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*Regulations of the
United Nations Joint Staff Pension Fund*

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The Regulations of the United Nations Joint Staff Pension Fund were adopted by the General Assembly by resolution 248 (III) effective 23 January 1949 and amended by resolution 680 (VII) effective 1 January 1953, resolution 772 (VIII) effective 1 January 1954 and 1 January 1955, resolution 874 (IX) effective 4 December 1954, resolution 955 (X) effective 3 November 1955, resolution 1073 (XI) effective 7 December 1956, resolution 1201 (XII) effective 1 January 1958, resolution 1309 (XIII) dated 10 December 1958, resolutions 1561 (XV) and 1614 (XV) effective 1 April 1961, resolution 1799 (XVII) effective 1 January 1963, resolution 2122 (XX) effective 1 March 1965, and resolution 2191 (XXI) effective 1 January 1967.

REGULATIONS OF THE UNITED NATIONS
JOINT STAFF PENSION FUND

Article I

Definitions

1. "Member organization" means the United Nations or a specialized agency, referred to in Article 57, paragraph 2, of the Charter, which has been admitted to the United Nations Joint Staff Pension Fund under article XXVIII of these Regulations.

2. "Age of retirement" means the age at the end of the month in which the participant reaches the age of sixty years or such later age as may be determined in accordance with the staff regulations applying to the participant concerned for the termination of appointment by retirement.

3. "Pensionable remuneration" means the remuneration of a participant which is pensionable in accordance with his terms of employment. It shall not include any special grants or allowances, such as children's allowances, education grants, expense allowances, cost-of-living allowances, payments for overtime, fees, honoraria, and payments for any expenses incurred in the service of a member organization. If part or the whole of the pensionable remuneration is paid in kind, the value of such payments, if not stated in the terms of employment, shall be determined by the Joint Staff Pension Board.

4. "Final average remuneration" means the average annual pensionable remuneration of the participant during the last five years of his contributory service, on the understanding that, in the case of participants who have entered the Fund prior to 3 November 1955, it means the average pensionable remuneration of the participant during the last ten years of his contributory service whenever this average is higher. Where the participant has less than five years of contributory service, the final average remuneration shall mean the average annual pensionable remuneration during the actual period of contributory service.

5. "Contributory service" means the actual time spent in continuous employment, with a member organization or with two or more of these organizations, for which contributions have been paid in accordance with these Regulations.

6. "Actuarial equivalent" means the equivalent determined on the basis of the mortality tables and the rate of interest last adopted by the United Nations Joint Staff Pension Board under article XXIX.

7. "Designated recipient" means a person or persons, physical or corporate, designated by a participant to the Joint Staff Pension Board in accordance with a procedure determined by that Board, as the person or person eligible to receive the benefits payable under these Regulations to a designated recipient. Where more than one person is so designated, the participant shall determine the proportion of the benefit to be paid to each such person.

8. "Survivor" means a widow, or a disabled widower, or a child or a secondary dependant, who survives the participant or former participant and is entitled to a benefit under the present Regulations.

9. "Secondary dependant" means a mother, or a father, or an unmarried brother, or an unmarried sister, who was recognized as a dependant under the staff rules of a member organization and in respect of whom a dependency allowance was being paid to a participant at the time his service ceased.

10. "Basic benefit" means the retirement or disability benefit to which a participant is entitled when he leaves the service, or, if he dies in the service, the disability or retirement benefit to which he would have been entitled had he qualified for such benefit at the date of death.

Article II

Participation

1. Every full-time member of the staff of each member organization shall, subject to paragraph 2 below, become a participant in the Fund

(a) Upon receiving an appointment for one year or longer, or

(b) Upon completing, in the same or more than one member organization, one year of service without an interruption of more than thirty days,

whichever is earlier, provided that he is then under sixty years of age and that participation is not excluded by the terms of his employment.

2. Every associate participant in the Fund on 31 December 1966 shall, if he remains in continuous employment by a member organization, continue to be an associate participant in accordance with the provisions of article II bis in force on that date; he shall, nevertheless, become a participant if during such associate participation he receives:

(a) A permanent appointment or an appointment certified by a member organization to lead normally to a permanent appointment, or

(b) An appointment which will extend the total continuous period of his employment to or beyond five years.

3. Participation shall cease when the payment of a benefit becomes due to a participant or on his account.

Article III

Validation of non-pensionable service

1. A participant who became a participant under article II.1 may elect within one year to have included in his contributory service the period immediately prior to the commencement of his participation during which he was either

(a) An associate participant, or

(b) A full-time member of the staff of a member organization not eligible for associate participation or participation,

provided that the period was not interrupted by an interval of more than thirty days, that it was succeeded by participation within two years, and that during such period participation was not excluded by the terms of his appointment.

2. Exercise of the option contained in paragraph 1 above shall be subject to the participant paying into the Fund a sum or sums equal to the contributions he would have paid for the period concerned as a participant, plus compound interest at the rate designated in article XXIX. Payment into the Fund of amounts sufficient to meet its obligations resulting from the inclusion of such additional contributory service which are not to be met by payments made by the participant shall be made by the member organization designated for that purpose in accordance with arrangements concluded by the member organizations.

