

	Finance and Administration Committee <i>Report of the April Inter-Sessional Meeting of the Finance and Administration Committee</i>	FAC(24)04 Agenda item: 4
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Report of the April Inter-Sessional Meeting of the Finance and Administration Committee

By Video Conference

4 & 5 April 2024

1. Opening of the Meeting

- 1.1 The Chair, Seamus Connor (United Kingdom), opened the meeting and welcomed members of the Finance and Administration Committee (FAC) to the April Inter-Sessional Meeting. He thanked the Committee members for their willingness to hold a second inter-sessional meeting to enable business to be discussed and agreed in advance of the Annual Meeting in June. He also thanked those members who had worked together to revise text in both the Staff and Staff Fund Rules and the proposed conditions for attendance of observers documents discussed in the February Inter-Sessional Meeting.
- 1.2 The Chair reminded participants why the April Inter-Sessional Meeting had been called, namely to work on three main agenda items following on from what the FAC had agreed at its February meeting, i.e.:
- to agree the updated provisions relating to the lump sum in NASCO’s Staff Rules and Staff Fund Rules to reflect the differences for existing and new staff, and for full- and part-time staff, for agreement by Council at the 2024 Annual Meeting;
 - to agree an inter-sessional process and timeline for the revision of the full Staff Rules and Staff Fund Rules, including any legal review, as part of the inter-sessional review agreed by Council in 2023, and noting Gunnercooke’s considerations, to enable an update to be provided to Council at the 2024 Annual Meeting; and
 - to agree the revised conditions of attendance for observers at NASCO meetings for agreement by Council at the 2024 Annual Meeting.
- 1.3 A list of participants is contained in Annex 1.

2. Adoption of the Agenda

- 2.1 The Committee adopted its Agenda, FACIS(24)12 (Annex 2).

3. Consideration of the Revisions to NASCO’s Staff Rules and Staff Fund Rules for the Deferred Salary Scheme and Lump Sum Entitlement

- 3.1 The Chair reminded the participants that, in February, the FAC agreed to recommend to Council that:
- i. it note the legal advice provided to NASCO in Gunnercooke’s ‘Report of Advice’ to ensure no detriment for part-time staff and to avoid potential discrimination in any revision of NASCO’s rules relating to part-time staff;

- ii. the lump sum entitlement is applicable to all existing NASCO staff, i.e. both full- and part-time, leaving NASCO's employment, unless through termination due to gross dereliction of duties;
 - iii. the fraction of the lump sum to be awarded to staff should be fixed at one eighth after tax of the final year's gross salary and allowances for each full year of service with NASCO, fractions of a year to count pro-rata; and
 - iv. for new staff, the Council should consider eliminating the lump sum and retaining the Deferred Salary Scheme as set out in Rule 8.2(a) of the Staff Rules, [CNL\(14\)63](#).
- 3.2 He also reminded participants that, additionally, the FAC had agreed to update the provisions relating to the lump sum in NASCO's Staff Rules and Staff Fund Rules, inter-sessionally, to reflect its recommendations for existing and new staff.
- 3.3 The Chair noted that papers FACIS(24)08, 'Draft Revised NASCO Staff Fund Rules (Revising CNL(14)62)' and FACIS(24)09, 'Draft Revised NASCO Staff Rules for Deferred Salary Elements (Revising CNL(14)63)', were circulated on 5 March. These papers had built on the discussions begun in February to note provision for both full- and part-time staff and to introduce the differences agreed between new and existing staff. He noted that the intention was that the proposed changes, for new and existing staff, be agreed during the April inter-sessional meeting to enable consideration by Council during its 2024 Annual Meeting.
- 3.4 The Chair noted that the wording in Section 3.3 in FACIS(24)08 related to part-time staff was taken from a current staff member's contract and could not, therefore, be changed significantly without requiring the contract to be modified. However, the United States proposed clarification of the wording which was agreed on and inserted. There was a discussion of the term 'personal pension' and it was agreed that what a personal pension is, is generally well understood. The wording of Section 6 and the new Section 7, which was based on the wording of Section 6 in the current Staff Fund Rules ([CNL\(14\)62](#)), was discussed in some detail. It was highlighted that the revisions were to clarify conditions for full-time and part-time staff.
- 3.5 In the proposed revisions to NASCO's Staff Rules, outlined in FACIS(24)09 'Draft Revised NASCO Staff Rules for Deferred Salary Elements (Revising CNL(14)63)', it was noted that the only changes made were to Paragraphs 8.2 (a) and (b), 8.3 (a) and (b), and 10.4, with a new paragraph 8.3 (c) added. Some revisions to wording were proposed, such as adding 'full-time' where relevant to align with the use of 'part-time' and for greater clarity.
- 3.6 The Chair reminded participants that these revisions to the Staff Fund Rules and Staff Rules are only to the Deferred Salary and lump sum (and associated) elements given the current interim policy that runs out on 8 June 2024 (see [CNL\(23\)71](#)) and to ensure certainty for current NASCO staff. The agreed documents would go to Council for adoption as the new Staff Fund Rules and Staff Rules. These in turn would stand until any further revisions were proposed to, and accepted by, Council.
- 3.7 Extensive discussion was had on Paragraphs 8.3 (a), (b) and (c) to agree the wording to put to Council. This included the definition of 'dependants' and it was agreed that wording around 'dependants' would need to be defined under the full revision of the rules discussed in the February Inter-Sessional Meeting. It was highlighted that the mortality allowance is intended to provide payments in cases that are not covered by the deceased's medical and life insurance.

