic document CNL(02)42. The Staff Fund Rules were made available publicly in 2012, in document [CNL\(12\)17](#).

Both sets of Rules have been revised at various times, see Table 1 below for the relevant years, reports and annexes.

**Table 1.** *Record of the creation of, and revision to, NASCO Staff Rules and Staff Fund Rules.*

<b>Year</b>	<b>Which Rules Modified</b>	<b>Council Report &amp; Annex</b>	<b>Relevant Council paper</b>	<b>Annex in current paper</b>
1984	Staff Rules established	NASCO 1/17 (Revised) Annex X	NASCO I/5, (Consolidated)	Annex 1
1984	Staff Rules	NASCO(84)40 Annex 7 NASCO(84)40 Annex 8	NASCO(84)31 NASCO(84)32	Annex 2 Annex 3
1985	Staff Rules	NASCO(85)37 Annex 22	NASCO(85)46	Annex 4
1988	Staff Rules	CNL(88)44 Annex 15	CNL(88)46	Annex 5
2001	Staff Fund established	CNL(01)67 Annex 9	CNL(01)49 (not online)	Annex 6
2002	Staff Fund Rules agreed	CNL(02)48 Annex 9	CNL(02)42 (not online)	Annex 7
2004	Staff Rules and Staff Fund Rules	CNL(04)50 Annex 10	CNL(04)52 One new Staff Rule Staff Fund Rule 2.1 modified	Annex 8

2011	Staff Rules		RUL30 Staff Rules	Annex 9
2012	Staff Fund Rules	CNL(12)39) Annex 9	<a href="#">CNL(12)17</a>	Annex 10
2014	Both revised following consultation	CNL(14)58 Annex 9 CNL(14)58 Annex 10	Decision <a href="#">CNL(14)19</a> <a href="#">CNL(14)62</a> Staff Fund Rules <a href="#">CNL(14)63</a> Staff Rules	Annex 11

The first modifications to the Staff Rules were made in 1984. These related to several Rules and are shown in Annexes 2 and 3.

In 1985, Council took its first decision in relation to pensions in Rule 8 of the Staff Rules, (Annex 4) authorising the ability to set up personal pension packages, limiting the maximum employer contribution to 14 % of the before tax salary and introducing a lump sum payment of not more than one twelfth of the final years before-tax remuneration for each year of service with the Organization, fractions of a year to count pro rata.

In 1988, Council removed the paragraph relating to the employer contribution to personal pension packages from Rule 8 and changed the lump sum text so that the words ‘more than’ were replaced with ‘less than’ in that Rule (Annex 5) such that it read a... ‘lump sum payment of not less than one twelfth of the final years before-tax remuneration for each year of service with the Organization, fractions of a year to count pro rata’.

In 2001, the Staff Fund was established (Annex 6) and in 2002, the Staff Fund Rules, CNL(02)42, were established (Annex 7).

In 2004, a Staff Rule was added regarding a portion of the lump sum being paid to Secretariat Members aged over 55 and Staff Fund Rule 2.1 was modified (Annex 8).

The earliest electronic version of the Staff Rules available in the NASCO electronic filing system is document ‘RUL30 Staff Rules’, Annex 9.

In 2012, the Finance and Administration Committee (FAC) was informed by the then Secretary that ‘Following consultations with NASCO’s advisors some changes to the way in which the fund is managed had been made but they have no financial implications’. Some revisions to Staff Fund Rules 2.1, 5.1 and 5.2 were recommended to Council by the FAC and these were adopted in paper CNL(12)17 (Annex 10).

In 2014, the Staff Fund Rules and Staff Rules were revised and agreed by Council, as noted in Decision paper CNL(14)19 (Annex 11), as documents [CNL\(14\)62](#) and [CNL\(14\)63](#) respectively, following a review in 2013 / 2014, by the accountancy firm Chiene + Tait (the auditors at that time) and Davidson Chalmers, an Edinburgh-based legal firm with expertise in employment law.

Secretary  
Edinburgh  
26 May 2022

## **Staff Rules**

### **RULE 1**

#### **General provision**

- 1.1. These Staff Rules establish the fundamental principles of employment, regulate the working relationships and establish the rights and responsibilities of formally appointed employees who render their services in and receive remuneration from the North Atlantic Salmon Conservation Organization (hereinafter referred to as the "Organization").

### **RULE 2**

#### **Duties, obligations and privileges**

- 2.1 The Secretary and the staff members together hereinafter referred to as "Secretariat members" are international civil servants. Upon accepting their appointments they pledge themselves to discharge their duties faithfully and to conduct themselves with the interests of the Organization in mind.
- 2.2. For the purposes of these Rules the term "dependant" shall be deemed to include only the spouse of Secretariat members and their children under the age of 21 living with them.
- 2.3 Secretariat members shall at all times conduct themselves in a manner in keeping with the international nature of the Organization. They shall always bear in mind the loyalty, discretion and tact imposed on them by their international responsibilities in the performance of their duties. They shall avoid all actions, statements or public activities which might be detrimental to the Organization and its aims.
- 2.4. Secretariat members are not expected to renounce either their national feelings or their political or religious convictions.
- 2.5. In the performance of their duties, Secretariat members may neither seek nor accept instructions from any government or authority other than the Organization.
- 2.6. Secretariat members shall observe maximum discretion regarding official matters and shall abstain from making private use of information they possess by reason of their position. Authorization for the release of information for official purposes shall lie with the Council in respect of the Secretary, and with the Secretary in respect of the staff members.
- 2.7. Secretariat members shall, in general, have no employment other than with the Organization. In special cases, staff members may accept other employment, provided that it does not interfere with their duties in the Organization, and that prior authorization by the Secretary has been obtained. The Council's prior authorization shall be obtained in respect of the Secretary.
- 2.8. No Secretariat member may be associated in the management of or have a financial interest in a business, industry or other enterprise if, as a result of the official position held in the Organization, he may benefit from such association or interest.