3. Where participation has ceased prior to expiry of the option contained in paragraph 1 above, by reason of entitlement to a benefit under article V, VII, VII bis or VIII, the former participant or a survivor as the case may be shall nevertheless be entitled to exercise such option as though he were still a participant.

4. A participant who became a participant under article II.2 shall be covered by the provisions of this article in force on 31 December 1966.

Article IV

Retirement benefits

1. (a) A participant who became a participant under article II.1 and has five years of contributory service, a participant who was a participant on 31 December 1966 and remains such, and a participant who became a participant under article II.2, shall upon retirement at or beyond the age of sixty be entitled during the remainder of his life to an annual retirement benefit equal to one fifty-fifth of his final average remuneration multiplied by the number of years of his contributory service not exceeding thirty years;

(b) This retirement benefit shall be not less than whichever is the smaller of:

- (i) 150 dollars multiplied by the number of years of his contributory service not exceeding ten; or
- (ii) One-thirtieth of his final average remuneration multiplied by the number of years of his contributory service not exceeding ten.

2. A participant, other than a participant whose retirement benefit under paragraph 1 (a) of the article is increased as a result of the application of paragraph 1 (b), may, with the consent of the Joint Staff Pension Board, prior to the date on which the first payment of his retirement benefit becomes due, elect to receive a lump sum not exceeding whichever is the larger of one-third of the actuarial equivalent of the retirement benefit payable to him or the amount payable under paragraph 1 of article VII ter, and his retirement benefit shall be reduced in the proportion that such lump sum bears to the actuarial equivalent of his retirement benefit prior to reduction.

3. A participant, other than a participant whose retirement benefit under paragraph 1 (a) above is increased as a result of the application of paragraph 1 (b), who is entitled under this article to a benefit which is less than 300 dollars per annum may, prior to the date on which the first payment of his retirement benefit becomes due, and with the consent of the Joint Staff Pension Board, receive the whole benefit payable to him in the form of a lump sum which is the actuarial equivalent of his benefit. A participant who is married at the date of retirement may also receive the actuarial equivalent of the prospective benefit which would be payable on his death under article VII.2 (a).

4. A participant whose retirement benefit would be increased as a result of the application of paragraph 1 (b) above may, at the date of retirement, elect to waive the additional amount which he would thereby receive; if he so elects, he shall be entitled to a retirement benefit calculated under paragraph 1 (a), and shall then be entitled to receive a lump sum under the conditions of paragraphs 2 or 3 above.

Article IV bis

Minimum return of accumulated contributions

A participant who becomes entitled to a retirement benefit under article IV shall be entitled to elect, at the date his service ceases, to receive a reduced benefit with a guarantee that the total benefits paid on his account under these Regulations shall not be less than the amount payable under article VII ter 1 as at the date of retirement. Where the participant, at the date of retirement, has a wife, the amount of the reduction shall be one-half of 1 per cent of his own and his survivor's benefits; in other cases, the amount of the reduction shall be 1 1/2 per cent of his own and his survivors' benefits.

Article V

Disability benefits

Subject to the provisions of article XVI, a participant who is not eligible for a retirement benefit and who has, in the opinion of the Board, become incapacitated for further service owing to serious physical or mental impairment of a permanent or long-term character, shall, subject to article IX, be entitled, so long as such disability continues, to a disability benefit, payable monthly, equal to one fifty-fifth of his final average remuneration multiplied by the number of years of his contributory service not exceeding thirty years, but not less than the smaller of:

- (a) One-third of his final average remuneration; or
- (b) The pension to which he would have been entitled if he had served as a participant until he had reached the age of sixty and his final average remuneration had remained unchanged.

Article VI

Commencement, suspension and discontinuance of disability benefits

1. The Board shall determine, in accordance with article V above and the procedures laid down in the Administrative Rules made under article XXXVI, when a participant qualifies for a disability benefit. A participant shall not, however, be entitled to a disability benefit so long as, under the Staff Regulations and Rules applicable to him, sick or special leave on full or on half pay is available to him.

2. The recipient of a disability benefit shall, at such intervals and in such manner as is required by the Board, submit evidence of the continuance of disability and the Board shall review his eligibility for a benefit in the light of such evidence.

3. If the recipient of a disability benefit fails to submit evidence of the continuance of disability when required to do so under paragraph 2 of the present article, the Board shall suspend payment of the benefit.

4. If the Board decides that the evidence of continuing disability is inconclusive, it may suspend payment of the benefit pending the receipt of further evidence.

5. If, after such interval as the Board may determine, satisfactory evidence as required under paragraph 2 has not been submitted, the Board may discontinue the benefit.

6. If the Board decides that disability has ceased, it shall, after giving such notice as it considers appropriate, discontinue the disability benefit.

7. When the disability benefit is discontinued and the recipient is not re-employed by a member organization, the recipient shall be entitled to the withdrawal settlement to which he would have been

entitled if he had withdrawn under the provisions of article X at the date the disability benefit began.

8. The Joint Staff Pension Board may make rules regarding the extent to which and the circumstances in which a disability benefit may be reduced when the recipient, although remaining disabled in accordance with the provisions of article V, is nevertheless in paid employment.

Article VII

Widow's (or disabled widower's) benefit

1. Subject to the provisions of article XVI, if a married male participant dies, his widow shall be entitled, subject to article IX, to a widow's benefit amounting to half of the basic benefit; this benefit shall cease on the widow's remarriage.