- 3.8 A discussion of Paragraph 10.4 raised the issue of redundancy payments, with a query from Norway on the practice of payments in the event of redundancy. It was noted by other FAC members that these are a widely accepted practice. The Chair stated that in any full revision of the Staff Rules it would need be clearly stated that this is for payments in the case of staff being made redundant by NASCO, as opposed to having their employment terminated for another reason. A suggestion was made to cap payments at a payout equivalent to 12 months' pay, in line with UK civil service policy, which was added to the paragraph.
- 3.9 The FAC agreed the revisions to the Staff Fund Rules, FACIS(24)13rev (Annex 3), and Staff Rules, FACIS(24)14rev (Annex 4), and recommended that they be adopted by the Council.

4. Consideration of the Wider Revision of the Staff Rules and Staff Fund Rules

- 4.1 The Chair reminded the participants that, at the February Inter-Sessional Meeting, the FAC had agreed the Staff Rules and Staff Fund Rules should be revised and consolidated to enable them to be consistent with Scottish employment law and modern working practice. The FAC had further agreed that its members would revise the full Staff Rules and Staff Fund Rules, as part of the inter-sessional review agreed by Council in 2023 and noting Gunnercooke's considerations. It had also agreed to develop a timetable for completion of revisions, including any legal review by Gunnercooke, to enable provision of an update to Council at the 2024 Annual Meeting.
- 4.2 The Chair informed the FAC that the Secretary had been in touch with Gunnercooke since the February Inter-Sessional Meeting and that the legal team there was happy to provide legal advice on the FAC's updated Staff Rules once they are ready to be considered, to ensure that the revised rules are consistent with Scottish employment law and modern working practice. The Secretary agreed to update the Gunnercooke team on the proposed timeline after this April Inter-Sessional Meeting.
- 4.3 Canada stated that having revisions completed by the 2025 Annual Meeting, as was raised in the February Inter-Sessional Meeting, seemed like a reasonable schedule. The Chair suggested looking at existing civil service rules and any other examples from individual Parties, and inclusion of a Secretariat staff member in the revision process.
- 4.4 Canada indicated that agreeing a table of contents would be a good first step and referred to information it had previously sent to the Secretariat. The United States agreed to joining an informal meeting in the margins of the 2024 Annual Meeting. Iceland stated it strongly supported the inclusion of a Secretariat staff member.
- 4.5 A timeline was discussed and, based on discussion at the February Inter-Sessional Meeting, the suggestion was to have a new set of Staff Rules ready for the end of November to share with Gunnercooke for legal review. These could come back to the FAC early in 2025 to go to Council for adoption at the 2025 Annual Meeting.
- 4.6 The Chair proposed the formation of a small working group which would meet initially in the margins of the 2024 Annual Meeting to agree on a list of topics to be included in the new rules and identify existing gaps. The FAC agreed to this proposal and the UK and United States agreed to put forward representatives for the working group to work with the FAC Chair.
- 4.7 A comparison of staff rule categories from other organizations compiled by Canada was shared with all the FAC members. It was agreed that following initial meetings of

the working group in June, the list of topics required and gaps in the current Staff Rules identified would be circulated to the rest of the FAC to agree by correspondence by the end of June, with no response taken as agreement. The working group would commence its work in July by correspondence, keeping the Secretariat in copy. A draft would be prepared for the end of November for legal review by Gunnercooke and circulated to the FAC, with Gunnercooke asked to respond by the end of January 2025. The FAC would then hold an inter-sessional meeting in March to agree on the new rules and work on any suggestions from Gunnercooke, with provisional dates of 18, 19 and 20 March discussed.