- 2.9. Secretariat members shall enjoy the privileges and immunities to which they are entitled under the Headquarters Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the organization, pursuant to Article 3, paragraph 5, of the Convention.

### RULE 3

#### Hours of work

- 3.1 The normal working day shall be up to eight hours, Monday through Friday, for a total of 38 hours per week.
- 3.2. The Secretary shall establish the working hours, and may alter them for the benefit of the Organization, as circumstances may require.

### RULE 4

#### Classification of staff

- 4.1. Secretariat members shall be classified in either of the two following categories:

(a) Professional category

Positions of high responsibility of a managerial, professional or scientific nature. These posts will be filled by appropriately qualified professionals. Secretariat members in this category will be recruited internationally but only among citizens of members of the Organization.

(b) General services category

Auxiliary administrative and technical positions. Clerical, secretarial and other office personnel. Such Secretariat members shall be recruited in the United Kingdom from among citizens of members of the Organization.

- 4.2. Persons employed under Rule 11 or employed as domestic service personnel shall not be classified as Secretariat members.

### RULE 5

#### Salaries and remuneration

- 5.1. A Secretariat member in the professional category shall be remunerated in accordance with the scales of remuneration of the Coordinated Organizations for staff serving in the United Kingdom and shall be paid in pounds sterling.
- 5.2. Staff members in the general services category shall, in principle, be paid at rates based on those paid in Edinburgh for staff of equivalent qualifications and experience.
- 5.3. Remuneration for a Secretariat member in the professional category shall comprise basic salary and, where appropriate, expatriation allowance, household allowance, children's allowance, handicapped children's allowance, installation allowance and education allowance.
- 5.4. Adjustments in the salary scale and allowances will be made only after approval of the Council through the annual budgeting process. The Coordinated Organizations system shall serve for a two-year period as the basis for formulating the budget request submitted to the Council. Its continued applicability to the Organization will then be reviewed by the Finance and Administration Committee which shall submit an appropriate recommendation to the Council.

- 5.5. The promotion of Secretariat members from one salary level to another requires the prior approval of the Council.
- 5.6. Only in very special cases, on the proposal of the Secretary and with the approval of the Council, may staff members be appointed at a salary higher than the lowest step of the relevant level. Staff members shall remain at that level for at least the first year of employment.
- 5.7. Staff members shall receive annual increments, subject to the approval of the Secretary.
- 5.8. Secretariat members in the professional category are not entitled to overtime pay or compensatory leave.
- 5.9. Staff members in the general services category required to work outside the normal daily working hours will be compensated:
  - (a) with compensatory leave equivalent to hours of over-time performed; or
  - (b) by remuneration per overtime hour, to be estimated at the rate of time and a half, or if the additional time is worked on a Sunday, or on holidays listed in Rule 7.9., at the rate of double time. The choice of compensation shall be at the discretion of the Secretary.
- 5.10. The Organization shall pay duly justified representation expenses incurred by the Secretary in the performance of his duties up to an amount prescribed annually in the budget.

## RULE 6

### Recruitment and appointment

- 6.1. The Council shall appoint the Secretary and shall determine the conditions of employment.
- 6.2. The Secretary shall appoint the staff in accordance with staffing requirements approved by the Council. 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.
- 6.3. Staff members shall be appointed subject to a probationary period of one year. In exceptional circumstances the Secretary may extend the probationary period for an additional period of not more than six months.
- 6.4. Offers of appointment to Secretariat members are subject to the persons selected undergoing a medical examination at the expense of the Organization and presenting a certificate stating that they have no medical condition which might prevent them from performing their duties or which might endanger the health of others.
- 6.5. Offers of appointment to Secretariat members are subject to the persons selected obtaining, at the expense of the Organization, appropriate bonding in accordance with Financial Rule 9.1. (e).
- 6.6. Upon selection, each Secretariat member shall receive an offer of appointment stating:
  - (a) that the appointment is subject to the Staff Rules applicable to the category of appointment in question, and to changes which may be duly made in such Rules from time to time;
  - (b) the nature of the appointment;
  - (c) the date on which the Secretariat member is required to commence duty;

- (d) the period of appointment, the notice required to terminate it and the period of probation;
  - (e) the category, level, commencing rate of salary and the scale of increments and the maximum salary attainable;
  - (f) the allowances attached to the appointment; and
  - (g) any special terms and conditions which may be applicable.
- 6.7. Together with the offer of appointment, Secretariat members shall be provided with a copy of these Rules. Upon acceptance of the offer Secretariat members shall state in writing that they are familiar with and accept the conditions set out in these Rules.
- 6.8. Secretariat members in the professional category may be required to undergo further medical examination from time to time as determined by the Council in respect of the Secretary or by the Secretary in respect of staff members. The medical examinations shall be at the expense of the Organization.

