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THE STAFF REGULATIONS OF THE AGENCY

1. Following the first comprehensive review of the Provisional Staff Regulations conducted by the Secretariat, the Board of Governors approved on 12 June 2002 amendments to the Provisional Staff Regulations including the removal of the attribute “provisional” from their title. The revised Staff Regulations of the Agency are set forth in this document for the information of all Members of the Agency.
2. There is a subject index at the end of the document.

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STAFF REGULATIONS

SCOPE AND PURPOSE

These Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of the Secretariat of the International Atomic Energy Agency. They set forth the broad principles of personnel policy for the staffing and administration of the Secretariat. The Director General shall promulgate and implement such Staff Rules consistent with these Regulations as he/she may consider necessary. Except as otherwise provided, these Staff Regulations and the Staff Rules shall apply to all persons appointed by the Director General as staff members pursuant to Staff Regulation 14.02.

ARTICLE I

DUTIES, OBLIGATIONS AND PRIVILEGES

REGULATION 1.01

Members of the Secretariat are international civil servants. As such, their responsibilities are not national but exclusively international. By accepting appointment, they pledge themselves to perform their duties and to regulate their conduct with the interests of the International Atomic Energy Agency (hereinafter called "the Agency") only in view.

REGULATION 1.02

Staff members are subject to the authority of the Director General and to assignment by him/her to any of the activities or offices of the Agency. They are responsible to him/her in the performance of their duties and they shall undertake their duties at his/her direction. The whole time of staff members shall be at the disposal of the Director General. The Director General shall establish a normal working week.

REGULATION 1.03

All working papers or other Secretariat documents shall be issued under the authority of the Director General.

REGULATION 1.04

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

REGULATION 1.05

Members of the Secretariat shall conduct themselves at all times in a manner befitting their status as international civil servants. They shall not engage in any activity which is incompatible with the proper performance of their duties with the Agency. They shall avoid any action and, in particular, any kind of public pronouncement, which may adversely reflect on their status, or on the integrity, independence and impartiality which are required by that status. While they are not expected to give up their national sentiments or their political and religious convictions, they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status.

REGULATION 1.06

Members of the Secretariat shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person or government any information known to them by reason of their official position which has not been made public, except in the course of the performance of their duties or by authorization of the Director General. They shall not at any time use such information to private advantage and they shall not at any time publish anything based thereon except with the written approval of the Director General. These obligations shall not cease upon separation from the Secretariat.

REGULATION 1.07

All right, title and interest, including, without limitation, all copyrights and patents, in and to any material produced and invention developed by any member of the Secretariat on behalf of the Agency during his/her term of employment by the Agency shall vest in the Agency, and no member of the Secretariat shall have any personal right, title or interest whatsoever therein.

REGULATION 1.08

Members of the Secretariat shall not accept any honour, decoration, favour, gift or remuneration from any government or from any other source external to the Agency, except for war service, without first obtaining the approval of the Director General. Approval shall be granted only in exceptional cases and where such acceptance would not be incompatible with the terms of these Regulations and with the individual's status as an international civil servant.

REGULATION 1.09

Members of the Secretariat may exercise the right to vote but shall not engage in any other political activity such as standing for or holding local or national political office. This does not, however, preclude participation in local community or civic activities, provided that such participation is consistent with the obligations of an international civil servant.

REGULATION 1.10

Any privileges and immunities granted to the Agency or to members of its Secretariat are conferred in the interests of the Agency. Such privileges and immunities shall not excuse members of the Secretariat who enjoy them from performance of their private obligations or from the observance of laws and police regulations. In any case where these privileges and

immunities arise, the staff member involved shall immediately report to the Director General who shall decide, in consultation where appropriate with the Board of Governors, whether they shall be waived. In the case of the Director General, the Board of Governors shall have the right to waive immunities.

REGULATION 1.11

Members of the Secretariat shall subscribe to the following oath or declaration:

"I solemnly swear (undertake, affirm, promise) to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the International Atomic Energy Agency, to discharge these functions and regulate my conduct with the interests of the Agency only in view, and not to seek or accept instructions in regard to the performance of my duties from any government or other authority external to the Agency."