- 4.8 Concerns were raised about the potential financial implications of revisions, for example parental leave. In addition, concerns were raised that the meetings in March 2025 would not be enough time if wording was going to be closely reviewed. The FAC agreed it would take the content and wording of the document at that stage as read, and use the inter-sessional meeting to decide on the actual policies to staff where there are options, for example, those with financial implications such as length of parental leave.
- 4.9 It was noted that it would be good to consult staff policies from other RFMOs such as NAFO, NEAFC and ICCAT, and UN organizations, some of which have been recently updated and all of which are publicly accessible.
- 4.10 The Chair asked the FAC if it wished to recommend the proposed process and timeline to Council, i.e. that:
- the FAC would work, inter-sessionally through a small working group and by correspondence to revise the full Staff Rules and Staff Fund Rules by the end of November 2024;
 - the FAC would engage Gunnercooke to provide legal counsel to ensure compliance with relevant employment law and modern working practice, to be provided by the end of January 2025; and
 - the FAC would meet provisionally on 18, 19 and 20 March 2025 to finalise and agree the revised staff rules to enable them to be recommended to Council for their adoption at the 2025 Annual Meeting.
- 4.11 The FAC agreed.

5. Consideration of the Revisions to the Conditions for Attendance by Observers at NASCO Meetings

- 5.1 The Chair reminded the FAC that, at its February Inter-Sessional Meeting, members had discussed a paper tabled by Canada, ‘Canada’s Proposal for Updating Revised Conditions for Attendance by Observers at NASCO Meetings’, FACIS(24)03. The FAC had agreed that changes were required in light of its discussions in February. Subsequently, the FAC members from Canada, the EU and the United States had worked to revise the document inter-sessionally and proposed two documents for discussion: ‘Draft Revised Terms and Conditions for Observers at NASCO Meetings’, FACIS(24)10, and ‘Draft Conditions for Media at NASCO Meetings’, FACIS(24)11. These were circulated on 5 March.
- 5.2 The Chair noted that the aim under this agenda item is to agree the revised conditions of attendance at NASCO meetings by Observers and to recommend them to Council for its adoption at the 2024 Annual Meeting to enable Indigenous organizations / representatives to be able to attend the 2025 Annual Meeting in their own right. He

asked the FAC member for Canada to explain the rationale for the documents' content and the separate document for media attendance.

- 5.3 The FAC discussed the categories of Observer that could be invited, the conditions required and that applications for Observer status need to be considered carefully to ensure NASCO's objectives are reflected.
- 5.4 Concerns were noted that a single person could put themselves forward as an Indigenous organization / representative under the proposed 'Draft Revised Terms and Conditions for Observers at NASCO Meetings', FACIS(24)10. The Chair stated that applications would still be screened by the Secretary and President. A discussion was had on how the addition of the Council's approval of an application could work.
- 5.5 Extensive discussion was had on the clauses under section 4 of document FACIS(24)10. The FAC noted that it wanted clarity in the language to ensure that how and when Observers may contribute to NASCO business was clear.
- 5.6 Further discussion was had on the terminology to be used for Indigenous peoples, such as 'representative', 'organization' or 'Organization'. It was noted that the United Nations and its bodies incorporate indigenous participation by referring to 'Indigenous Peoples' representatives and institutions'¹.
- 5.7 Additional discussion of Observer rules in other inter-governmental organizations in relation to representation followed, with it noted that some encourage or ask that Observers organize their representation in groups, whereas others allow each organization to speak for itself.
- 5.8 The document 'Draft Conditions for Media at NASCO Meetings', FACIS(24)11, was considered by the FAC, with some discussion around the process required for the accreditation of Media. It was agreed this would be done via the Secretariat.
- 5.9 The FAC agreed its revisions as 'Proposed Revised Terms and Conditions for Observers at NASCO Meetings', FACIS(24)15 (Annex 5), and 'Proposed Conditions for Media at NASCO Meetings', FACIS(24)16 (Annex 6), and recommended that the papers be adopted by the Council.

