



**Agreement on the Conservation of Albatrosses and Petrels**

**Second Meeting of the Parties**

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**Secretariat Staff Regulations**

Author: **Secretariat**



**AGREEMENT ON THE CONSERVATION OF ALBATROSSES AND PETRELS**

**SECRETARIAT**

**STAFF REGULATIONS**

**REGULATION 1**

**PREAMBLE**

- 1.1 These staff regulations establish the fundamental principles of employment, regulate the working relationships and establish the rights and duties of staff members of the Secretariat for the Agreement on the Conservation of Albatrosses and Petrels (the Secretariat), and includes the staff members who render their services in and receive remuneration from the ACAP Secretariat.

**REGULATION 2**

**DUTIES, OBLIGATIONS AND PRIVILEGES**

- 2.1 Staff members, upon accepting their appointments, shall pledge themselves to discharge their duties faithfully and to conduct themselves solely with the interests of the Secretariat in mind. Their responsibilities as staff members are not national but are exclusively owed to achieving the functions of the Secretariat.
- 2.2 Staff members shall at all times conduct themselves in a manner in keeping with the functions of the Secretariat. They shall always bear in mind the loyalty, discretion and tact imposed on them by their responsibilities in the performance of their duties. They shall avoid all actions, statements or public activities which might be detrimental to the Secretariat and its aims.
- 2.3 Staff members are not required to renounce either their national feelings or their political or religious convictions, but must ensure that such views or convictions do not adversely affect their official duties or the interests of the Secretariat. Staff members shall uphold the highest standards of efficiency, competence, and integrity. The concept of integrity includes, but is not limited to, probity, impartiality, fairness, honesty, and truthfulness in all matters affecting their work and status.
- 2.4 In the performance of their duties, staff members may neither seek nor accept instructions from any government or authority other than the Meeting of Parties, in the case of the Executive Secretary, and from the Executive Secretary in the case of other Secretariat staff.
- 2.5 Staff 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 Meeting of Parties or the Executive Secretary, as the case may require.

- 2.6 Staff members shall, in general, have no employment other than with the Secretariat. In special cases, staff members may accept other employment, provided that it does not interfere with their duties in the Secretariat, and that prior authorisation by the Executive Secretary has been obtained. The Meeting of Parties prior authorisation shall be obtained in respect of the Executive Secretary.
- 2.7 No staff member may be associated in the management of a business, industry or other enterprise, or have a financial interest therein if, as a result of the official position held in the Secretariat, he/she may benefit from such association or interest. Ownership of non-controlling stock in a company shall not be considered to constitute a financial interest within the meaning of this Regulation.
- 2.8 Staff members shall enjoy the privileges and immunities granted to them under the Headquarters Agreement for the Secretariat, pursuant to Resolution 2.

### **REGULATION 3 HOURS OF WORK**

- 3.1 The normal working day shall be eight hours, Monday to Friday, for a total of forty hours per week. These hours do not include breaks for meals.
- 3.2 The Executive Secretary shall establish the working hours, and may alter them for the benefit of the Secretariat, as circumstances may require.

### **REGULATION 4 CLASSIFICATION OF STAFF**

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

(a) Executive Category

Positions of high responsibility of an executive nature. These posts will be filled by persons possessing appropriate qualifications and experience for the position being applied for. Staff members in this category will be recruited internationally only from among nationals of ACAP Parties.

(b) General Staff Category

All other staff, such as translators, interpreters, technical, administrative and auxiliary positions. Such staff members shall be recruited in Australia from among nationals of ACAP Parties.

- 4.2 Persons employed under Regulation 11 shall not be classified as staff members.

**REGULATION 5**  
**SALARIES AND OTHER REMUNERATION**

- 5.1 The scale of salaries and associated allowances for staff members in the executive category will be in accordance with the Senior Executive Service (SES) category of the Tasmanian Public Service. The level of appointment within this category shall be determined by the Meeting of Parties for each executive staff member position from the schedule attached to these regulations. The salaries of staff members in the executive category shall be paid in Australian dollars.
- 5.2 The scale of salaries and associated allowances for staff members in the general category will be in accordance with the administrative and clerical category of the Tasmanian Public Service. The level of appointment within this category shall be determined by the Meeting of Parties for each general staff member position from the schedule attached to these regulations. The salaries of staff members in the general category shall be paid in Australian dollars.
- 5.3 For the purposes of these regulations the term 'dependent' means any:
- (a) unsalaried child, who is born of, or adopted by, a staff member, his/her spouse, or their children, who is below the age of eighteen years and who is dependent on a staff member for main and continuing support;
  - (b) child fulfilling the conditions laid down in paragraph (a) above, but who is between eighteen and twenty-five years of age and is receiving school or university education or vocational training;
  - (c) handicapped child who is dependent on a staff member for main and continuing support;
  - (d) other child who is given a home by and is dependent on a staff member for main and continuing support;
  - (e) member of the family forming part of the household of the staff member, for whose main and continuing support a staff member is legally responsible.
- 5.4 The salaries of staff members in the executive category shall begin at Step 1 of the level at which they are appointed. They shall remain at that level for at least the first year of employment.
- 5.5 The promotion of the Executive Secretary and other staff members from one level to another requires the prior approval of the Meeting of Parties.
- 5.6 Staff members shall receive annual step increases, subject to satisfactory performance of their duties. Step increases shall cease once the staff member has reached the highest step in the level in which he/she is serving.