2. (a) If a married man who is a recipient of a retirement benefit as provided under article IV dies, his widow, provided she was his wife at the time of the cessation of his service with the member organization, shall be entitled to a widow's benefit half as large as the benefit which was being paid to the deceased at the time of his death; however, if the deceased at the time of his retirement had received a lump sum as provided in article IV, in lieu of part or the whole of the retirement benefit to which he was entitled, the widow's benefit shall be half of the total retirement benefit to which the staff member was entitled at the cessation of his service, except that in the case where a married man received the actuarial equivalent of a prospective widow's benefit, no widow's benefit shall be payable; this benefit shall cease on the widow's remarriage;

(b) If a married man who is a recipient of a disability benefit dies, his widow, provided she was his wife at the time he qualified for the disability benefit, shall be entitled to a widow's benefit half as large as the benefit being paid to the deceased at the time of his death; this benefit shall cease on the widow's remarriage.

3. Upon ceasing to be entitled to a widow's benefit by reason of remarriage, the widow shall, unless the benefit has been divided in accordance with paragraph 7 below, be entitled to a lump-sum payment equal to twice the annual amount of her widow's benefit.

4. Wherever the amount of the widow's benefit determined under paragraph 1 or 2 above would be less than 750 dollars per annum, it shall be increased to the smaller of:

(a) 750 dollars per annum; or

(b) Twice the original amount determined.

5. A widow whose annual benefit under the present article is less than 200 dollars may, prior to the first payment of such benefit and with the consent of the Joint Staff Pension Board, receive in lieu thereof a lump sum which is the actuarial equivalent of such benefit.

6. Should a married woman participant, or a married woman in receipt of a retirement or disability benefit, die and her widower be found by the Joint Staff Pension Board on the basis of a medical examination to be totally and permanently incapable either physically or mentally of providing for his own support at the time of her death, he shall be entitled, subject to the same conditions as would apply to a widow, to the same benefits as set forth in this article as would the widow of a male participant.

7. If a deceased male participant or recipient of a retirement or disability benefit leaves more than one widow, the benefit payable under the present article shall be divided equally among the widows. Upon the death or remarriage of one such widow, her share shall be divided among the remainder.

Article VII bis

Secondary dependant's benefit

1. Upon the death of a participant who does not leave a widow, or a disabled widower, or a child, entitled to a benefit, but who leaves a secondary dependant, the secondary dependant shall be entitled to a benefit under the conditions in paragraph 3 below.

2. Upon the death of a recipient of a retirement or disability benefit who, at the time his service ceased, had neither a spouse nor a child eligible for benefit, but who at that time had a secondary dependant, the secondary dependant shall, if he can prove to the satisfaction of the Joint Staff Pension Board that the former pensioner had continued to contribute materially to his support between the date of separation from service and the date of death, be entitled to a benefit under the conditions in paragraph 3 below.

3. The amount of a secondary dependant's benefit under paragraph 1 or 2 above shall be:

(a) In the case of a mother or father, the amount of a widow's or disabled widower's benefit, respectively, under article VII;

(b) In the case of a brother or sister, the amount of a child's benefit under article VIII.2 (a).

The benefit under sub-paragraph (a) above shall be payable under the same conditions as the benefit to a widow, except that in the event of the remarriage of the dependent parent the Board shall have discretion to continue the benefit if it deems fit. The benefit under sub-paragraph (b) above shall be payable under the same conditions as a child's benefit under article VIII.1.

4. Not more than one secondary dependant of a participant shall be eligible for a benefit.

Article VII ter

Other death payments

1. Upon the death of a participant who does not leave a survivor entitled to a benefit, there shall be paid to his designated recipient a sum equal to:

(a) His own contributions to the Pension Fund, with compound interest at the rate designated in article XXIX; plus

(b) Such amount as may have been transferred on his account to the Pension Fund from the Provident Fund of a member organization at the time of his entry into the Fund, without interest; plus

(c) If he has validated a period of prior non-pensionable service under article III, such amount, not exceeding 5 per cent of his pensionable remuneration for that period, as he may have received from the Provident Fund of a member organization in excess of his own contributions thereto and have refunded to that member organization.

If a designated recipient does not survive a participant or if a participant has not made, or has revoked, a designation, such sum shall be paid to the participant's estate.

2. If, in the event of the death of a participant who leaves a survivor entitled to a benefit under these Regulations, or of a former participant who is in receipt of a disability benefit, the total benefits paid to him and to all his survivors amount to less than the amount which would have been payable under paragraph 1 above, there shall be paid to his designated recipient the difference between the sum total of the benefits paid and the amount in paragraph 1. If a designated recipient has died before the last benefit payment is made under articles V, VII, VII bis or VIII, or if a participant has not made, or has revoked, a designation, such sum shall be payable to the estate of the former participant.

3. If the total benefits paid to a former participant who has elected to receive a reduced retirement benefit under article IV bis, and to all his survivors, amount to less than the sum which would have been payable under paragraph 1 above had he died on the date his service ceased and qualified for a benefit under that paragraph, there shall be paid to his designated recipient the difference between the sum total of the benefits paid and the amount in paragraph 1. If a designated recipient has died before the last benefit payment is made under articles IV, VII, VII bis or VIII, or if the former participant has not made or has revoked a designation, such sum shall be payable to the estate of the former participant.