6. Next Steps

- 6.1 The Chair asked the Secretary to explain the process. She noted that the documents worked on and produced in this meeting would be annexed to this inter-sessional meeting report as FACIS documents. The Annotated Agenda issued in advance of the 2024 Annual Meeting would then be very clear under the FAC agenda item what is being asked of Council in terms of items to agree. The FAC Chair will present all the documents to Council under the FAC agenda item, for adoption by Council.

7. Other Business

- 7.1 No additional business was raised.

8. Report of the Meeting

- 8.1 The FAC agreed to consider the Report of the Inter-Sessional Meeting by correspondence.

¹ <https://social.desa.un.org/issues/indigenous-peoples/participation-of-indigenous-peoples-at-the-un>

9. Close of the Meeting

- 9.1 The Chair thanked participants for their contributions and closed the meeting.

***April 2024 Inter-Sessional Meeting of the Finance and Administration
Committee – List of Participants***

Canada

*Doug Bliss
Isabelle Morisset

Denmark (In respect of the Faroe Islands and Greenland)

*Julius Kristiansen
Katrine Kærgaard

European Union

*Ignacio Granell

Iceland

*Guðni Magnús Eiríksson

Norway

*Heidi Hansen (Vice-Chair)
Raoul Bierach

Russian Federation

*Anna Shulaeva

UK

*Ruth Allin
Charlotte Beardwell
Seamus Connor (Chair)

USA

*Rebecca Wintering
Shannon Dionne
Kellie Foster-Taylor
Mahvish Madad

Secretariat

Emma Hatfield
Clare Cavers

*FAC Member

FACIS(24)12

Inter-Sessional Meeting of the Finance and Administration Committee

By Video Conference

4 & 5 April 2024

Agenda

1. Opening of the Meeting
2. Adoption of the Agenda
3. Consideration of the Revisions to NASCO's Staff Rules and Staff Fund Rules for the Deferred Salary Scheme and Lump Sum Entitlement
4. Consideration of the Wider Revision of the Staff Rules and Staff Fund Rules
5. Consideration of the Revisions to the Conditions for Attendance by Observers at NASCO Meetings
6. Next Steps
7. Other Business
8. Report of the Meeting
9. Close of the Meeting

FACIS(24)13rev

*Proposed Revised NASCO Staff Fund Rules (Revising CNL(14)62)²***1. Application**

- 1.1 These Rules apply to the NASCO Staff Fund and govern the operation of the Deferred Salary Scheme (the ‘Scheme’) established by the decision of the Council, CNL(01)49. NASCO does not operate a system for payment of pensions and annuities for its former employees and membership of the Scheme ends at the termination of full-time employment with NASCO.

2. Membership of the Scheme

- 2.1 Any Secretariat Member may become a Member of the Scheme and may remain as a Member of the Scheme for as long as such Member is employed by NASCO on a full-time basis in accordance with the provisions of the Staff Rules. A Secretariat Member who ceases, for whatever reason, to be employed as aforesaid, shall ipso facto cease to be a Member of the Scheme, and the provisions of clause 6.2 below shall apply.

2.2 Part-time Secretariat staff may not be Members of the Scheme but will receive an equivalent benefit as set out below.

3. Contributions to the Scheme

- 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 For full-time staff, NASCO will contribute to the NASCO Staff Fund an amount equivalent to 15.8% after tax of the gross salary of each Member of the Scheme, or such other amount as is determined by the Council from time to time. Each Member of the Scheme shall contribute a minimum of 7.9% after tax 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 contributed from gross salary and paid into the Fund. These contributions to the Fund by NASCO and Members of the Scheme shall be enhanced by 5% after tax by NASCO as a contribution to covering investment charges. ~~Prior to a Secretariat Member retiring from full-time employment with NASCO, a lump sum payment will be made into that Secretariat Member’s deferred salary account of not less than one twelfth after tax of the final year’s gross salary and allowances for each year of service with NASCO, fractions of a year to count pro-rata.~~

3.3 For part-time staff, NASCO will contribute 15.8% after tax of the gross salary (or such other amount as is determined from time to time in line with any change to the Deferred Salary Scheme contribution given to full-time employees) and part-time staff may wish to take out an appropriate personal pension arrangement, to which NASCO will further enhance its contribution and any personal contribution made by the employee, by 5%

² Changes to paragraphs in Sections 2 and 3 (with new paragraphs 2.2 and 3.3) and the addition of a new Section – Section 7

after tax to cover any investment charges. Enhancement of any personal contribution in excess of 7.9% after tax of gross salary shall be subject to approval by the Secretary.