- 5.7 Only in very special cases, on the proposal of the Executive Secretary and with the approval of the Meeting of Parties, may a staff member in the executive category be appointed at a salary higher than Step 1 of the relevant level.
- 5.8 Staff members in the executive category are not entitled to overtime pay or compensatory leave.
- 5.9 Staff members in the general category required to work more than 40 hours during one week will be compensated with compensatory leave equivalent to hours of overtime performed. Where the Executive Secretary deems it is appropriate for the efficient operation of the Secretariat, compensation may be paid by remuneration per overtime hour, to be calculated at the rate of time and a half, or if the additional time is worked on a Sunday, or on holidays listed in Regulation 7.8, at the rate of double time.
- 5.10 Representation expenses incurred by Secretariat staff in the performance of their duties shall be paid from the General Fund within the limits prescribed annually in the budget. The approval of the Executive Secretary is required before such expenses are incurred.

## **REGULATION 6**

### **RECRUITMENT AND APPOINTMENT**

- 6.1 Recruitment of the Executive Secretary and support staff shall be in accordance with the procedures set out in Annex 1 of Resolution 1.1. The Meeting of Parties shall establish the remuneration and such other entitlements as it deems appropriate for the Secretariat's staff. The Executive Secretary's term of office shall be for four years unless otherwise decided by the Meeting of Parties and the Executive Secretary shall be eligible for reappointment for one additional term. The total length of employment may not exceed eight years.
- 6.2 In accordance with Annex 1 of Resolution 1.1 the Executive Secretary shall appoint, direct, and supervise other staff members. The paramount consideration in the appointment, transfer or promotion of staff members shall be the need to secure the highest standards of efficiency, competence and integrity. Subject to this, due consideration should be given to recruiting Executive staff on as wide a basis as possible from among the nationals of ACAP Parties.
- 6.3 Upon selection, each staff member shall receive an offer of appointment stating:
  - (a) that the appointment is subject to these regulations and to changes which may be made to them from time to time;
  - (b) the nature of the appointment including a description of the duties of the position;
  - (c) the date on which the staff member is required to commence duty;
  - (d) the period of appointment, the notice required to terminate it and the period of probation;
  - (e) for executive staff the period of appointment, which shall not exceed four years, and which may be renewed in consultation with the Meeting of Parties;

- (f) the category, level, commencing rate of salary and the scale of steps increases and the maximum salary attainable;
  - (g) the allowances attached to the appointment;
  - (h) any special terms and conditions which may be applicable.
- 6.4 Together with the offer of appointment, staff members shall be provided with a copy of these Regulations. Upon acceptance of the offer staff members shall state in writing that they are familiar with and accept the conditions set out in these Regulations.

## **REGULATION 7**

### **LEAVE**

- 7.1 Staff members shall be entitled to 20 days annual leave during each working year of service, or for periods of less than a full calendar year at the rate of two work days for each completed month of service. Annual leave is cumulative, but at the end of each calendar year, not more than 15 workdays may be carried over to the following year.
- 7.2 The taking of leave shall not cause undue disruption to normal Secretariat operations. In accordance with this principle, leave dates shall be subject to the needs of the Secretariat. Leave dates shall be approved by the Executive 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 Regulations shall be deducted from annual leave.
- 7.5 Staff members who, upon termination of their appointment, have accumulated annual leave which has not been taken shall receive the cash equivalent estimated based on the last salary received to a limit of 30 days.
- 7.6 After 18 months of service the Secretariat shall, in accordance with Regulations 9.3 and 9.4, pay fares to the staff member's home country on annual leave for internationally recruited staff members and their dependents. The time taken to travel on a direct flight from Hobart to the staff member's home country shall be treated as work time, not annual leave. Following this, home leave fares shall be granted at two-year intervals provided that:
- (a) dependants who benefit from this grant have resided at Hobart for at least 6 months prior to travel;
  - (b) it is expected that staff members will return to the Secretariat to continue rendering their services for a minimum additional period of 6 months.
- 7.7 The possibility of combining travel to home country on leave with official travel in Secretariat service may also be considered, provided the functions of the Secretariat are not disadvantaged.