REGULATION 1.12

The oath or declaration shall be made orally by the Director General at a public meeting of the General Conference and by all other members of the Secretariat orally before the Director General or in writing.

ARTICLE II

CLASSIFICATION OF POSTS

REGULATION 2.01

In accordance with budgetary provisions established by the General Conference, the Director General shall make appropriate provision for the classification of posts according to the nature of the duties and responsibilities required.

ARTICLE III

APPOINTMENTS AND PROMOTIONS

REGULATION 3.01

The Director General shall be the chief administrative officer of the Agency, and shall be responsible for the appointment of the staff. The paramount consideration in the recruitment, employment and promotion of such staff shall be to secure employees of the highest standards of efficiency, technical competence and integrity. Subject to this consideration, due regard shall be paid to the contributions of Member States and to the

importance of recruiting the staff on as wide a geographical basis as possible. Staff members shall be selected without distinction as to race, sex or religion.

REGULATION 3.02

The Director General may appoint staff by direct appointment or on a secondment basis.

REGULATION 3.03

(a) The Agency shall be guided by the principle that its permanent staff shall be kept to the minimum compatible with the efficient operation of the Agency.

(b) Appointments of officials of the rank of Deputy Director General or equivalent shall normally be for a period of not more than five years, subject to extension or renewal. Other staff members shall be granted fixed-term appointments each for a period of not more than five years, or short-term appointments subject to extension or renewal.

(c) Initial fixed-term appointments shall be subject to a period of probation, the normal duration of which shall be, subject to Staff Regulation 4.01 (d), one year. The Director General may decide that previous service under any other type of appointment may count towards the probationary period. After successful completion of the probationary period the fixed-term appointment shall be confirmed by the Director General in writing.

(d) A fixed-term appointment may be extended or renewed at the discretion of the Director General, if the staff member is willing to accept such extension or renewal. At no time, however, shall such an appointment be deemed to carry any expectation of or right to extension, renewal or conversion to another type of appointment.

(e) Appointments may be granted on a full-time or part-time basis. The Director General shall make provisions for the reduction of salaries, allowances and other entitlements for staff members working part-time in accordance with the ratio part-time employment bears to full-time employment.

REGULATION 3.04

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

LETTER OF APPOINTMENT

REGULATION 3.05

Upon appointment each staff member shall receive a letter of appointment signed by the Director General or his/her authorized representative. The letter of appointment shall state in so far as applicable:

- (a) That the appointment is subject to the provisions of these Staff Regulations and the Staff Rules applicable to the category of the appointment in question, and to amendments which may be duly made to these Staff Regulations and to these Staff Rules from time to time;
- (b) The nature of the appointment;
- (c) The date on which the staff member is required to enter upon his/her duties;
- (d) The period of appointment, the notice required to terminate it and period of probation, if any;
- (e) The terms of remuneration; and
- (f) Any special conditions which may be warranted to cover exceptional circumstances.

A copy of these Staff Regulations and of the Staff Rules promulgated pursuant thereto shall be transmitted to each staff member with his/her letter of appointment. In accepting appointment, each staff member shall state that he/she accepts the terms and conditions laid down in these Staff Regulations and in the Staff Rules.

PERFORMANCE MANAGEMENT SYSTEM REGULATION 3.06

The Director General shall establish a system for performance management of all staff, and for the recognition of different levels of performance within the framework of the principles and guidelines recommended by the International Civil Service Commission.

REGULATION 3.07

In filling vacancies, subject to Staff Regulations 3.01 and 3.03 and without prejudice to the recruitment of fresh talent at all levels, the fullest regard shall be given to the qualifications and experience of persons already in the service of the Agency. The decision as to whether any vacancy shall be filled by recruitment or promotion, and in the latter event the decision as to which staff member shall be promoted, shall rest with the Director General.

