

GENERAL DISTRIBUTION

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## Office Instruction No. 59/2014

### Amendments to the Staff Regulations and Rules (No. 12) - Definition of "Spouse"

1. Staff are hereby informed of the amendment to the definition of "spouse" in Article 2(a)(11) of the Glossary in Annex I of the Staff Regulations and Rules.
2. The new text is shown in bold and the former text in strikethrough mode, for ease of reference:

Annex I, "Glossary

[...]

"Article 2 - Glossary

- (a) The following terms shall be defined:

[...]

~~(11) (7)~~ "Spouse" shall mean a person with whom the staff member is engaged in a marriage, domestic, or same gender partnership that is legally recognized under the laws of the ~~country of nationality of the staff member~~. **If a staff member has more than one nationality, the determination of nationality shall be made pursuant to the Staff Regulations and Rules.**

/...

3. Under the current rules, a staff member's marital status is determined by reference to the laws of the country of nationality of the staff member. Henceforth, if a marriage, domestic or same-gender partnership is legally recognized under the law of the competent authority under which the marriage or partnership has been established, the International Bureau will recognize it for the purpose of the WIPO Staff Regulations and Rules. The person with whom the staff member is engaged under such marriage or partnership shall have the status of a spouse for all administrative purposes, including the granting of benefits and entitlements.

4. Staff members wishing their spouse to be recognized for the purpose of the WIPO Staff Regulations and Rules should address a request to the Human Resources Management Department (HRMD), providing originals of the relevant documentary evidence. Requests may be submitted by HRMD for verification by the permanent mission to the United Nations of the country of the competent authority under which the marriage or partnership has been established.

Entry into force

5. The amendment to Article 2(a)(11) of Annex I will enter into force as of November 1, 2014, and will be reported to the WIPO Coordination Committee at its next session.

[signed by Francis Gurry  
Director General]

Signed on:  
October 30, 2014

----- Message from "mail, HRMD" <hrmd.mail@wipo.int> on Fri, 31 Oct 2014 16:19:56 +0000 -----

**To:** "Mail, Wipo" <wipo.mail@wipo.int>  
**Subject:** Amended definition of spouse – a further step towards equality among staff

Dear Colleagues,

The Human Resources Management Department (HRMD) is pleased to announce that a new Office Instruction on the Amendments to the Staff Regulations and Rules - Definition of "Spouse" has just been issued (Office Instruction No. 59/2014).

According to this Office Instruction, WIPO now determines a staff member's marital status by reference to the law of the competent authority under which the marriage or partnership has been established, instead of the laws applicable in the staff member's country of nationality.

This means, for example, that if a staff member marries a same-sex partner in a country where same-sex marriages are legal, that person will be recognized by WIPO as the staff member's spouse even if same-sex marriages are not recognized in the staff member's country of nationality.

This amendment is made to enhance equality among staff members of different nationalities and sexual orientations in support of the principle of non-discrimination. In making the change, WIPO joins the UN Secretariat and an increasing number of other entities in the UN common system that take the same approach in determining staff members' marital status.

Staff members wishing their spouse to be recognized for the purpose of the WIPO Staff Regulations and Rules should address a request to HRMD.

Please be reminded that the UN Joint Staff Pension Fund (UNJSPF) uses its own guidelines in determining eligibility for spousal benefits, the latest of which were shared with all staff on September 8, 2014.

Human Resources Management Department

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