7.8 Staff shall be entitled to the holidays celebrated traditionally in Hobart, i.e.:

1 January	New Year's Day
26 January	Australia Day
13 February	Royal Hobart Regatta
13 March	Eight Hour Day
	Good Friday
	Easter Sunday
	Easter Monday
	Easter Tuesday
25 May	Anzac Day
12 June	Queen's Birthday
26 October	Royal Hobart Show Day
25 December	Christmas Day
26 December	Boxing Day

7.9 If under special circumstances members of the staff are required to work on one of the aforementioned days, or if any one of the above holidays falls on a Saturday or Sunday, the holiday shall be observed on another day to be set by the Executive Secretary, who shall take into account the efficient functioning of the Secretariat.

## **REGULATION 8**

### **SOCIAL SECURITY**

8.1 It is a condition of employment that each staff member will contribute to a recognised retirement fund and have adequate medical and hospital insurance cover to the satisfaction of the Executive Secretary. Such insurance cover shall include adequate provision for dependents. Staff members shall be responsible for the payment of contributions to their retirement fund and insurance premiums.

8.2 Staff members shall not be granted sick leave for a period of more than three consecutive days and more than a total of seven working days in any calendar year without producing a medical certificate.

8.3 (a) Staff 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.

(b) In the event of long term sickness, which prevents a staff member from continuing in their position with the Secretariat, executive category staff members and dependents shall be entitled to return travel and removal expenses to country of origin or former residence at the expense of the Secretariat.

8.4 After six months of employment in the Secretariat female staff members shall be entitled to maternity leave. On the basis of medical advice that the confinement

will probably take place within six weeks, staff members shall be entitled to be absent from duty until eight weeks after confinement. During this period staff members shall receive full pay and corresponding allowances.

- 8.5 In the event of death of a staff member, the right to salary, allowances and other corresponding benefits shall cease on the day on which death occurs, unless the deceased is an executive category staff member and leaves dependents, in which case these shall be entitled to mortality allowances and return travel and removal expenses to their country of origin or former residence at the expense of the Secretariat.
- 8.6 Eligibility of the dependents of a deceased staff member for the payment of return travel and removal expenses shall lapse if the travel is not undertaken within six months of the date of the staff member's death.
- 8.7 The above mortality allowance for death shall be calculated in accordance with the following scale:

<u>Years of Service</u>	<u>Months of Gross Salary 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 and more	6 months

- 8.8 The Secretariat shall pay for customary and reasonable expenses for shipment of an executive category staff member's body from the place of death to the place designated by the next of kin.

## **REGULATION 9 TRAVEL**

- 9.1 Staff members may be required to undertake travel, including international travel, on behalf of the Secretariat. All official travel shall be authorised by the Executive Secretary in advance within the limits of the budget, and the itinerary and travelling conditions shall be those best suited for maximum effectiveness in the fulfilment of duties assigned.
- 9.2 With regard to official travel, a reasonable travel allowance shall be paid in advance for accommodation and daily living expenses.
- 9.3 Economy class shall be utilised, wherever feasible, for air travel. For journeys over nine hours in flying time, staff will be entitled to two rest days. Staff undertaking international travel will be eligible for reimbursement of relevant airline lounge membership fees.

- 9.4 Following completion of a journey for official purposes, staff members shall repay any travel allowances to which, in the event, they were not entitled. Where staff members have incurred expenses above and beyond those for which travel allowances have been paid, they shall be reimbursed, against receipts and vouchers, as long as such expenses were necessarily incurred in pursuit of their official duties.
- 9.5 On taking up an appointment in the Executive Category staff members shall be eligible for:
- (a) payment of air fares (or equivalent) and travel allowance for themselves, their spouses and dependents to Hobart;
  - (b) payment of removal costs, including the shipment of personal effects and household goods from place of residence to Hobart, subject to a maximum volume of 30 cubic metres, or one international standard shipping container;
  - (c) payment or reimbursement of sundry other reasonable expenses related to relocation, including insurance of goods in transit and excess baggage charges. Such payments shall be subject to prior approval by the Executive Secretary.
- 9.7 Staff members who, in the course of their duty, are required to use private motor vehicles for official travel purposes shall, with the prior authorisation of the Executive Secretary, be entitled to receive a reimbursement of the reasonable costs involved. The costs associated with normal daily travel to and from the place of work shall not be reimbursed.