## RULE 7

### Leave

- 7.1.
- (a) Secretariat members shall be entitled to annual leave at the rate of: two workdays for each full month of service for the first four years of service, and two and a half workdays for each full month of service for the years of service thereafter.
  - (b) Annual leave is cumulative, but for the first four years not more than 24 workdays and for the years thereafter not more than 30 workdays at the end of each calendar year may be carried over to the following year.
- 7.2. The taking of leave shall not cause undue disruption to normal staff operations. In accordance with this principle, leave dates shall be subject to the needs of the Organization. Leave dates of staff members shall be approved by the Secretary who shall, as far as possible, bear in mind the personal circumstances, needs and preferences of staff members.
- 7.3. Annual leave may be taken in one or more periods.
- 7.4. Any absence not approved within the terms of these Rules shall be deducted from annual leave or, at the discretion of the Secretary, treated as leave without pay.
- 7.5. In exceptional cases, the Secretary may take special leave or authorize staff members to take special leave. Such special leave shall not exceed 10 days.
- 7.6. Secretariat members who, upon termination of their appointment, have accumulated annual leave which has not been taken shall receive the cash equivalent estimated on the basis of the last salary received •
- 7.7. After a Secretariat member has served for 18 months the Organization shall, in accordance with Rule 9.3, pay travel expenses to the Secretariat member's home country on annual leave for internationally recruited Secretariat members and their dependants. Following this, home leave shall be granted at two-year intervals provided that:
- (a) in the case of dependants, they have resided in Edinburgh for at least six months prior to travel;

- (b) Secretariat members will return to the Secretariat to continue rendering their services for six months or reimburse the travel expenses.
- 7.8. The possibility of combining travel to home country on leave with official travel in service may also be considered, provided the interests of the Organization are duly borne in mind.
- 7.9. Secretariat members shall be entitled to the holidays celebrated traditionally in Edinburgh, i.e.
- |              |                     |
|--------------|---------------------|
| 1 January    | Spring Bank Holiday |
| 2 January    | Autumn Bank Holiday |
| 1 May        | 25 December         |
| Victoria Day | 26 December         |
| Easter Day   |                     |

## RULE 8

### Social security

- 8.1. It shall be a condition of employment that each Secretariat member make appropriate personal arrangements to cover retirement medical, hospital, life and disability insurance which shall be duly ascertained by the Council in respect of the Secretary and by the Secretary in respect of staff members prior to granting appointment. Costs to Secretariat members of achieving this cover shall be met by the member.
- 8.2. The Secretary shall examine the possibility of affiliation with the Coordinated Organizations pension scheme or the system applied by other international organization which may be established in the United Kingdom or a national pension scheme with the intention that such affiliation shall be completed within one year of the appointment. In any event, the maximum employer contribution is limited to 14% of the basic salary.
- 8.3. Secretariat members shall not be granted sick leave for a period of more than three consecutive days or for more than a total of seven working days in any calendar year without producing a medical certificate.
- 8.4. Secretariat members shall be granted certified sick leave not exceeding 12 months in any four consecutive years. The first six months shall be on full salary and the second six months on half salary, except that no more than four months on full salary shall normally be granted in any period of 12 consecutive months.
- 8.5. On the basis of medical advice a Secretariat member shall be entitled to maternity leave of 14 weeks. During this period the Secretariat member shall receive full pay and corresponding allowances.
- 8.6. In the event of death of a Secretariat member following illness or surgery not resulting from an accident covered by the appropriate insurance, the right to salary, allowances and other corresponding benefits shall cease on the day on which death occurs, unless the deceased leaves dependants, in which case they shall be entitled to mortality allowances •.
- 8.7. The mortality allowance shall be calculated in accordance with the following scale:
- |                   |   |
|-------------------|---|
| Years of service  | Months of net base pay salary following death |
| Less than 3 years | 3 months                                      |

3 years and more, but less than 7 years	4 months
7 years and more, but less than 9 years	5 months
9 years and more	6 months

8.8. The Organization shall pay for shipment of the Secretariat member's body from the place of death to the place designated by the next of kin.

## RULE 9

### Travel

- 9.1. All official travel shall be authorized by the Secretary in advance within the limits of the budget, and the itinerary and travel conditions shall be those best suited for maximum effectiveness in the fulfilment of duties assigned.
- 9.2. With regard to official travel, a travel allowance shall be paid in advance for fares, accommodation and daily living expenses.
- 9.3. First class may not be utilized for travel by air or sea but may be utilized for land travel.
- 9.4. Following completion of a duty journey, Secretariat members shall repay any travel allowances to which, in the event, they were not entitled. Where Secretariat members have incurred expenses above and beyond those for which travel allowances have been paid, they shall be reimbursed, against receipts and vouchers, if such expenses were necessarily incurred in pursuit of their official duties.
- 9.5. Secretariat members in the professional category on taking up or on termination of employment shall be paid for reasonable removal costs. The Secretary shall draw up more detailed provisions for consideration by the Council.

## RULE 10

### Separation from service

- 10.1. A Secretariat member may resign at any time upon giving three months' notice or such lesser period as may be approved by the Council in the case of the Secretary or by the Secretary in the case of staff members.
- 10.2. In the event of a Secretariat member resigning without giving the required notice, the Council reserves the right to decide whether repatriation expenses or any other allowance shall be paid.
- 10.3. Appointment of staff members may be terminated upon prior written notice at least three months in advance, by the Secretary when he deems this to be in the interests of the Organization.
- 10.4. In the event of separation from service, Secretariat members shall be compensated at a rate of one month base pay for each period of four years of service, unless the cause of termination has been a gross dereliction of duties imposed in Rule 2.

## RULE 11

### Temporary personnel under contract

- 11.1. The Secretary may contract temporary personnel necessary to discharge special duties in the service of the Organization.



- 11.2. Persons in this category may include translators, interpreters, typists and other persons contracted for meetings, as well as those whom the Secretary contracts for a specific task.