Article VIII

Child's benefit

1. Subject to paragraph 4 below, each unmarried child of a participant who dies or on whose account a benefit becomes payable

under articles IV, V or VII shall be entitled to a child's benefit. The child's benefit shall be payable monthly up to and including the month in which the child shall attain the age of eighteen or, if the child is in full-time attendance at a school or university or similar educational institution, the age of twenty-one. If the child is totally disabled by reason of physical or mental incapacity, there shall be no age limit so long as the disability continues.

2. The annual benefit on account of each child shall be determined as follows:

(a) If there is a surviving parent (except in the case where a surviving parent is a widow who is not receiving a benefit or a widower who has not become entitled to a benefit and who, in the opinion of the Board, is unable to support the former participant's children), the amount of each child's benefit shall be equal to one-third of the basic benefit, subject to a minimum of 300 dollars and a maximum of 600 dollars per child, and subject further to an over-all maximum as in paragraph 3 below;

(b) If there is no parent surviving, or if the surviving parent is a widow who is not receiving a benefit or a widower who had not become entitled to a benefit under these Regulations and who, in the opinion of the Board, is unable to support the former participant's children, the total children's benefits shall be calculated as under sub-paragraph (a) above, with the addition of the following amount:

(i) Where there is only one eligible child, by whichever is the greater of 300 dollars or 25 per cent of the basic benefit;

(ii) If there are two or more eligible children, by whichever is the greater of 600 dollars or 50 per cent of the basic benefit.

The total children's benefits payable under sub-paragraph (ii) above shall be divided equally among all the eligible children to determine the amount of any one child's benefit. As and when a child ceases to be eligible, the total benefit payable to the remainder should be recalculated in accordance with this sub-paragraph.

3. The total children's benefits payable under paragraph 2 (a) above shall not exceed 1,800 dollars a year. Further, the sum of children's benefits, plus any retirement benefit payable under article IV.1, or disability benefit, or widow's benefit, shall not exceed the final average remuneration of the former participant plus the children's allowances which were paid by a member organization at the cessation of his employment.

4. Entitlement to a child's benefit is limited to dependent children existing at the time of eligibility for retirement or disability benefit or at the time of the death of the participant, provided that, if the benefit on account of the participant is payable under article X.3 (d), the entitlement to a child's benefit shall not arise

until the date on which the participant reaches the age of sixty. The Board shall define "dependent child", having regard to the provisions of the staff rules of the member organization.

5. In no circumstances shall more than one child's benefit be payable in respect of any one child.

Article VIII bis

Commencement of entitlement to survivor's benefit

1. Entitlement to a survivor's benefit under articles VII.1, VII bis 1 and VIII of these Regulations shall begin on the day following the death of the participant, except as otherwise provided in these Regulations.

2. Entitlement to a survivor's benefit under articles VII.2 and VII bis 2 shall begin on the first day of the month following the death of the primary beneficiary.

3. The Joint Staff Pension Board may, however, decide for any particular category of cases that an earlier date of commencement should apply if deemed more appropriate.

Article IX

Medical examination

1. The Joint Staff Pension Board shall require every participant to undergo a medical examination in accordance with standards prescribed by it, unless the Board decides to accept the findings of a medical examination previously undergone by the participant.

2. A participant who refuses to undergo such medical examination shall not be covered by the provisions of articles V, VII.1, VII.6 and VII bis 1 until he has completed five years of contributory service.

Article X

Withdrawal settlements

1. If a participant ceases to be in the employment of a member organization for reasons other than death, or dismissal for serious misconduct, as defined in the staff regulations, and is not eligible for a disability or retirement benefit, he shall be entitled to a withdrawal settlement in accordance with paragraph 2 or 3 below.

2. If the participant has less than five years of contributory service, he shall be paid a sum equal to:

(a) His own contributions to the Pension Fund, with compound interest at the rate designated in article XXIX; plus

(b) Such amount as may have been transferred on his account to the Pension Fund from the Provident Fund of a member orga-

nization at the time of his entry into the Pension Fund, without interest; plus

(c) If he has validated a period of prior non-pensionable service under article III, such amount, not exceeding 5 per cent of his pensionable remuneration for that period, as he may have received from the Provident Fund of a member organization in excess of his own contributions thereto and have refunded to that member organization.

3. If the participant has five or more years of contributory service he shall be entitled to elect, at the date his service ceases, to receive one of the following:

(a) Subject to article XII a life annuity, deferred to age sixty, equal to one fifty-fifth of his final average remuneration multiplied by the number of years of his contributory service not exceeding thirty years, with survivor benefits in accordance with paragraph 6 of this article;

(b) Subject to article XII:

(i) An amount in cash equal to the amounts in paragraphs 2 (a), 2 (b) and 2 (c) of this article; plus

(ii) A life annuity, deferred to age sixty, equal in value to the difference between the amount he receives in cash and the actuarial equivalent, at the date his employment ceased, of the retirement benefit payable at the age of sixty calculated on the basis of his contributory service and final average remuneration;

(iii) Notwithstanding (i) and (ii) above, when the amount of the deferred annuity payable under paragraph 3 (a) above is less than \$300 a year, a cash sum of equal actuarial value in lieu of the annuity, at the date his service ceases.

