



WCPFC10

Tenth Regular Session

2nd December – 6th December 2013

Cairns, AUSTRALIA

CONTRACT TERM FOR THE EXECUTIVE DIRECTOR

WCPFC10-2013-30

1 December 2013

Paper prepared by the Chair of the Commission

1. Article 15(1) of the Convention establishes a permanent Secretariat for the Commission consisting of an Executive Director and such other staff as the Commission may require. Article 15(2) provides as follows:

The Executive Director shall be appointed for a term of four years and may be reappointed for a further term of four years.

2. Staff regulations have developed rules for the procedure of appointment under Staff Regulations, Schedule 3, but there are no specific rules on the procedure for the reappointment of the Executive Director.

3. The relevant parts of the contract of the incumbent Executive Director are reproduced below for guidance.

Duration

2.1. This Agreement is for a period of four (4) years from 26 September 2010. The Agreement shall terminate on the expiration of the period without further notice being required, unless the parties negotiate an extension of the Agreement or re-appointment as discussed in Clauses 2.2 to 2.4.

2.2. Not less than six (6) months prior to the expiration of the period of engagement, the Commission shall inform the Executive Director as to whether it intends to offer further employment to the Executive Director beyond the duration of this Agreement, by means of an extension of this Agreement or the negotiation of a new Agreement. In the event that the Commission makes an offer of re-appointment, the Executive Director shall inform the Commission of his/her response not less than four (4) months prior to the expiration of the period of engagement. Failure to so respond will result in the expiration of the Agreement after the initial period, with no further notice being required by either party.

2.3. Where the parties enter into negotiations in relation to a re-appointment of the Executive Director, but are unable to reach agreement on

appropriate terms and conditions, this Agreement shall expire after the initial period without further notice being required by either party.

2.4. Where the parties enter into negotiations in relation to re-appointment of the Executive Director and reach agreement on appropriate terms and conditions, a new written Agreement shall be prepared and executed, to become effective on the day following the expiration of this Agreement, or earlier if mutually agreed between the parties.

4. The incumbent Executive Director's initial four year term commenced on 26 September 2010 and will therefore expire on 25 September 2014. As the incumbent's term will expire during the 2014 inter-sessional period, the Commission is invited to consider one of the following options:

- a. Decide whether to offer the incumbent a further term of four years from 26 September 2014 should the incumbent wish to seek a second term; or
- b. Should the Commission decide not to offer the Executive Director a second term or should the Executive Director decide not to seek a second term, then the Commission must appropriate the additional funding to cover the process.