## RULE 12

### Special duties of the Secretary

- 12.1. The Secretary shall, after consultation with the President of the Council, waive immunities accorded to staff members under the Headquarters Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Organization when he considers that such immunities are preventing the carrying out of justice and when it is possible to dispense with them without prejudicing the interests of the Organization.
- 12.2. The Secretary shall, after approval by the Council, conclude an Exchange of Letters with a representative of the Government of the United Kingdom of Great Britain and Northern Ireland, giving effect to any modification or extension of the Headquarters Agreement or understanding relating thereto.

## RULE 13

### Application of Rules

- 13.1. Any questions arising from application of these Rules shall be resolved by the Secretary following consultation with the President of the Council.
- 13.2. All matters not foreseen in these Rules shall be brought to the attention of the Council by the Secretary.

NASCO(84)31

DECISION OF THE COUNCIL ON

AMENDMENTS TO THE STAFF RULES OF NASCO

Having regard to the recommendations of the Finance and Administration Committee the Council decides to amend the Staff Rules of NASCO as follows

Rule 2 2 Delete and insert

‘For the purpose of these Rules the term dependent shall be deemed to include only children aged under 18 years or as further defined in the rules on allowances for dependent children used as guidance by the Secretary’

Rule 4 3 (new)

‘The Staff Rules apply to staff in both the Professional Category and the General Services Category except that the rules on salaries and allowances do not apply to General Services staff.’

Rule 5 5 Delete ‘salary level’ and insert ‘category or grade’

Rule 5 6 Lines 3 and 4 delete ‘level’ and insert ‘grade’

Rule 6 6 a Line 2 insert ‘and grade’ after the word ‘category’

Rule 6 6 e Line 1 delete ‘level’ and insert ‘grade’

Rule 7 7 Line 5 after ‘home leave’ insert ‘of four days’

Rules 8.3, 8.4 and 8.5

These rules shall form part of section 7 and be renumbered 7.9, 7.10 and 7.11 The present rule 7.9 shall become 7.12

Rules 8.6, 8.7 and 8.8 are renumbered 8.3, 8.4 and 8.5

Rule 8.6 (new) ‘All accidents to a staff member at work must be reported immediately to the Secretary’

Rule 10.4 Delete and insert:

‘In the event of the termination by the organizations of a Secretariat member’s service, compensation at the rate of one month’s salary for each year’s service shall be paid unless the cause of termination has been gross dereliction of the duties imposed in Rule 2’.

NASCO(84)32  
DECISION OF THE COUNCIL  
ON  
STAFF RULE 6.5 AND FINANCIAL RULE 9.1(e)

Having regard to the provision of Staff Rule 6.5 on the obtaining of appropriate financial bonding in accordance with Financial Rule 9.1(e):

having regard to the recommendation of the Finance and Administration Committee on the waiving of this rule in present circumstances:

the Council decides to waive Staff Rule 6.5 and Financial Rule 9.1(e) pending a re-examination of the costs and conditions of obtaining such bonding.

NASCO(85)46

DECISION OF COUNCIL ON PENSIONS

Having regard to the Administration recommendations of the Finance and Committee the Council decides:

1. that the Secretary be authorised to take steps to set up personal pension packages through a commercial with contributions company in accordance with the Staff Rules for the appropriate members of the Secretariat.
2. to amend Staff Rule 8 2 as follows:

Rule 8 2 delete the last sentence and insert in its place

‘The maximum employer contribution is limited to 14 % of the before tax salary. The tax imposed on the salary of Secretariat members for the benefit of the Organization shall be calculated on the sum remaining after deduction of the members pension contribution’.

The operation of this rule to run from the first pension contribution made by the Secretariat member.

3. that in the event that commercial personal pension packages are satisfactorily set up the Council shall make on the last day of service prior to the retirement of the Secretariat member a lump sum payment to the Secretariat member of not more than one twelfth of the final years before-tax remuneration for each year of service with the Organization, fractions of a year to count pro rata.

NORTH ATLANTIC SALMON CONSERVATION ORGANIZATION

COUNCIL

PAPER CNL(88)46

DECISION OF THE COUNCIL TO MODIFY STAFF RULE 8 2

Having regard to the report of the Finance and Administration Committee and to fact that a pension scheme for NASCO staff has been set up, the Council decides:

- to delete Staff Rule 8.2(b)
- to renumber Staff Rule 8.2(c) as 8.2(b) and to replace the words ‘more than’ with ‘less than’ in this Rule.

**CNL(01)49**

***Decision by the Council of NASCO Concerning a NASCO Staff Fund***

Having regard to present issues and potential future difficulties of the investment of existing Secretariat members' funds in Equitable Life, paid by the Organization and the Secretariat Members under Staff Rule 8.2, and set aside for the future provision of NASCO Secretariat members, the Council decides:

To establish a Special Fund under NASCO Financial Rule 6.1, called "NASCO Staff Fund", to be used wholly for the benefit of Secretariat members.

The Council further agrees that:

1. Contributions by NASCO and contributions by the Secretariat members may be held in this Fund, which shall be subdivided into a separate fund for each Secretariat member;
2. The funds may be held on deposit or, should the Secretariat member concerned so decide, be placed under the management of a competent fund manager;
3. NASCO shall have neither any claim on, nor any responsibility for, the Fund other than its existing obligations to contribute under Staff Rule 8, and the Fund shall not form part of the NASCO Accounts except that the annual payments made by NASCO and the staff member as provided for under Section 1 of the budget should be detailed in the audited accounts;
4. The funds may be transferred in and out by existing and past Secretariat members, and considered as tax-paid deferred salary payments.