(c) A final cash settlement, which shall extinguish all his entitlements under these Regulations, consisting of:

(i) A sum in cash equal to the amounts in paragraph 2 of this article; plus

(ii) For each year of service in excess of five, 10 per cent of the amount in paragraph 2 (a) of this article, subject to a maximum of the amount in paragraph 2 (a).

(d) Where the participant withdraws from the Fund after having reached the age of fifty-five and before reaching the age of sixty, an immediate life annuity equal in actuarial value to the retirement benefit he would have received under article IV.1 (a), had he been sixty at the date his service ceased, together with all those survivorship benefits and options to which, under articles IV, IV bis, VII, VII bis, VII ter and VIII, a recipient of a retirement benefit is entitled, except only that article IV.1 (b) and article IV.4 shall not apply.

4. Notwithstanding the provisions of paragraph 3 (c) of this article, a participant in the Pension Fund on 31 March 1961 who subsequently becomes eligible for a final cash settlement under paragraph 3 (c) shall be entitled to receive, in lieu of, and if greater than, the amount in paragraph 3 (c), the following:

(a) If he withdraws on or before 31 December 1966:

- (i) The amount of the lump-sum withdrawal benefit which he would have received had the Regulations, actuarial bases and other provisions in force at 31 March 1961 been still in force at the date his service ceased, together with
- (ii) The amount by which his own contribution to the Pension Fund after 1 April 1961 exceeds the amount he would have contributed under the Regulations, actuarial bases and other provisions in force at 31 March 1961, with compound interest on this excess at the rate designated under article XXIX;

(b) If he withdraws on or after 1 January 1967:

- (i) The amount of the lump sum which he would have received under sub-paragraph (a) above had he withdrawn on 31 December 1966, plus
- (ii) The amount of his own contribution to the Pension Fund from 1 January 1967 until the date his service ceases, with compound interest at the rate designated under article XXIX, which amount shall be increased by 10 per cent for each of his years of contributory service in excess of five, whether before or after 1 January 1967, subject to a maximum increase of 100 per cent.

5. Where, under this article, a deferred annuity to a participant is payable at the age of sixty, he may elect to receive the annuity from an earlier age, provided that this age shall not be less than fifty-five. In such event, the value of the annuity shall be subject to an appropriate actuarial reduction to be determined by the Joint Staff Pension Board.

6. On the death of a former participant who elected to receive a deferred annuity under paragraph 3 (a) above:

(a) If he leaves a widow who was his wife at the time his service ceased, a widow's benefit shall be payable, as from the date of his death, of an amount calculated as follows:

- (i) If death occurred after the commencement of the annuity, the widow's benefit shall be one-half of the amount of that annuity;
- (ii) If death occurred before the commencement of the annuity, the widow's benefit shall be one-half of the annuity which, had it been payable to the former participant from the

date of his death, would have had the same actuarial value as the annuity he would have received at the age of sixty;

(b) If he leaves no widow, but leaves a dependent mother or father who, at the time his service ceased, was recognized as a secondary dependant, a secondary dependant's benefit shall be payable, of an amount calculated as in sub-paragraph (a) (i) or (a) (ii) above, as may be appropriate;

(c) A survivor's benefit payable under sub-paragraph (a) or (b) above shall be subject to the same conditions as if the benefit has been payable under article VII or VII bis except that paragraph 4 of article VII shall not apply;

(d) If he dies before the commencement of the annuity and leaves no survivor entitled to a benefit under sub-paragraph (a) or (b) above, there shall be paid to his designated recipient an amount equal to the sums in paragraph 2 of this article as at the date his service ceased. If a designated recipient does not survive the former participant, or if no designation has been made, or if the designation has been revoked, such sum shall be paid to the former participant's estate.

7. If a participant, at the time of separation, so requests, the payment of a benefit under paragraph 2 above, or the choice of a benefit under paragraph 3, may be deferred for a period of six months. If a former participant dies before having exercised his choice under paragraph 3, he shall be deemed to have elected to receive a deferred annuity under sub-paragraph 3 (a).

Article XI

Summary dismissal for serious misconduct

A participant who, in conformity with the staff regulations, has been summarily dismissed for serious misconduct shall receive:

(a) His own contributions to the Pension Fund, with compound interest at the rate designated in article XXIX; plus

(b) Such amount as may have been transferred on his account to the Pension Fund from the Provident Fund at the time of his entry into the Pension Fund, without interest;

provided that, on the recommendation of the Secretary-General of the United Nations, or of the competent authority of the member organization concerned, the Joint Staff Pension Board shall, to the extent so recommended, grant to such participant a lump sum equal to either the whole or a part of the remainder of the benefit he would have been entitled to, under article X, had he ceased to be employed for reasons other than the summary dismissal for serious misconduct.

Article XII

Re-employment

1. If a former participant again becomes a participant, payments to him shall cease.

2. The prior contributory service credit of such a participant shall be restored provided that all amounts received by him under article X, and by a member organization or organizations under article XVII.2, are repaid with compound interest at the rate designated in article XXIX in a manner acceptable to the Board.

