

Staff Regulations of the Asian Infrastructure Investment Bank

Article 1 – General Provisions

1. The Articles of Agreement of the Asian Infrastructure Investment Bank (the Articles of Agreement) provide, in Article 30-2, that the President shall be responsible for the organization, appointment and dismissal of the officers and staff in accordance with regulations adopted by the Board of Directors.
2. The present Staff Regulations have been adopted by the Board of Directors to set forth the fundamental conditions of service and the basic rights, duties and obligations of the Bank and of Staff Members. They establish the broad policies in accordance with which the President shall organize and manage the staff of the Bank. In the event of a conflict between the provisions of the Staff Regulations and the provisions of the Articles of Agreement, the provisions of the Articles of Agreement shall prevail.
3. The President shall ensure the observance of these Staff Regulations through Staff Rules and shall develop, provide and maintain such supplemental programs, directives and staff policies as he considers necessary for the efficient conduct of the Bank's business. In the event of a conflict between the Staff Regulations and the Staff Rules, the Staff Regulations shall prevail.
4. In special and unusual circumstances, the President may make exceptions in the application of the Staff Rules so long as such exceptions are not inconsistent with any Staff Regulation or decision of the Board of Governors or Board of Directors. The general nature and extent of material exceptions shall be reported periodically to the Board of Directors.
5. The President may delegate to any Vice-President, Staff Member, committee or unit of the Bank the authority to perform any of the functions referred to in these Staff Regulations.

Article 2 – Application

The Staff Regulations shall apply to all Staff Members, defined for this purpose as: (i) all employees whose letters of appointment designate them as staff members of the Bank; and (ii) the Vice-Presidents, except to the extent that such Staff Regulations are inconsistent with Article 30 of the Articles of Agreement, Section 12 of the By-Laws or the terms of their respective employment contracts.

Article 3 – Standards of Conduct

1. Staff Members shall abide by the provisions of the Code of Conduct for Bank Personnel, as adopted by the Board of Governors.
2. In accordance with Article 31 of the Articles of Agreement, Staff Members shall not interfere in the political affairs of any member of the Bank, nor shall they be influenced by the political character of the member concerned. In the discharge of their offices, Staff Members shall owe their duty entirely to the Bank and to no other authority.
3. Upon appointment, all Staff Members shall affirm in writing as follows:

“I solemnly affirm that I will exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the Asian Infrastructure Investment Bank (AIIB), to discharge those functions and regulate my conduct with the interests of the AIIB only in view, and not to seek or accept instructions in regard to the performance of my duties from any governmental or other authority external to the AIIB.”

Article 4 – Privileges and Immunities

1. In accordance with Article 50-1 of the Articles of Agreement, Staff Members shall be immune from legal process with respect to acts performed by them in their official capacity and shall enjoy inviolability of all their official papers, documents and records. These privileges and immunities have been granted in the interests of the Bank and not for the personal benefit of the individuals concerned. In particular, they do not excuse staff from the performance of their private obligations or from the strict observance of the law in their private capacities.

2. The President may decide whether, in the interest of the Bank, an immunity, privilege or exemption shall be waived in accordance with Section 7(b) of the By-Laws of the Bank.

Article 5 – Appointment and Promotion

1. So far as is practicable, the appointment of new Staff Members shall be made on a competitive basis. The general nature and extent of material exceptions to this basis shall be reported periodically to the Board of Directors.
2. In accordance with Article 30 of the Articles of Agreement, subject to the paramount importance of securing the highest standards of efficiency and technical competence, appointment shall be made having due regard to recruitment on as wide a regional geographical basis as possible. The Bank shall strive to provide employment opportunities open to all suitably qualified applicants, regardless of religion, gender, race, disability, sexual orientation or nationality.
3. The Staff Rules shall contain procedures for the promotion of Staff Members without prejudice to external recruitment at all levels.
4. The employment contract between the Bank and each Staff Member shall take the form of an appointment letter. The appointment letter shall provide for the position, initial salary, term and probationary period and other specific terms not covered by the Staff Regulations or the Staff Rules, including any terms or conditions that must be met by the selected candidate prior to entry on duty, as well as the statement that the Staff Member shall be subject to the Staff Regulations and Staff Rules as amended and supplemented from time to time.