**CNL(02)42**

***NASCO Staff Fund***

***Rules***

**1. Application**

- 1.1 These Rules apply to the NASCO Staff Fund and govern the operation of the Deferred Salary Scheme established by the decision of the Council, CNL(01)49.

**2. Membership**

- 2.1 Any Secretariat Member may become a Member of the Scheme. Members of the Scheme may, at the discretion of the Council, retain Secretariat Member status, in an honorary or other capacity, while in receipt of benefits from the Scheme.

**3. Contributions**

- 3.1 Contributions to the Scheme by NASCO and by the Members of the Scheme shall be held in the NASCO Staff Fund, established in accordance with NASCO Financial Rule 6.1, and sub-divided into a separate deferred salary account for each Member.
- 3.2 The Organization will defer 15.8% of the gross salary of each Member of the Scheme to the Fund or such other amount as is determined by the Council from time to time. Each Member of the Scheme shall defer a minimum of 7.9% of gross salary or such other minimum amount as is determined by the Council from time to time. Members of the Scheme may request that additional contributions be deferred from salary and paid into the Fund. Contributions made to the Fund shall be enhanced by 5% by NASCO as a contribution to investment charges.
- 3.3 The tax imposed on the salary of Secretariat Members for the benefit of the Organization shall be calculated on the sum remaining after deduction of their contributions to the Fund.

**4. Management of the Fund**

- 4.1 Contributions retained by NASCO over the deferred period and thereafter may be held on deposit or, should the Member of the Scheme concerned so request, be otherwise invested.

**5. Benefits**

- 5.1 Each Member of the Scheme shall at all times be fully vested and have entitlement to give notice requesting payment in whole or in part of their individual deferred salary

account at any time whilst remaining a Secretariat Member or thereafter. Such benefits are considered as tax-paid deferred salary payments.

- 5.2 In the event of death of a Member of the Scheme the Secretary shall return the full value of that Member's deferred salary account to that Member's spouse or such other dependant as may have been advised by written notice to the Secretary.



**CNL(04)52**

***Decisions in Relation to the Staff Rules and to the Staff Fund Rules***

On the recommendation of the Finance and Administration Committee, the Council agreed a new Staff Rule, as follows:

“A Secretariat Member aged over 55 years may request the Secretary to transfer to the Staff Fund up to 20% per annum of the estimated value of his or her lump sum entitlement so as to enable investment planning. Such transfers will be deducted from the final payment”.

The Council also decided to add the following text to Rule 2.1 of the Staff Fund Rules:

“However, the Council has decided that Members of the Scheme, as at 11 June 2004, shall retain Secretariat Member status while in receipt of benefits from the Scheme”.

**NORTH ATLANTIC SALMON CONSERVATION ORGANIZATION**

**STAFF RULES**

**RULE 1**

**GENERAL PROVISION**

- 1.1 The Staff Rules establish the fundamental principles of employment, regulate the working relationships and establish the rights and responsibilities of formally appointed employees who render their services to, and receive remuneration from, the North Atlantic Salmon Conservation Organization (hereinafter referred to as the “Organization”).

**RULE 2**

**DUTIES, OBLIGATIONS AND PRIVILEGES**

- 2.1 The Secretary and the staff members (together hereinafter referred to as “Secretariat members”) are international civil servants. Upon accepting their appointments they pledge themselves to discharge their duties faithfully and to conduct themselves with the interests of the Organization in mind.
- 2.2 For the purpose of the Rules the term “dependant” shall be deemed to include only children aged under 18 years or as further defined in the rules on allowances for dependent children used as guidance by the Secretary.
- 2.3 Secretariat members shall at all times conduct themselves in a manner in keeping with the international nature of the Organization. They shall always bear in mind the loyalty, discretion and tact imposed on them by their international responsibilities in the performance of their duties. They shall avoid all actions, statements or public activities which might be detrimental to the Organization and its aims.
- 2.4 Secretariat members are not expected to renounce either their national feelings or their political or religious convictions.
- 2.5 In the performance of their duties, Secretariat members may neither seek nor accept instructions from any government or authority other than the Organization.
- 2.6 Secretariat members shall observe maximum discretion regarding official matters and shall abstain from making private use of information they possess by reason of their position. Authorisation for the release of information for official purposes shall lie with the Council in respect of the Secretary, and with the Secretary in respect of the staff members.

- 2.7 Secretariat members shall, in general, have no employment other than with the Organization. In special cases, staff members may accept other employment, provided that it does not interfere with their duties in the Organization, and that prior authorisation by the Secretary has been obtained. The Council's prior authorisation shall be obtained in respect of the Secretary.
- 2.8 No Secretariat member may be associated in the management of, or have a financial interest in, a business, industry or other enterprise if, as a result of the official position held in the Organization, he may benefit from such association or interest.
- 2.9 Secretariat members shall enjoy privileges and immunities to which they are entitled under the Headquarters Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Organization, pursuant to Article 3, paragraph 5, of the Convention.

### **RULE 3**

#### **HOURS OF WORK**

- 3.1 The normal working day shall be up to eight hours, Monday through Friday, for a total of 38 hours per week.
- 3.2 The Secretary shall establish the working hours, and may alter them for the benefit of the Organization, as circumstances may require.

### **RULE 4**

#### **CLASSIFICATION OF STAFF**

- 4.1 Secretariat members shall be classified in either of the two following categories:

##### Professional Category

Positions of high responsibility of a managerial, professional or scientific nature. These posts will be filled by appropriately qualified professionals. Secretariat members in this category will be recruited internationally but only among citizens of members of the Organization.