4. Nature of Deferred Salary Accounts

- 4.1 The funds contributed to, and held within, each Member's deferred salary account form part of the NASCO Staff Fund, and subject to clause 6.1 below, belong to and comprise part of the assets of NASCO. A note of the total year-end balance available in the Staff Fund shall be included in NASCO's audited accounts.
- 4.2 In holding the funds or other investments in the deferred salary accounts of each Member of the Scheme, NASCO does not thereby assume the position either as a trustee or nominee of any Member of the Scheme.
- 4.3 The funds held within each Member's deferred salary account, and any increase in the values thereof, are deemed to be within the scope of NASCO's official activities and shall therefore accrue exempt from UK taxation, but such exemption from taxation shall only apply for so long as the Member of the Scheme continues to be employed by NASCO in the manner referred to under clause 2.1 above.

5. Management of the Staff Fund

- 5.1 All amounts contributed to the individual deferred salary accounts of Members of the Scheme shall be held on bank deposit or invested in such manner or held in the form of such other investments as NASCO, in its sole discretion shall determine. Notwithstanding the foregoing, NASCO may consult with Members of the Scheme with regard to the nature of the investments held within a Member's deferred salary account, but nevertheless shall be under no obligation to act in accordance with the direction or instruction of any such Member.

6. Benefits and Scheme Members' Rights

- 6.1 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.
- 6.2 In the event of a Member of the Scheme ceasing to be employed by NASCO in the manner referred to under clause 2.1 above, such Member shall be deemed to have given notice to NASCO requesting payment of the whole amount of the Member's individual deferred salary account whereupon the Secretary shall immediately procure that the full value of that Member's deferred salary account is paid to the Member concerned. In the event of the death in service of a Member of the Scheme, the amount or value of the deceased Member's deferred salary account shall automatically belong to the Estate of the deceased Member, and the Secretary shall procure that the full value of that deceased Member's deferred salary account is paid to the executor of the deceased Member.

7. Cessation of Employment for Staff Whose Date of Appointment is Prior to XX June 2024

- 7.1 Prior to any full-time Secretariat Member leaving employment with NASCO, other than through termination due to gross misconduct, a lump sum payment will be made into that Secretariat Member's deferred salary account of one eighth after tax of the final year's gross salary and allowances for each year of service with NASCO, fractions of a year to count pro-rata.

7.2 For part-time Secretariat staff, prior to them leaving employment with NASCO, other than through termination due to gross misconduct, a lump sum payment of one eighth after tax of the final year's full-time equivalent gross salary and allowances for each full-time equivalent year of service with NASCO, fractions of a year to count pro-rata, will be paid directly to them.

FACIS(24)14rev

Proposed Revised NASCO Staff Rules (Revising CNL(14)63)³

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 either the ‘Organization’ or ‘NASCO’).

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.

³ [Changes in Paragraphs 8.2 \(a\) and \(b\), Paragraphs 8.3 \(a\) and \(b\) and in Paragraph 10.4. Paragraph 8.3 \(c\) added.](#)

- 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 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 gross salary shall be this sum adjusted for the prevailing level of NASCO taxation.
- 5.2 Secretariat 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 which shall be subject to the NASCO taxation regime. Secretariat members in the General Services Category shall also be entitled to the insurances as required under Rule 8.1 and contribution arrangements as defined under the Staff Fund Rules. Where appropriate these entitlements are subject to the NASCO taxation regime.

- 5.3 A Secretariat member in the Professional Category shall be entitled to net or basic salary in accordance with Rule 5.1, and, where appropriate, expatriation allowance, household allowance, children's allowance, handicapped children's allowance, installation allowance and education allowance. A Secretariat member in the Professional Category shall also be entitled to the insurances as required under Rule 8.1 and contribution arrangements as defined under the Staff Fund Rules. Adjustments in the salary scale and allowances are made only after approval of Council through the annual budget. Where appropriate these entitlements are subject to the NASCO taxation regime.
- 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 incurred by a Secretariat member in respect of paying the amounts of such National Insurance and the premiums for such insurances shall be reimbursed by the Organization to the Secretariat member concerned. These insurances, together with the allowances referred to in Rule 5 (other than any overtime allowance

payable) represent a component of the Organization's social security scheme and are not, therefore, subject to NASCO taxation.