3. If repayment in accordance with paragraph 2 above is not made, his prior contributory service credit shall not be restored, and

(a) The lump sum which is the actuarial equivalent of any discontinued benefit at the date upon which payments were discontinued shall be credited as a voluntary deposit in accordance with the provisions of article XVIII, paragraphs 2 and 3; and

(b) The total benefits paid or payable to him in respect of two or more periods of employment shall not exceed the benefits he would have received had all his employment been continuous.

Article XIII

Preservation of pension rights

Any agreement adjusting the provisions of these Regulations which the Secretary-General proposes to conclude with a Member government, or with an inter-governmental organization, with a view to securing continuity of the pension and staff benefit rights of participants, shall be communicated to the Joint Staff Pension Board by the representatives of the Secretary-General on that Board, for observations, prior to the submission of such an agreement to the General Assembly for approval.

Article XIV

Establishment of a Pension Fund

A Fund shall be established to meet the liabilities resulting from these Regulations which shall be known as the United Nations Joint Staff Pension Fund. All moneys deposited with bankers, all securities and investments and all other assets which are the property of the Fund shall be deposited, acquired and held in the name of the United Nations on behalf of all the participants and beneficiaries of the Fund. The Fund shall be administered separately from the assets of the United Nations by the Joint Staff Pension Board in accordance with these Regulations, and shall be used solely for the purposes provided for in these Regulations.

Article XV

Payments into the Fund

The Fund shall be maintained by:

1. The contributions of the participants;
2. The contributions of the member organizations;
3. The yield from the investments of the Fund;
4. Any deficiency payments under article XIX; and
5. Any other receipts.

Article XVI

Contributions on account of participants

1. Seven per cent of the pensionable remuneration of each participant shall be deducted from his remuneration and paid each month to the Pension Fund.

2. During any period of sick leave on full or partial pay, a participant shall continue to contribute to the Pension Fund by deduction from such payments on the basis of his full pensionable remuneration, and any benefit under these Regulations to which he becomes entitled during such period shall be calculated on the basis of his full pensionable remuneration.

3. (a) A participant on leave without pay, granted for reasons other than the performance of military service, shall be covered by the full benefits provided under these Regulations if full contributions on his account are received on the dates on which they would normally become due;

(b) A participant on leave without pay, granted for reasons other than the performance of military service, on whose account full contributions are not so received, shall be covered by the full benefits provided under these Regulations for a period of four months, or for such longer period as the Board, upon the application of the participant, may allow; thereafter he shall be covered only by the benefits provided in paragraph 5 of this article.

4. A participant on leave without pay, granted for the performance of military service, shall be covered only by the benefits provided in paragraph 5 of this article, and the Joint Staff Pension Board shall not accept contributions on his account during the period of such leave.

5. (a) A participant on leave without pay who is not covered by the full benefits provided under the present Regulations, who reaches the age of sixty and retires, shall be entitled to a retirement benefit as provided under article IV;

(b) Any such participant who before reaching the age of sixty becomes disabled, or withdraws from the Fund, or dies, shall be deemed to have withdrawn from the Fund on the date his appointment terminated, his contributory service being reckoned to his last day of actual service;

(c) If a participant on leave without pay, granted for the performance of military service, becomes disabled or dies before reaching the age of sixty, the benefit payable under subparagraph (b) above shall not be less than the individual actuarial reserve of such participant calculated at the time disability or death occurred.

6. A period of leave without pay shall not be included in a participant's contributory service unless full contributions are received during the currency of such leave or unless, within a period of twelve months from the participant's return to work, full contributions in respect of such period, with interest at the rate designated in article XXIX, are received by the Fund.

7. Payments of full contributions in accordance with the provisions of this article on behalf of a participant who is or has been on leave without pay may be made either (a) in full by the participant, or (b) in full by the member organization, or (c) by the participant and the member organization in such shares as they may determine.

8. For the purposes of this article, "full contributions" means the sum of the contributions payable by a participant under paragraph 1 of this article, and the contributions payable by a member organization under article XVII in respect of his participation.

Article XVII

Normal contributions by member organizations

1. Each member organization shall pay into the Pension Fund monthly a contribution equal to 14 per cent of the total monthly pensionable remuneration of the participants employed by it.

2. If a participant who became a participant under article II.1 withdraws from the Fund in accordance with article X.1 and 2, half the amounts paid by the organization on his behalf under this article and under article III in respect of contributory service subsequent to 31 December 1966 shall be repaid by the Fund to the organization.

Article XVIII

Voluntary deposits by participants

1. In addition to the contributions deducted from the remuneration of a participant as provided in article XVI, any participant may, subject to the approval of the Joint Staff Pension Board and under such conditions as the Board may prescribe, deposit in the Pension Fund, in a lump sum or sums and/or by an increased rate of contribution, an amount computed to be sufficient to purchase an addi-

tional retirement benefit which, together with his prospective regular retirement benefit as provided herein, will provide for him a total retirement benefit not to exceed 60 per cent of his final average remuneration at the age of retirement. Interest at such rates as may be set from time to time by the Board shall be allowed on such contributions.