##### General Services Category

Auxiliary, administrative and technical positions. Clerical, secretarial and other office personnel. Such Secretariat members shall be recruited in the United Kingdom from among citizens of members of the Organization.

- 4.2 Persons employed under Rule 11 or employed as domestic service personnel shall not be classified as Secretariat members.
- 4.3 The Staff Rules apply to staff in both the Professional Category and the General Services Category.

## **RULE 5**

### **SALARIES AND REMUNERATION**

- 5.1 The net or basic salary and the allowances of a Secretariat Member in the Professional Category shall be in accordance with the scales of remuneration of the Coordinated Organisations for staff serving in the United Kingdom (London scales) and shall be paid in pounds sterling. The net salary enhanced by the prevailing level of NASCO taxation shall be the gross salary.
- 5.2 Staff members in the General Services Category shall, in principle, be paid at rates based on those paid in Edinburgh for staff of equivalent qualifications and experience.
- 5.3 Remuneration for a Secretariat member in the Professional Category shall comprise basic salary and, where appropriate, expatriation allowance, household allowance, children's allowance, handicapped children's allowance, installation allowance and education allowance. Adjustments in the salary scale and allowances will be made only after approval of the Council through the annual budgeting process.
- 5.4 The promotion of Secretariat members from one category or grade to another requires the prior approval of Council.
- 5.5 Only in very special cases, on the proposal of the Secretary and with the approval of the Council, may staff members be appointed at a salary higher than the lowest step of the relevant grade. Staff members shall remain at that grade for at least the first year of employment.
- 5.6 Staff members shall receive annual increments, subject to the approval of the Secretary.
- 5.7 Secretariat members in the Professional Category are not entitled to overtime pay or compensatory leave.
- 5.8 Staff members in the General Services Category required to work outside the normal daily working hours will be compensated:
  - (a) with compensatory leave equivalent to the hours of overtime performed; or
  - (b) by remuneration per overtime hour, to be estimated at the rate of time and a half, or if the additional time is worked on a Sunday, or on the holidays listed in Rule 7.9, at the rate of double time.

The choice of compensation shall be at the discretion of the Secretary.

- 5.9 The Organization shall pay duly justified representation expenses incurred by the Secretary in the performance of his duties up to an amount prescribed annually in the budget.

## **RULE 6**

### **RECRUITMENT AND APPOINTMENT**

- 6.1 The Council shall appoint the Secretary and shall determine the conditions of employment.
- 6.2 The Secretary shall appoint staff in accordance with staffing requirements approved by the Council. The paramount consideration in the appointment, transfer or promotion of staff shall be the necessity for securing the highest standards of efficiency, competence and integrity.
- 6.3 Staff members shall be appointed subject to a probationary period of one year. In exceptional circumstances the Secretary may extend the probationary period for an additional period of not more than six months.
- 6.4 Offers of appointment to Secretariat members are subject to the persons selected undergoing a medical examination at the expense of the Organization and presenting a certificate stating that they have no medical condition which might prevent them from performing their duties or which might endanger the health of others.
- 6.5 Upon selection, each Secretariat member shall receive an offer of appointment stating:
  - (a) that the appointment is subject to the Staff Rules applicable to the category and grade of appointment in question, and to changes which may be duly made in such Rules from time to time;
  - (b) the nature of the appointment;
  - (c) the date on which the Secretariat member is required to commence duty;
  - (d) the period of appointment, the notice required to terminate it and the period of probation;
  - (e) the category, grade, commencing rate of salary and the scale of increments and the maximum salary attainable;
  - (f) the allowances attached to the appointment; and
  - (g) any special terms and conditions which may be applicable.
- 6.6 Together with the offer of appointment, Secretariat members shall be provided with a copy of these Rules. Upon acceptance of the offer Secretariat members shall state in writing that they are familiar with and accept the conditions set out in these Rules.
- 6.7 Secretariat members in the Professional Category may be required to undergo further medical examination from time to time as determined by the Council in respect of the Secretary and by the Secretary in respect of staff members. The medical examinations shall be at the expense of the Organization.

## **RULE 7**

### **LEAVE**

- 7.1 (a) Secretariat members shall be entitled to annual leave at the rate of:
- (i) two workdays for each full month of service for the first four years of service, and
  - (ii) two and a half workdays for each full month of service for the years of service thereafter.
- (b) Annual leave is cumulative, but for the first four years not more than 24 workdays and for the years thereafter not more than 30 workdays at the end of each calendar year may be carried over to the following year.
- 7.2 The taking of leave shall not cause undue disruption to normal staff operations. In accordance with this principle, leave dates shall be subject to the needs of the Organization. Leave dates of staff members shall be approved by the Secretary who shall, as far as possible, bear in mind the personal circumstances, needs and preference of staff members.
- 7.3 Annual leave may be taken in one or more periods.
- 7.4 Any absence not approved within the terms of these Rules shall be deducted from annual leave or, at the discretion of the Secretary, treated as leave without pay.
- 7.5 In exceptional cases, the Secretary may take special leave or authorise staff members to take special leave. Such special leave shall not exceed ten days.
- 7.6 Secretariat members who, upon termination of their appointment, have accumulated annual leave which has not been taken shall receive the cash equivalent estimated on the basis of the last salary received.
- 7.7 After a Secretariat member in the Professional Category has served for 18 months, the Organization shall, in accordance with Rule 9.3, pay travel expenses to the Secretariat member's home country on annual leave for internationally recruited Secretariat members and their dependants. Following this, home leave of 4 days shall be granted at two-year intervals provided that:
- (a) in the case of dependants, they have resided in Edinburgh for at least six months prior to travel;
  - (b) Secretariat members will return to the Secretariat to continue rendering their services for six months or reimburse the travel expenses.
- 7.8 The possibility of combining travel to home country on leave with official travel in service may also be considered, provided the interests of the Organization are duly borne in mind.
- 7.9 Secretariat members shall not be granted sick leave for a period of more than three consecutive days or for more than a total of seven working days in any calendar year without producing a medical certificate.
- 7.10 Secretariat members shall be granted certified sick leave not exceeding twelve months in any four consecutive years. The first six months shall be on full salary and the second six

months on half salary, except that no more than four months on full salary shall normally be granted in any period of twelve consecutive months.