ARTICLE IV
SEPARATION FROM SERVICE

TERMINATION OF APPOINTMENTS
REGULATION 4.01

- (a) The Director General may terminate the appointment of a staff member who holds a fixed-term appointment and whose probationary period has been completed, if the necessities of the service require abolition of the post or reduction of the staff, or if the staff member is, for reasons of health, incapacitated for further service, or for such other reason as may be specified in the letter of appointment.
- (b) The Director General may also, giving his/her reasons therefor, terminate the appointment of a staff member who holds a fixed-term appointment and whose probationary period has been completed:
- (i) If the services of the individual concerned prove unsatisfactory;
 - (ii) If the conduct of the individual indicates that he/she does not meet the standards of integrity required by the Statute, the Staff Regulations and Staff Rules, the relevant administrative issuances or the Standards of Conduct for the International Civil Service;
 - (iii) If facts anterior to the individual's appointment and relevant to his/her suitability for employment in the Agency come to light which he/she was obliged to disclose at the time of his/her appointment, which he/she deliberately withheld or incorrectly or incompletely disclosed and which, had they been disclosed, would have precluded his/her appointment;
 - (iv) If the termination would be in the interest of good administration of the Agency and is agreed upon by the staff member concerned; or
 - (v) If a staff member abandons his/her post.
- (c) No termination under sub-paragraphs (b) (ii) and (iii) shall take effect until the matter has been considered by the Joint Disciplinary Board, except in cases of summary dismissal.
- (d) In the case of all other staff members, including staff members serving a probationary period for a fixed-term appointment, the Director General may at any time terminate the appointment, if, in his/her opinion, such action would be in the interest of the Agency.

**NOTICE OF TERMINATION
REGULATION 4.02**

Except in cases of summary dismissal, a staff member whose appointment is terminated by the Director General shall be given:

- (a) If he/she holds a fixed-term appointment of over two years or has completed two years of service, at least three months' written notice of termination or pay in lieu thereof; or
- (b) In all other instances, except for short-term appointments, at least one month's written notice of termination or pay in lieu thereof.

No notice of termination shall be required in the case of expiry at the due date of a fixed-term or short-term appointment.

**TERMINATION INDEMNITIES
REGULATION 4.03**

Except as otherwise provided in these Regulations, a staff member whose appointment is terminated by the Director General shall be paid, in addition to any pay in lieu of notice, an indemnity payment at the rate and under the conditions set forth in Annex I to these Regulations.

**RESIGNATION
REGULATION 4.04**

A staff member may resign from the Secretariat upon giving the Director General the same period of written notice as would be required for termination of his/her appointment. The Director General may, however, accept a shorter period.

**RETIREMENT
REGULATION 4.05**

Staff members shall not normally be retained in service beyond the age of sixty-two years or—in the case of staff members appointed before 1 January 1990—sixty years. The Director General may in the interest of the Agency extend these age limits in individual cases.

ARTICLE V
SALARIES AND ALLOWANCES

REGULATION 5.01

- (a) The gross base salary scale for each grade in the Secretariat in the Professional and higher categories as well as the gross base salary scale applicable at the Agency's headquarters for each grade in the General Service category shall be promulgated by the Director General with the approval of the Board of Governors; such salary scales applicable elsewhere shall be promulgated by the Director General. The initial rate of salary of each staff member shall be at a rate within the scale for his/her grade.
- (b) The net base salaries of staff in the Professional and higher categories shall be adjusted in order to take account of cost-of-living variations at different duty stations by a post adjustment the amount of which shall be determined in accordance with the terms and conditions promulgated by the International Civil Service Commission. The Director General may authorize rental subsidies or rental deductions as part of the post adjustment system in accordance with the terms and conditions promulgated by the International Civil Service Commission.
- (c) The Director General shall make arrangements for salary increments within the scales referred to in paragraph (a) above, based on staff members' qualifications and performance. The Director General may also establish a long-service increment for staff members in the General Service category.

NATIONAL INCOME TAXES AND STAFF ASSESSMENT PLAN
REGULATION 5.02

- (a) The salaries provided for in the scales referred to under Staff Regulation 5.01(a), and all other emoluments paid by the Agency, are deemed to be exempt from national income taxes. Should such taxes be levied, they will, unless otherwise specified in the letter of appointment, be reimbursed by the Agency.
- (b) The Director General may introduce amendments to the staff assessment plan in accordance with recommendations of the International Civil Service Commission approved by the General Assembly, by which the salaries of staff members may be made subject to deductions, i.e. staff assessment by the Agency in lieu of national income taxation.