Article 6 – Term and Probationary Period

Staff Members shall be appointed for the term specified in their employment contracts, and shall be subject to a probationary period.

Article 7 – End of Service

1. The appointment of a Staff Member shall end in each of the following circumstances:

- (i) expiration of a contract;
 - (ii) reaching the age of mandatory retirement;
 - (iii) mutual agreement with the Bank;
 - (iv) resignation;
 - (v) termination by the Bank, as provided in paragraph 3 below;
 - (vi) abandonment of post; or
 - (vii) death.
2. The age of mandatory retirement shall be sixty-five years of age. The President may, in exceptional circumstances and in the interest of the Bank, extend the employment of a Staff Member beyond the age of sixty-five years for a specific period.
3. The President may unilaterally terminate the appointment of a Staff Member, in accordance with procedures to be specified in the Staff Rules:
- (i) if, in the interests of the Bank's business, the Bank determines that a position or positions are no longer necessary, or as a result of reorganization of duties and responsibilities in the Staff Member's team or department, or because new tasks are assigned to the position occupied by the Staff Member, and the individual does not have the qualifications or skills needed to carry them out effectively; provided, in each case, that the Bank will first seek to identify an existing vacancy that would be suitable for the Staff Member and for which the Staff Member is eligible and has the required qualifications; if such a position is identified, it shall be offered to the Staff Member;
 - (ii) if the services of the individual concerned are unsatisfactory;
 - (iii) if the Staff Member has committed serious misconduct; or
 - (iv) for such other justifiable causes as may be specified in the Staff Rules.

The Staff Member whose appointment is terminated has the right to be notified in writing of the decision and the reason for it.

4. A Staff Member whose service is terminated unilaterally by the President shall receive financial and/or other assistance on conditions and within limits established in the Staff Rules, except in cases involving misconduct, unsatisfactory performance, abandonment of duty, action adversely affecting the interests or reputation of the Bank or other similar situations.

Article 8 – Salaries and Allowances

Salaries and allowances shall be determined in accordance with the Policy on Compensation and Benefits adopted by the Board of Directors, and as specified in the Staff Rules.

Article 9 – Medical Insurance, Retirement and Other Benefits

Medical insurance, retirement and other benefits shall be determined in accordance with the Policy on Compensation and Benefits adopted by the Board of Directors, and as specified in the Staff Rules.

Article 10 – Attendance, Holidays and Leave

1. The President shall prescribe terms and conditions concerning the working hours and attendance of Staff Members, as well as the official holidays to be observed by the Bank.
2. The Staff Rules shall make provision for appropriate annual leave, as well as sick leave and parental leave. In special circumstances, special leave may be authorized by the President.

Article 11 – Staff Consultation

The Bank shall establish mechanisms to consult with representative Staff Members selected by Staff Members about conditions of employment and questions of staff welfare.

Article 12 – Disciplinary Measures

1. The President may impose disciplinary measures on Staff Members who have committed misconduct as defined in the Code of Conduct for Bank Personnel.
2. Depending on the seriousness of the offense and other relevant factors, the disciplinary measures may include censure, demotion, reassignment, forfeiture of benefits or allowances, ineligibility for any performance based-compensation,

ineligibility for promotion, suspension from duty with or without pay, or dismissal. A Staff Member may also be suspended from duty with pay, without prejudice, pending investigation of a charge.

3. Staff Members shall be notified in writing of an allegation of misconduct and shall have the possibility of being heard before any disciplinary action is taken.

Article 13 – Dispute Resolution

1. Staff Members have the right to fair treatment in matters relating to their employment in accordance with the generally recognized principles of international administrative law.
2. The Staff Rules shall establish appropriate procedures to address challenges of Staff Members regarding decisions taken by the Bank which adversely affect them directly and personally. There shall be no retaliation or other adverse action taken against Staff Members for making use of the Bank's dispute resolution system.
3. Decisions taken by the Bank in accordance with paragraph 2 shall be subject to review in accordance with procedures to be set out in the Staff Rules.
4. A process for appeals to an independent administrative tribunal shall be established.

Article 14 – Amendment

These Staff Regulations may be amended by the Board of Directors.