- 7.11 On the basis of medical advice a Secretariat member shall be entitled to maternity leave of 14 weeks. During this period the Secretariat member shall receive full pay and corresponding allowances.
- 7.12 Secretariat members shall be entitled to the holidays celebrated traditionally in Edinburgh, i.e.
- |              |                     |
|--------------|---------------------|
| 1 January    | Spring Bank Holiday |
| 2 January    | Autumn Bank Holiday |
| 1 May        | 25 December         |
| Victoria Day | 26 December         |
| Easter Day   |                     |

## **RULE 8**

### **INSURANCES AND STAFF FUND**

- 8.1 It shall be a condition of employment that Secretariat members shall make appropriate arrangements for themselves and their dependants to cover medical (including dental), life, and permanent health insurances and UK National Insurance (Class 3 contributions) which shall be duly ascertained by the Council in respect of the Secretary and by the Secretary in respect of Secretariat members prior to granting appointment. The costs to the Secretariat members of achieving this cover shall be met by the Organization.
- 8.2 (a) The Council has established a NASCO Staff Fund in relation to its Deferred Salary Scheme for Secretariat members. A Constitution for, and Rules applying to, this Staff Fund have been developed. Any Secretariat member may become a Member of the Scheme. The Organization will defer 15.8% of the gross salary of each member of the Scheme to the Fund or such amount as is determined by the Council from time to time. Each Member of the Scheme shall defer a minimum of 7.9% of gross salary or such other minimum amount as is determined by the Council from time to time. Members of the Scheme may request that additional contributions be deferred from gross salary and paid into the Fund. Contributions to the Fund by the Organization and Members of the Scheme shall be enhanced by 5% by the Organization as a contribution to investment charges. The tax regime imposed on the gross salary of the Secretariat members for the benefit of the Organization shall comprise a flat rate of 15% of the salary remaining after deduction of employee contributions to the Staff Fund.
- (b) Prior to a Secretariat Member transferring to a deferred salary, a lump sum payment will be made into that Secretariat member's Staff Fund of not less than one-twelfth of the final year's gross remuneration (i.e. salary plus allowances) for each year of service with the Organization, fractions of a year to count pro-rata. A Secretariat member aged 55 years or over may request the Secretary to transfer to the Staff Fund up to 20% per annum of the estimated current value of his or her lump sum entitlement so as to enable investment planning. Thereafter, the balance of the lump sum entitlement will be transferred on an annual basis.

- 8.3 (a) In the event of the death of a Secretariat member following illness or surgery not resulting from an accident covered by the appropriate insurance, the right to salary, allowances and other corresponding benefits shall cease on the day on which death occurs, unless the deceased leaves dependants, in which case they shall be entitled to a mortality allowance. The mortality allowance shall be calculated in accordance with the following table:

<u>Years of Service</u>	<u>Months of gross remuneration following death</u>
Less than 3 years	3 months
3 years and more, but less than 7 years	4 months
7 years and more, but less than 9 years	5 months
9 years or more	6 months

- (b) In the event of death in service of a long-serving Secretariat member (ten or more years' continuous service) the lump-sum payment referred to in Staff Rule 8.2(b) and not the mortality allowance shall be paid to the Secretariat member's dependants through the Staff Fund.

- 8.4 In the case of Secretariat members who are not United Kingdom residents, the Organization shall pay for shipment of the Secretariat member's body from the place of death to the place designated by the next of kin.
- 8.5 All accidents to staff members incurred at work must be reported immediately to the Secretary.

## **RULE 9**

### **TRAVEL**

- 9.1 All official travel shall be authorised by the Secretary in advance within the limits of the budget, and the itinerary and travel conditions shall be those best suited for maximum effectiveness in the fulfilment of duties assigned.
- 9.2 With regard to official travel, a travel allowance shall be paid in advance for fares, accommodation and daily living expenses. These allowances will be those used by the Coordinated Organisations. Where the cost of overnight accommodation and breakfast exceeds 60% of the 24-hour allowance, accommodation and breakfast costs plus 50% of the 24-hour allowance will be payable.
- 9.3 First class may not be utilised for travel by air or sea but may be utilised for land travel.
- 9.4 Following completion of a duty journey, Secretariat members shall repay any travel allowances to which, in the event, they were not entitled. Where Secretariat members have incurred expenses above and beyond those for which travel allowances have been paid, they shall be reimbursed, against receipts and vouchers, if such expenses were necessarily incurred in pursuit of their official duties.



- 9.5 Secretariat members in the Professional Category on taking up or on termination of employment shall be paid for reasonable removal costs. The Secretary shall draw up more detailed provisions for consideration by the Council.