DEPENDENCY BENEFITS
REGULATION 5.03

Staff Members shall be entitled to receive dependency benefits in respect of their dependent spouses, children or secondary dependants under conditions established by the Director General.

EDUCATION GRANTS REGULATION 5.04

(a) The Director General shall establish terms and conditions under which an education grant shall be available to an internationally recruited staff member serving outside his/her recognized home country, with respect to each dependent child who is in full-time attendance at a school, university, or similar educational institution of a type which will, in the opinion of the Director General, facilitate the child's re-assimilation in the staff member's home country, in accordance with the terms and conditions established by the International Civil Service Commission. Travel costs of the child may also be paid for an outward and return journey once in each scholastic year between the educational institution and the duty station, except that, in the case of staff members serving at field duty stations designated by the Director General as having no schools which provide schooling in the language or in the cultural tradition desired by staff members for their children, such travel costs may be paid twice in the year in which the staff member is not entitled to home leave.

(b) The Director General shall also establish terms and conditions under which an education grant shall be available to an internationally recruited staff member serving in a country whose language is different from his/her own and who is obliged to pay tuition fees for the teaching of the mother tongue to a dependent child attending a local school in which the instruction is given in a language other than his/her own, in accordance with the terms and conditions established by the International Civil Service Commission.

(c) The Director General shall also establish terms and conditions under which an education grant shall be available to a staff member whose child is unable, by reason of physical or mental disability, to attend a normal educational institution and therefore requires special teaching or training to prepare him/her for full integration into society or, while attending a normal educational institution, requires special teaching or training to assist him/her in overcoming the disability, in accordance with the terms and conditions established by the International Civil Service Commission.

LANGUAGE ALLOWANCE REGULATION 5.05

The Director General shall promulgate rules under which a language allowance may be paid to staff members in the General Service category.

HARDSHIP AND MOBILITY ALLOWANCE REGULATION 5.06

Internationally recruited staff members may if they are appointed to a duty station or transferred to a new duty station for one year or more be entitled to receive a hardship and mobility allowance subject to rules to be promulgated by the Director General.

**NON-RESIDENT'S ALLOWANCE
REGULATION 5.07**

The Director General may authorize the payment of a non-resident's allowance to staff members in the General Service category recruited from outside the country of the duty station.

**REPRESENTATION ALLOWANCE
REGULATION 5.08**

The Director General may, with the approval of the Board of Governors, establish provisions for the payment of a representation allowance to officials of the Director level or above, who have expenses of a representational nature. Alternatively, such officials may, subject to provisions established by the Director General, be reimbursed for actual hospitality expenditure.

ARTICLE VI

REPATRIATION GRANT

REGULATION 6.01

- (a) On separation from the service, a staff member whom the Agency is obliged to repatriate shall in principle be entitled to a repatriation grant in accordance with Annex II to these Regulations provided he/she is deemed to be internationally recruited and is actually relocating. The amount of the grant shall vary with the length of service with the Agency.
- (b) A repatriation grant shall not be paid to a staff member who is summarily dismissed or who has abandoned his/her post.

ARTICLE VII

LEAVE AND SICK LEAVE

ANNUAL LEAVE REGULATION 7.01

Staff members shall be entitled to two and a half working days of annual leave per month. Such leave shall be taken as the requirements of the service permit and shall be cumulative provided, however, that not more than sixty working days may be carried forward beyond 31 December of any year.

HOME LEAVE REGULATION 7.02

Eligible staff members shall be granted home leave once in every two years subject to rules promulgated by the Director General. However, in the case of service at field duty stations designated by the Director General as having very difficult conditions of life and work, eligible staff members may be granted home leave once every 12 months. A staff member whose home country is the country of his/her official duty station or who continues to reside in his/her home country while performing his/her official duties shall not be eligible for home leave.

SPECIAL LEAVE REGULATION 7.03

The Director General may, in exceptional cases, grant special leave on such terms and conditions as he/she deems appropriate.

SICK LEAVE AND MATERNITY LEAVE REGULATION 7.04

The Director General shall promulgate appropriate rules governing the granting of sick leave and maternity leave.