2. Such additional amounts, together with interest thereon, shall be credited to the participant's individual account in the Pension Fund and shall be used to provide him with an additional benefit, commencing at the same time as any regular benefit to which he may become entitled under these Regulations, or, upon his death prior to such commencement, to provide a benefit to a survivor designated therefor by the participant. The additional benefit shall be payable in one of the following actuarial equivalent forms to be elected by the participant or, in the absence of such election, by the survivor so designated:

(a) An amount equal to such additional deposits payable in a single sum or in instalments together with interest thereon to the date of payment;

(b) An annuity payable for life with no further payments after death;

(c) A reduced annuity payable for life, with a provision that upon the annuitant's death one-half of such annuity shall be continued to, and during the life of, a survivor designated therefor by the annuitant at the time of the commencement of the annuity;

(d) A reduced annuity payable for life, with a guarantee that the total benefits paid on account of such additional deposits shall not be less than the amount credited at the time of the commencement of the annuity.

In the event that the participant has made no designation of a survivor to receive such additional benefit, or if such person does not survive him, the lump sum provided under sub-paragraph (a) above shall be paid to the participant's estate.

3. Should a former participant whose annuity has commenced under the provision of the present article be restored to participation, his annuity shall cease and the lump sum which is the actuarial equivalent of such discontinued annuity shall be credited to his individual account under the present article, provided, however, that no value shall be included in such lump sum for the contingent annuity of a survivor designated under paragraph 2 (c) above unless the participant submits evidence of such person's survival in good health.

4. A participant who elected, and had been authorized, to make voluntary deposits under the present article may cease making such deposits at any time, but in no case shall sums once deposited be refunded to him before he has ceased to be a participant.

Article XIX

Deficiency payments

If at any time an actuarial valuation shows that the assets of the Pension Fund may not be sufficient to meet the liabilities under the Regulations, there shall be paid into the Fund by each member organization the sum necessary to make good the deficiency. Each member organization shall contribute to this sum an amount proportionate to the total contributions which each paid under article XVII during the three years previous to the date of the actuarial valuation referred to above.

Article XX

Staff pension committees of member organizations

Each member organization shall have a staff pension committee, which shall include members chosen by the body of the member organization corresponding to the General Assembly of the United Nations, by the chief executive officer, and by the participants.

Article XXI

United Nations Staff Pension Committee

1. The United Nations Staff Pension Committee shall consist of three members elected for three years by the General Assembly, three members appointed by the Secretary-General and three members, who must be participants and on the staff of the United Nations, elected for three years by such participants by secret ballot. Where questions directly affecting participants employed in the Registry of the International Court of Justice are under consideration, a member appointed by the Registrar shall be entitled to attend the meetings of the Staff Pension Committee. The Assembly and the participants shall each elect three alternate members for three years, and the Secretary-General shall appoint three alternate members.

2. The term of office of elected members of the United Nations Staff Pension Committee shall begin on 1 January following the election, and shall terminate on 31 December following the election of their successors. The elected members shall be eligible for re-election.

3. A secretary to the United Nations Staff Pension Committee shall be appointed by the Secretary-General upon the recommendation of the United Nations Staff Pension Committee. The Secretary of the Joint Staff Pension Board can be appointed to this office.

Article XXII

Joint Staff Pension Board

1. The Joint Staff Pension Board shall consist of twenty-one members:

(a) Six members appointed by the United Nations Staff Pension Committee, two from the members elected by the General Assembly, two from the members appointed by the Secretary-General, and two from the members elected by the participants; and

(b) Fifteen members appointed by the staff pension committees of the other member organizations in accordance with a table fixed by the Administrative Rules of the Fund which shall provide for equal representation of the three groups referred to in article XX.

2. The Board may appoint a standing committee, which will act on its behalf when the Board is not in session.

Article XXIII

Secretary of the Joint Staff Pension Board

Upon the recommendation of the Joint Staff Pension Board the Secretary-General of the United Nations shall appoint a Secretary and other officer or officers to act in the absence of the Secretary. The Secretary and the officer acting in his absence shall exercise their functions under the authority of the Board. The payment of all benefits under these Regulations must be certified by the Secretary or the officer authorized by the Board to act in his absence.

Article XXIV

Power of delegation

Subject to article XXIII, the Joint Staff Pension Board may delegate to the staff pension committee of each member organization, in respect of the participants and beneficiaries in that body, some or all of its discretionary powers relating to:

(a) Admission of participants;

(b) The granting of benefits under these Regulations.

Article XXV

Investment of assets of the Fund

Subject to the complete separation to be maintained between the assets of the Pension Fund and the assets of the United Nations as provided in article XIV, the investment of the assets of the Fund shall be decided upon by the Secretary-General of the United Nations, after consultation with an Investments Committee and after having heard any observation or suggestions by the Joint Staff Pension Board concerning the investments policy. The Investments Committee shall

consist of six members appointed by the Secretary-General after consultation with the Advisory Committee on Administrative and Budgetary Questions, subject to consequent confirmation by the General Assembly.

Article XXVI

Staff

1. Subject to article XXIII, the Secretary-General of the United Nations shall provide the staff required by the Joint Staff Pension Board and by the United Nations Staff Pension Committee, including the staff necessary for keeping of the accounts and records of the Fund and the payment of benefits.

2. Consulting actuaries to the Joint Staff Pension Board shall be appointed by the Secretary-General on the recommendation of the Board.

Article XXVII

Administration expenses

1. Expenses incurred in the administration of these Regulations by the Joint Staff Pension Board shall be met by the Fund.

2. Estimates of the administrative expenses referred to in paragraph 1 above shall be submitted annually to the General Assembly of the United Nations for approval.

