

COUNCIL OF EUROPE

COMMITTEE OF MINISTERS

RESOLUTION (77) 21

ON ENTITLEMENT OF COMMUTERS TO THE EXPATRIATION ALLOWANCE AND TO THE RELATED EDUCATION ALLOWANCE AND HOME LEAVE

*(Adopted by the Committee of Ministers on 27 June 1977
at the 273rd meeting of the Ministers' Deputies)*

The Committee of Ministers,

Having regard to Resolution (72) 32 concerning salaries and allowances of permanent staff,

Having regard to the 138th report of the Co-ordinating Committee of Government Budget Experts, concerning entitlement of commuters to the expatriation allowance and to the related education allowance and home leave ;

On the proposal of the Secretary General,

Resolves as follows :

Article 1

The provisions of Article 4, paragraph 1, of Resolution (72) 32 shall be supplemented as follows :

iv. When any point on the frontier of the country of which the official is a national is within a radius of 50 km from the duty station, such an official shall not be entitled to the expatriation allowance and the related educational allowance and home leave unless he supplies proof that he has established his actual and habitual residence in the country of service or, exceptionally and subject to agreement by the Secretary General, in another country of which he is not a national, taking account of his family circumstances.

v. A compensatory allowance shall be paid to a staff member who is in service at the date of entry into force of sub-paragraph iv above but who loses entitlement to expatriation allowance under the terms of that sub-paragraph. This compensatory allowance shall be equal to the amount of the expatriation allowance the staff member was receiving on the day before these provisions came into effect. The compensatory allowance shall be payable until the expiration of the staff member's existing contract ; the compensatory allowance shall continue to be payable in the case of a staff member serving under a contract of indefinite duration who receives a new contract on promotion to a higher grade. The amount of this allowance will not be adjustable.

vi. Under special circumstances and for sound and sufficient reasons, exceptions to the rule in sub-paragraph iv above may be made by the Secretary General.

Article 2

This resolution shall take effect on 27 June 1977.