## **RULE 10**

### SEPARATION FROM SERVICE

- 10.1 A Secretariat member may resign at any time upon giving three months' notice or such lesser period as may be approved by the Council in the case of the Secretary or by the Secretary in the case of staff members.
- 10.2 In the event of a Secretariat member resigning without giving the required notice, the Council reserves the right to decide whether repatriation expenses or any other allowance shall be paid.
- 10.3 Appointment of staff members may be terminated upon prior written notice, at least three months in advance, by the Secretary when he deems this to be in the interests of the Organization.
- 10.4 In the event of the termination by the Organization of a Secretariat member's service, compensation at the rate of one month's salary for each year's service shall be paid unless the cause of termination has been gross dereliction of the duties imposed in Rule 2.

## **RULE 11**

### TEMPORARY PERSONNEL UNDER CONTRACT

- 11.1 The Secretary may contract temporary personnel necessary to discharge special duties in the service of the Organization.
- 11.2 Persons in this category may include translators, interpreters, typists and other persons contracted for meetings, as well as those whom the Secretary contracts for a specific task.

## **RULE 12**

### SPECIAL DUTIES OF THE SECRETARY

- 12.1 The Secretary shall, after consultation with the President of the Council, waive immunities accorded to staff members under the Headquarters Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Organization when he considers that such immunities are preventing the carrying out of justice and when it is possible to dispense with them without prejudicing the interests of the Organization.
- 12.2 The Secretary shall, after approval by the Council, conclude an Exchange of Letters with a representative of the Government of the United Kingdom of Great Britain and Northern Ireland, giving effect to any modification or extension of the Headquarters Agreement or understanding related thereto.

## **RULE 13**

### **APPLICATION OF RULES**

- 13.1 Any questions arising from application of these Rules shall be resolved by the Secretary following consultation with the President of the Council.
- 13.2 All matters not foreseen in these Rules shall be brought to the attention of the Council by the Secretary.

**CNL(12)17**

***NASCO Staff Fund***

***Rules***

**1. Application**

- 1.1 These Rules apply to the NASCO Staff Fund and govern the operation of the Deferred Salary Scheme established by the decision of the Council, CNL(01)49.

**2. Membership**

- 2.1 Any Secretariat Member may become a Member of the Scheme and may remain so while in employment with NASCO. However, the Council has decided, CNL(04)52, that Members of the Secretariat, as at 11 June 2004, shall retain Secretariat Member status while in receipt of benefits from the Scheme and shall be responsible for and manage their own funds during this time.

**3. Contributions**

- 3.1 Contributions to the Scheme by NASCO and by the Members of the Scheme shall be held in the NASCO Staff Fund, established in accordance with NASCO Financial Rule 6.1, and sub-divided into a separate deferred salary account for each Member.
- 3.2 The Organization will defer 15.8% of the gross salary of each Member of the Scheme to the Fund or such other amount as is determined by the Council from time to time. Each Member of the Scheme shall defer a minimum of 7.9% of gross salary or such other minimum amount as is determined by the Council from time to time. Members of the Scheme may request that additional contributions be deferred from salary and paid into the Fund. Contributions made to the Fund shall be enhanced by 5% by NASCO as a contribution to investment charges.
- 3.3 The tax imposed on the salary of Secretariat Members for the benefit of the Organization shall be calculated on the sum remaining after deduction of their contributions to the Fund.

**4. Management of the Fund**

- 4.1 Contributions retained by NASCO over the deferred period and thereafter may be held on deposit or, should the Member of the Scheme concerned so decide, be otherwise invested.

**5. Benefits**

- 5.1 Each Member of the Scheme shall at all times be fully vested and have entitlement to give notice requesting payment in whole or in part of their individual deferred salary account at any time whilst remaining a Secretariat Member. Such benefits are considered as tax-paid deferred salary payments.
- 5.2 In the event of death of a Member of the Scheme the Secretary shall return the full value of that Member's deferred salary account to that Member's spouse or such other beneficiary as may have been advised by written notice to the Secretary.

**CNL(14)19**

***Decision of the Council concerning the NASCO Deferred Salary Scheme  
and Staff Fund***

Having regard to the recommendations from Chiene + Tait and Davidson Chalmers concerning the NASCO Deferred Salary Scheme and the Staff Fund, established as a Special Fund in 2001 (Council documents CNL(01)49, CNL(02)42, CNL(04)52 and CNL(12)17), the Council has decided as follows:

- it should adopt the revised Staff Rules and Staff Fund Rules proposed by Chiene + Tait and Davidson Chalmers as contained in document FAC(14)5 subject to the following clarification:
  - that the wording in the Staff Fund Rules is reviewed to ensure that references to taxation are clear including, in particular, whether rule 4.3 should refer to ‘UK taxation’ rather than ‘taxation’;
  - the wording in Staff Rule 8.1 should refer to Rule 5 and not Rule 8;

The Secretary agreed to seek confirmation in writing that these changes were appropriate and that other references to taxation in the Staff Fund Rules be similarly clarified wherever appropriate. Once that input is provided then the Staff Fund Rules and Staff Rules will be revised accordingly and will be annexed to the Council Report.

- the financial statements should include a note in the audited accounts, commencing with the 2014 accounts, to disclose the total value of the Staff Fund and the associated obligation to Staff Fund members as of 31 December each year;
- the financial statements should include a note in the audited accounts, commencing with the 2014 accounts, to confirm that tax has been deducted from all remuneration paid to Secretariat members and retained by NASCO in accordance with the Staff Rules;
- the revised format for the payslips proposed by Chiene + Tait and Davidson Chalmers be used from 1 July 2014 for all Secretariat members;
- the Secretary should be asked to develop revised offers of appointment to Secretariat members to reflect the findings of the review by Chiene + Tait and Davidson Chalmers incorporating wording to reflect the changes made to the Staff Fund and Staff Fund Rules and to address the issue identified concerning temporary/part-time contracts.