- 8.2 (a) The Council has established a NASCO Staff Fund in relation to its Deferred Salary Scheme for full-time 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 for so long as such Secretariat member continues to be employed by the Organization on a full-time basis. The Organization will defer 15.8% after tax 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% after tax of the 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% after tax by the Organization as a contribution to investment charges. The tax regime imposed for the benefit of the Organization on the gross salary and other entitlements of Secretariat members and other members of staff under Rules 5.2 and 5.3 including all contributions to the Staff Fund shall comprise a flat rate of 15%. The application of the NASCO taxation regime is illustrated in Appendix 1. Part-time Secretariat staff shall not be Members of the Scheme but will receive equivalent benefits to Members.
- (b) For any staff whose date of appointment occurred prior to XX June 2024, prior to any Secretariat staff leaving employment with NASCO, a lump sum payment will be made into that Secretariat member's Staff Fund (or in the case of part-time staff paid directly) of one eighth after tax of the final year's gross salary and allowances for each year of service with the Organization, fractions of a year to count pro-rata. For part-time staff the lump sum payment will be based on the full-time equivalent of the final year's gross salary and the number of full-time equivalent years, fractions of a full-time equivalent year to count pro-rata. Any Secretariat staff aged 55 years or over may request the Secretary to transfer to the Staff Fund (or pay directly in the case of part-time staff) up to 20% per annum of the estimated current value of his or her lump sum entitlement. Thereafter, the balance of the lump sum entitlement will be transferred on an annual basis. Any staff whose date of appointment is after XX June 2024 shall not be entitled to a lump sum payment.
- 8.3 (a) In the event of the death of any Secretariat staff 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, except if the deceased leaves dependants, 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) For any staff whose date of appointment occurred prior to XX June 2024, in the event of death in service of any long-serving Secretariat staff (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 staff's dependants through the Staff Fund (or in the case of part-time staff paid directly).

(c) For any staff whose date of appointment is after XX June 2024, in the event of death in service of any long-serving Secretariat staff (ten or more years' continuous service) payment at the rate of one month's gross salary (at the date of death) for each year's service, and not the mortality allowance, shall be paid to the Secretariat member's dependants through the Staff Fund (or in the case of part-time staff paid directly).

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 For any staff whose date of appointment is after XX June 2024, 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 (capped at one year's salary) shall be paid unless the cause of termination has been gross misconduct.

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.

FACIS(24)15

Proposed Revised Terms and Conditions for Observers at NASCO Meetings

Pursuant to Part VI of the Council's and each of the three regional Commissions' Rules of Procedure, the following terms and conditions are established for the participation of Observers in meetings of the North Atlantic Salmon Conservation Organization (NASCO).

1. The Secretary, on behalf of the President, shall invite as Observers:
 - a. Representatives from Inter-Governmental Organizations that have regular contact with NASCO or whose work is of interest to NASCO or *vice versa*.
 - b. Representatives from States not Party to the Convention with coastlines bordering the Convention Area as defined in Article I of the Convention, or those States not Party to the Convention, who are States of origin of Atlantic salmon, who prosecute fisheries for Atlantic salmon, and / or whose conservation and management activities are of interest to NASCO or *vice versa*.
 - c. Accredited Non-Governmental Organizations that support the objectives of NASCO with a demonstrated interest in wild Atlantic salmon.
 - d. Accredited Indigenous [representatives] [organizations] [peoples' representatives and institutions] that support the objectives of NASCO with a demonstrated interest in wild Atlantic salmon.
2. Observers that desire accreditation to NASCO under 1.c. and 1.d. shall:
 - a. Notify the Secretariat at least 90 days in advance of the first meeting they wish to attend with an application which includes:
 - name, address, email, and telephone number;
 - address of all its offices;
 - aims and purposes and a statement how they generally support the Objectives of NASCO;
 - information on the number of members, its decision-making process, and its funding;
 - a brief history and a description of their activities;
 - representative papers, reports, and public releases produced on the conservation, management or science of wild Atlantic salmon;
 - history of observer status granted/revoked in other fisheries management or conservation organizations; and,
 - name, title, and email address of the person(s) proposed to be the representatives at NASCO.
 - b. Have their applications reviewed by the Secretary who, in consultation with the President at least 60 days before the meeting for which the application was received, shall notify the Council of the names and qualifications of applicants determined to have provided the information in paragraph 2.a. who are eligible for accreditation as

Observers. Such applications will then be considered as accepted unless one or more Parties object in writing, giving its reasons within 15 days, in which case the matter will be put to a vote by written procedure. Applicants will be informed of the decision of the Council at least 30 days before the meeting for which the application was received.