## **REGULATION 10**

### **SEPARATION FROM SERVICE**

- 10.1 Staff members, with the exception of the Executive Secretary, may resign at any time upon giving three months notice or such lesser period as may be approved by the Executive Secretary. The Executive Secretary may resign at any time upon giving six months notice, or such lesser period as may be approved by the Meeting of Parties.
- 10.2 In the event of a staff member resigning without giving the required notice the Executive Secretary (in the case of staff members other than the Executive Secretary) or the Meeting of Parties (in the case of the Executive Secretary) 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 Executive Secretary (and in the case of the Executive Secretary, by the Meeting of Parties) when this is deemed to be for the benefit of the efficient functioning of the Secretariat, due to restructuring of the Secretariat, or if it is considered that the staff member does not give satisfactory service, fails to comply with the duties and obligations set out in these Regulations, or is incapacitated for service.

- 10.4 In the event of involuntary separation from service with the Secretariat, executive category staff members shall be compensated at a rate of one month base pay for each year of service, beginning the second year, unless the cause of termination has been gross dereliction of duties imposed in Regulation 2.
- 10.5 In the event of involuntary termination of the appointment of a general staff member, he/she shall be compensated at a rate of one month base pay for each year of service, except when the Executive Secretary considers that the staff member has not given satisfactory service, fails to comply with the duties and obligations set out in these Regulations, or is incapacitated for service.
- 10.6 On separation from service, an executive category staff member shall be entitled to the following:
- (a) payment of economy class air fares (or equivalent) to the staff member's country of origin or former residence, for the staff member and dependent members of his/her family; and
  - (b) payment of removal costs, including the shipment of personal effects and household goods from place of residence in Hobart to the country of origin or former residence, subject to a maximum volume of 30 cubic metres or one international shipping container.

**REGULATION 11**  
**TEMPORARY PERSONNEL UNDER CONTRACT**

- 11.1 The Executive Secretary may contract temporary personnel to discharge special duties of a short or fixed term nature. Such personnel shall be classified as contractors and may be paid on either an hourly or contract basis. Persons in this category shall not be covered under the provisions of these staff regulations, but by the provisions contained in the contract entered into with the Secretariat.
- 11.2 Persons in this category may include translators, interpreters, typists, and other persons contracted for meetings, as well as those whom the Executive Secretary contracts for a specific task.

**REGULATION 12**  
**APPLICATION AND AMENDMENT OF REGULATIONS**

- 12.1 Any doubts arising from application of these Regulations shall be resolved by the Executive Secretary following consultation with the Meeting of Parties.
- 12.2 All matters not foreseen in these Regulations shall be brought to the attention of the Meeting of Parties by the Executive Secretary.
- 12.3 These Regulations including the schedules may be amended by a Decision of the Meeting of Parties.

**SCHEDULE TO STAFF REGULATIONS**

**EXECUTIVE CATEGORY**

Level	Step	Salary
		\$
L1		86,055
		\$
		94,661

		\$
L2	1	101,497
	2	104,880
	3	108,263
	4	111,647

		\$
L3		116,941
		\$
		128,635

		\$
L4		147,858
		\$
		162,644

**GENERAL STAFF**

Level	Step	Salary
L1	01	\$ 26,746
L1	02	\$ 28,032
L1	03	\$ 29,319
L1	04	\$ 30,606

L2	01	\$ 31,892
L2	02	\$ 33,177
L2	03	\$ 34,558
L3	01	\$ 35,991
L3	02	\$ 36,732

		\$
03	37,489	
L3	04	\$ 38,257
L3	05	\$ 39,047

**PROFESSIONAL**

L1	01	\$ 37,489
		\$
L1	02	39,856
		\$
L1	03	42,394
		\$
L1	04	44,940
		\$
L1	05	47,483
		\$
L1	06	50,024
		\$
L1	07	52,566
		\$
L1	08	55,080

**L3**

L4	01	\$ 40,699
L4	02	\$ 41,549
L4	03	\$ 42,395
L4	04	\$ 43,243
L4	05	\$ 44,079

L5	01	\$ 45,787
L5	02	\$ 46,637
L5	03	\$ 47,483

L6	01	\$ 49,177
L6	02	\$ 50,025
L6	03	\$ 50,871

L7	01	\$ 52,566
L7	02	\$ 54,241
L7	03	\$ 55,915

SCHEDULE TO STAFF REGULATIONS

L2	01	\$ 57,588
L2	02	\$ 60,098
L2	03	\$ 62,607

L8	01	\$ 59,262
L8	02	\$ 60,935
L8	03	\$ 62,607

L3	01	\$ 65,951
L3	02	\$ 69,303
L3	03	\$ 70,973

L9	01	\$ 65,947
L9	02	\$ 67,626

L10	01	\$ 70,973
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L4	01	\$ 74,319
L4	02	\$ 76,828
L4	03	\$ 79,341

L11	01	\$ 74,320
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L12	01	\$ 79,341
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L5	01	\$ 86,032
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