ARTICLE VIII

SOCIAL SECURITY

PENSION SCHEME REGULATION 8.01

Provision shall be made for the participation of eligible staff members in the United Nations Joint Staff Pension Fund in accordance with the Regulations of that Fund. The

Director General shall determine which categories of locally-recruited staff shall participate in the Austrian social security system and the terms of such participation.

REGULATION 8.02

The Director General may reimburse the cost of continuation of such social security measures as health insurance and pension fund participation to the employer from whom a staff member has been released on leave of absence. Staff members who choose this alternative will be ineligible to participate in the United Nations Joint Staff Pension Fund.

HEALTH INSURANCE REGULATION 8.03

The Director General may, with the approval of the Board of Governors, establish, either by a fund financed by the Agency or by contracting with a commercial organization, a scheme of insurance for medical and hospital expenses for staff members who may not be covered by any other scheme of health insurance. Membership in such an Agency scheme may be made compulsory for all staff members, who may also be required to contribute all or part of its cost.

COMPENSATION IN EVENT OF DEATH, INJURY OR ILLNESS ATTRIBUTABLE TO THE PERFORMANCE OF OFFICIAL DUTIES

REGULATION 8.04

The Director General shall, with the approval of the Board of Governors, draw up a scheme for the compensation of staff members in the event of their suffering accident, illness or death attributable to the performance of official duties on behalf of the Agency.

ARTICLE IX

TRAVEL AND REMOVAL EXPENSES

TRAVEL EXPENSES REGULATION 9.01

- (a) Subject to rules to be promulgated by the Director General, the Agency shall, in appropriate cases, pay the travel expenses for official travel of staff members, and their dependants.
- (b) Official travel shall, in all instances, be by the most economical route between the point of origin and the destination, taking into account the purpose and objectives of the travel as well as the safety of the traveller.

REMOVAL OF PERSONAL AND HOUSEHOLD EFFECTS
REGULATION 9.02

(a) A staff member appointed for a period of not less than two years, or transferred from one duty station to another for a period of not less than two years, shall in principle be entitled to be paid the cost of removal of his/her personal and household effects subject to rules promulgated by the Director General. Where, however, the Director General considers that it is in the interest of the Agency to do so, having regard to the cost of removal and the probable period of appointment or transfer, he/she may elect not to offer to pay the cost of removal of personal and household effects and to pay instead charges incurred by the staff member for storing his/her personal and household effects.

(b) On separation from service, a staff member whose removal expenses have been paid by the Agency, and whom the Agency is obliged to repatriate, shall be entitled to the cost of removal of his/her personal and household effects, subject to rules promulgated by the Director General.

ASSIGNMENT GRANT
REGULATION 9.03

Staff members whose travel upon appointment or reassignment has been authorized by the Agency may receive an assignment grant in accordance with rules promulgated by the Director General.

ARTICLE X
STAFF RELATIONS

STAFF COUNCIL
REGULATION 10.01

(a) A Staff Council, elected by the staff members, shall be established for the purpose of ensuring continuous contact between the staff members and the Director General.

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

JOINT MANAGEMENT/STAFF BODIES
REGULATION 10.02

The Director General shall establish administrative machinery with staff participation to advise him/her regarding personnel policies, general questions of staff welfare and relevant administrative issuances and to make to him/her such proposals as it may desire for amendment of the Staff Regulations and Staff Rules.

ARTICLE XI
DISCIPLINARY MEASURES

MISCONDUCT
REGULATION 11.01

The Director General may impose such disciplinary measures as are in his/her opinion appropriate on staff members whose conduct is unsatisfactory. He/she may summarily dismiss a staff member for serious misconduct.

ARTICLE XII
APPEALS

JOINT APPEALS BOARD
REGULATION 12.01

The Director General shall establish administrative machinery with staff participation to advise him/her in case of any appeal by a staff member against an administrative decision in which the staff member alleges the non-observance of the terms of his/her appointment, including all pertinent Regulations and Rules.

REGULATION 12.02

The Board of Governors shall make arrangements for the hearing by an independent tribunal of an appeal by a staff member against any administrative decision directly affecting him/her.

ARTICLE XIII
GENERAL PROVISIONS

REGULATION 13.01

The Staff Regulations may be supplemented or amended by the Board of Governors without prejudice to the acquired rights of members of the Secretariat.