- c. Cease to be accredited if they have not communicated with the Secretariat or attended at least one Annual Meeting in the previous three years: but may re-apply in writing to the Secretary as per paragraph 2.a.
3. Observers are required to:
 - a. Limit the number of their delegation to two representatives.
 - b. Have representatives of their organization attend a NASCO meeting in only one capacity, either on an Observer delegation or as a member of a delegation of a Contracting Party but may not be accredited as both an Observer's representative and as a member of a Contracting Party's delegation.
 4. Any Observer:
 - a. May attend all meetings of NASCO and its subsidiary bodies: except meetings of the Finance and Administration Committee (FAC); restricted meetings of Contracting Parties and meetings of Heads of Delegation.
 - b. May be restricted from attending a meeting by the Presiding Officer⁴ in which case the Secretary would inform Observers of such a decision.
 - c. Shall have access to the same documents generally available to Contracting Parties and their delegations, except those documents deemed confidential by a Contracting Party or the Secretary.
 - d. During meetings which they attend may make a single intervention, of up to two minutes, upon the invitation of, and according to the format or procedures established by, the Presiding Officer after debate by the Parties on that item but may not participate in decision making.
 - e. May have any of their representatives make interventions during meetings that are defined as Special Sessions by Council.
 - f. May submit written statements and other documents relevant to NASCO that shall be distributed by the Secretariat to members of the relevant Council, Commission or its subsidiary bodies, subject to the approval of the Secretary.
 - g. May be invited to provide input to meetings of working groups and other subsidiary bodies as appropriate.
 - h. May engage in other activities as appropriate and as approved by the Presiding Officer.
 - i. May not use film, video, or audio recording devices, etc. to record meeting proceedings.
 - j. May not issue press releases, broadcast on social media, or issue other information to the media or the public on agenda items under discussion during NASCO meetings until after the official conclusion of the meeting.

⁴ Presiding Officer is the President, Chair or person governing the process of any given meeting.

- k. Shall comply with these, and any other, terms and conditions imposed by the Council or Secretary. Non-adherence to these terms and conditions may lead to the suspension of that representative and / or that organization's observer status by the Council.
5. These terms and conditions shall be subject to review and revision, as appropriate. If any Party so requests, these terms and conditions may be reviewed and, if necessary, amended by the Council.

FACIS(24)16

Proposed Conditions for Media at NASCO Meetings

Pursuant to Part VI of the Council's and each of the three regional Commissions' Rules of Procedure, the following terms and conditions are established for the participation of representatives of the media in meetings of the North Atlantic Salmon Conservation Organization (NASCO).

1. Attendance

- a. Media representatives may attend the Opening Session of the Council at the Annual Meeting.
- b. Media representatives may attend NASCO Special Sessions or Theme-based Special Sessions but must request permission to do so from the President, in consultation with the Secretary and, where appropriate, the Council.
- c. Media representatives may be present at the NASCO Annual Meeting venue (for example during press conferences or interviews) but not in meeting sessions of the Council or Commissions, except for the Opening Session of the Council.

2. Accreditation and Conditions

- a. Media representatives shall register with the NASCO Secretariat on arrival at the meeting and provide a Press card or another form of accreditation from the appropriate news company.
- b. No more than two representatives of a particular media company or publication shall be allowed to attend NASCO meetings.
- c. Media representatives are not permitted to make statements at any NASCO meetings.
- d. The use of cameras, recording equipment and / or social media streaming equipment must be approved by the Secretary.
- e. Any disruptive behaviour shall result in the Secretary requesting the media representative to leave the meeting venue immediately and the withdrawal of authorisation.
- f. At the discretion of the President, in consultation with the Secretary, a Press Conference may be held at the close of the Annual Meeting.

3. Other Conditions

- a. All requests for interviews with NASCO shall be directed to the Secretary and include media accreditation documents.
- b. No interviews may be conducted in the meeting rooms.

Media representatives shall comply with these Conditions and any other requirements imposed by the Council or by the Secretary.