

COUNCIL OF EUROPE

COMMITTEE OF MINISTERS

RESOLUTION (80) 17

AMENDING THE REGULATIONS GOVERNING THE SALARIES AND ALLOWANCES OF PERMANENT STAFF (Education allowance)

*(Adopted by the Committee of Ministers on 18 September 1980
at the 322nd meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 16 of the Statute of the Council of Europe,

Having regard to Resolution (72) 32 on the Regulations concerning salaries and allowances of permanent staff of the Council of Europe, as amended by Resolutions (74) 11, (75) 38, (77) 21, (77) 22, (78) 7, (79) 3, (80) 3 and (80) 14 ;

Having regard to the 175th report of the Co-ordinating Committee of Government Budget Experts, approved by the Committee of Ministers at the 322nd meeting of the Deputies (September 1980) ;

Whereas as a result of that approval Article 5 of the Regulations governing the salaries and allowances of permanent staff of the Council of Europe needs to be amended ;

At the proposal of the Secretary General,

Resolves as follows :

Article 1 — Modification of the education allowance system

Article 5 of the said Regulations is rescinded and replaced by the following text :

“Article 5 — Education allowance

1. Staff members entitled to the expatriation allowance—with the exception of those who are nationals of the country in which they are serving—may request payment of the education allowance in respect of each dependent child, within the meaning of these Regulations, regularly attending an educational establishment on a full-time basis.
2. By way of exception, resident staff members may request payment of the education allowance provided that the two following conditions are met :
 - a. the official's duty station is not less than 80 km distant from any school or university corresponding to the child's educational cycle ;
 - b. the official's duty station is not less than 80 km distant from the place of domicile at the time of recruitment.
3. Entitlement to the allowance shall commence on the first day of the month during which the child begins to attend a primary school. It shall terminate when the child ceases full-time studies, and not later than the end of the month in which the dependent children's allowance will cease to be paid.

4. Except where otherwise stated, the education allowance shall be granted on production of vouchers certifying that expenditure of the kind mentioned in paragraph 5 below has in fact been incurred by and paid for by the staff member.

5. Within the prescribed limits, the following items of expenditure shall be taken into account when calculating the education allowance :

- a. school or university registration fees ;
- b. general fees for schooling and education charged by the educational establishment ;

Expenses on special courses and activities that are not normally part of the child's basic course of studies shall not be taken into account. Under no circumstances shall the cost of related equipment be reimbursed ;

- c. examination fees ;
- d. tuition fees for private lessons on condition that :
 - tuition is given in subjects which are not contained in the child's syllabus but are part of the compulsory national education programme of the country of which the staff member is a national ; or
 - tuition is required to enable the child to adjust to the educational curriculum of the institution attended, or to enable the child to become familiar with the language spoken in the area in which the child lives if the education is given in another language.

In all these cases, tuition fees may be taken into account for an adjustment period of not more than two years ;

e. daily expenses on travel between the educational institution and home by public transport or school bus. Reduced fares must be taken into consideration. Where a private car is used or when no public transport or school bus is available, an amount equal to 10% of the dependent child's allowance shall be taken into account ;

f. expenditure on half-board, or on board and lodging in cases where the child does not live at the staff member's home. If vouchers for board and lodging are available, the amount to be taken into account shall not exceed 2 times the dependent child's allowance applying in the country where the studies are carried out. If no vouchers are available, the amount to be taken into account shall be limited to 1.5 times the dependent child's allowance mentioned above ;

g. purchase of school books as required by the curriculum, and compulsory school uniforms.

6. The amount of the allowance shall be 70% of the total expenditure mentioned under paragraph 5 and in no case more than 2.5 times the dependent child's allowance applying in the country where the studies are pursued and 3 times the dependent child's allowance applying in the country where the studies are pursued if the child is educated in the country of which the staff member is a national.

7. Staff members whose children carry out their studies at a place more than 300 km away from the duty station shall also be entitled—on condition that the amount does not exceed the cost of a round-trip between the duty station and the place approved for home leave—to the reimbursement of the cost of one round-trip per year between the place of study and the duty station. Nevertheless, staff members who have received such repayment for one or several children, may not during the same year request repayment for the round-trip on home leave for the same child or children.

8. The supplement for dependent children, included in the expatriation allowance, and the education allowance shall not be paid concurrently.

9. The actual amount of the education allowance shall be determined after deduction, where appropriate, from the total amount of the expenditure by the staff member for educational purposes as mentioned in paragraph 5 above, of any allowance received from other sources for the child's education (scholarships or study grants). Deduction shall be made separately for each child.

10. At the beginning of the school year a staff member requesting an education allowance shall inform the administration as fully as possible on the expenditures which will be incurred for the education of each child. On the basis of that information the administration shall provisionally calculate the education allowance as described in paragraphs 6 to 9 above on an annual basis and make it payable at one-twelfth of the total amount from the beginning of the school year.

11. At the end of the school year the staff member shall provide evidence of the total expenditure during the school year in order to facilitate the final calculation of the allowance. Positive or negative discrepancies between the final amount and the total sum of the monthly payments shall be settled as soon as possible.

12. The education allowance as finally settled in accordance with paragraph 11 above may be used as the basis for determining the amount of the allowance to be paid in the next school year provided that the entitlement remains unchanged.

13. The staff member shall inform the administration of any changes of circumstances which affect the entitlement to and the amount of the education allowance."

Article 2 — Entry into force

The provisions of the present resolution shall enter into force as from the start of the school year 1980-81.