REGULATION 13.02

The Board of Governors shall report annually to the General Conference all such amendments.

REGULATION 13.03

Subject to the availability of funds, the Director General is authorized to implement United Nations General Assembly decisions taken in respect of recommendations made under Article 10 of the Statute of the International Civil Service Commission subject to approval by the Board of Governors of amendments to these Regulations. The Director General shall report on such implementation, and submit proposals for amendments to the Staff Regulation(s) concerned, to the Board of Governors at its next meeting.

REGULATION 13.04

Staff members shall be entitled, within the limits and under the terms and conditions as may be established by the Director General, to reasonable compensation in the event of loss of or damage to their personal effects determined by the Director General to be directly attributable to the performance of official duties on behalf of the Agency.

REGULATION 13.05

The Director General shall make provisions to avoid duplication of benefits if the spouse of a staff member of the Agency is employed in the Agency or another organization applying the entitlements and benefits of the United Nations Common System. Without prejudice to the above, the Director General may decide to maintain certain separate entitlements and benefits if the spouse's duty station is different from that of the staff member.

ARTICLE XIV

DEFINITIONS

REGULATION 14.01

Members of the Secretariat shall mean the Director General and staff members appointed by him/her, whether on a secondment basis or by direct appointment, to full-time or part-time duties with the Agency, whose contracts specify that they are subject to these Regulations.

REGULATION 14.02

Staff members shall mean persons appointed by the Director General, whether on a secondment basis or by direct appointment, to full-time or part-time duties with the Agency, whose contracts specify that they are subject to these Regulations.

ANNEX I

TERMINATION INDEMNITIES

Staff members whose appointments are terminated shall be paid an indemnity in accordance with the following provisions:

(a) Except as provided in paragraphs (b) - (f) below, the termination indemnity shall be paid in accordance with the following schedule:

	<i>Amount of indemnity in terms of months of separation pay as defined in Rule 4.06.5</i>
Completed years of continuous service (see Rule 7.03.1 (E))	Staff members holding a fixed-term appointment exceeding six months
1	One week for each month of uncompleted service subject to a minimum of six weeks' and a maximum of three months' indemnity pay
2	
3	
4	
5	
6	3
7	5
8	7
9	9
10	9.5
11	10.5
12	11
13	11
14	11.5
15 or more	12

(b) A staff member whose appointment is terminated for reasons of health shall receive an indemnity equal to the indemnity provided under paragraph (a) of this Annex reduced by the amount of any disability benefit that the staff member may receive under any permanent pension scheme to which the Agency contributes for the number of months to which the indemnity rate corresponds.

(c) A staff member whose appointment is terminated for reasons specified in Staff Regulation 4.01 (b) (i), (ii) or (iii) may be paid, at the discretion of the Director General, an indemnity not exceeding one half of the indemnity provided under paragraph (a) of this Annex.

(d) If the termination is in the interest of the good administration of the Agency and is agreed upon by the staff member, the Director General may, if he considers it justified in the particular circumstances of the termination, increase the amount of the indemnity set out in paragraph (a) of this Annex by up to 50 per cent.

- (e) No indemnity payments shall be made to:
- (i) A staff member who resigns, except where termination notice has previously been given and the termination date agreed upon;
 - (ii) A staff member who has a fixed-term appointment which is completed on the expiration date specified in the letter of appointment;
 - (iii) A staff member who is summarily dismissed;
 - (iv) A staff member who abandons his/her post; or
 - (v) A staff member who is retired under any permanent pension scheme to which the Agency contributes.
- (f) Staff members under short-term service may be paid termination indemnity if and as provided in their letters of appointment.

ANNEX II
REPATRIATION GRANT

Repatriation grants shall be paid at the following rates:

	<i>Amount of grant in terms of weeks of separation pay as defined in Rule 4.06.5</i>	
Years of continuous service away from the home country	Staff members with a spouse or a dependent child at time of separation	Staff members with neither a spouse nor dependent child at time of separation
1	4	3
2	8	5
3	10	6
4	12	7
5	14	8
6	16	9
7	18	10
8	20	11
9	22	13
10	24	14
11	26	15
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