3. Expenses incurred in the administration of these Regulations by the staff pension committee of a member organization shall be met out of the general budget of that organization.

Article XXVIII

Admission of specialized agencies

1. A specialized agency referred to in Article 57, paragraph 2, of the Charter shall become a member organization of the United Nations Joint Staff Pension Fund on its acceptance of these Regulations, provided that agreement has been reached with the Secretary-General of the United Nations as to any payments necessary to be made by such specialized agency to the Pension Fund in respect of the new obligations incurred by the Fund through its admission, and as to the other transitional arrangements that may be necessary, including the extent to which these Regulations are to be applicable to employees of the specialized agency at the time of admission to the Fund.

2. Any agreement which the Secretary-General proposes to conclude with a specialized agency shall be communicated to the Joint Staff Pension Board by the representatives of the Secretary-General on that Board, for observations, prior to its conclusion.

Article XXIX

Adoption of basic tables

1. The Joint Staff Pension Board, upon the advice of a committee of three independent actuaries to be appointed by the Secretary-General of the United Nations on the recommendation of the Board, shall adopt from time to time service, mortality and other tables and shall decide upon the rate of interest which is to be used in each actuarial valuation of the Pension Fund.

2. At least once in each three years, the Joint Staff Pension Board shall have an actuarial investigation made into the service, mortality and compensation experience of the participants and beneficiaries of the Pension Fund: and, taking into account the results of such investigation, the Board shall adopt such service, mortality and other tables as it shall deem appropriate.

3. Without prejudice to the power of the Joint Staff Pension Board to establish a rate of interest for actuarial valuation purposes under paragraph 1 above, the rate of interest which shall be used in all actuarial calculations required in connexion with these Regulations shall be 2 1/2 per cent per annum to 31 December 1957 inclusive, 3 per cent per annum for the period 1 January 1958 to 31 March 1961 and 3 1/4 per cent per annum thereafter unless and until changed by the Board.

Article XXX

Currency

1. Contributions to the Fund shall be calculated upon the pensionable remuneration fixed by the terms of employment and shall be remitted to the Fund in United States dollars or in such other currency as may be agreed between the Board and the member organization concerned.

2. Benefits shall be calculated and paid in the currency in which contributions have been received by the Fund on the account of each participant, provided however that payment of benefits may be made in any other currency selected from time to time by the recipient, at the rate of exchange obtainable by the Fund at the date of payment.

Article XXXI

Actuarial valuations

1. The Joint Staff Pension Board shall have an actuarial valuation of the Pension Fund made not later than one year after the appointed date* by a qualified actuary or actuaries, and thereafter at least every three years. The actuarial report shall state the assumptions on which the calculations are based; it shall describe the method of valuation used; it shall state the results of the investigations as well as the recommendations, if any, for any appro-

*See article XL.

priate action. The report shall be presented to the Joint Staff Pension Board, and to the competent authority of each member organization.

2. Upon the receipt of the actuarial report, the Joint Staff Pension Board shall make proposals to the General Assembly of the United Nations, and to member organizations, for any action to be taken as a result thereof. Copies of the actuarial report and of any such proposals shall be forwarded to the Advisory Committee on Administrative and Budgetary Questions.

Article XXXII

Non-assignability of rights

A participant or a beneficiary may not assign his rights under these Regulations to another person.

Article XXXIII

Debts owed to the Fund

Any payment due from a participant to the Pension Fund and unpaid at the date of his becoming entitled to any benefit under these Regulations shall be deducted from the benefit in a manner to be determined by the Joint Staff Pension Board.

Article XXXIV

Documentary evidence

1. Every participant and every beneficiary under these Regulations shall furnish such documentary evidence as may be required under the Administrative Rules.

2. If the Joint Staff Pension Board finds that any material fact so required has been omitted or misrepresented, the Board shall be empowered to take such omission or misrepresentation into account in deciding on the individual's entitlement to benefits or participation in the Pension Fund or in modifying any such decision, provided that the individual's entitlement to benefits and participation in the Fund in such case shall be no less favourable than it would have been had the material facts been disclosed or accurately represented.

Article XXXV

Annual report

The Joint Staff Pension Board shall present annually to the General Assembly of the United Nations and to the member organizations a report, including a balance-sheet, on the operation of these Regulations. The Secretary-General shall inform each member organization of any action taken by the General Assembly upon the report.

Article XXXVI

Administrative Rules

The Joint Staff Pension Board shall make Administrative Rules necessary for the carrying out of these Regulations. These Administrative Rules shall be reported to the General Assembly of the United Nations and to the competent organ of each member organization.

Article XXXVII

Amendments

The Joint Staff Pension Board may recommend to the General Assembly of the United Nations amendments to these Regulations. The General Assembly may, after the Joint Staff Pension Board has been consulted, amend these Regulations; and the Regulations so amended shall take effect in regard to the participants in the Fund, including those who were participants before the Regulations were amended, as from the date specified by the General Assembly but without prejudice to rights to benefits acquired through contributory service accumulated prior to that date.

Article XXXVIII

Termination of the membership of a member organization

1. Termination of membership in the Pension Fund of a member organization, whether as the result of an application by such member organization or as a result of continued default in the payment of contributions, shall be subject to approval by the General Assembly of the United Nations upon the recommendation of the United Nations Joint Staff Pension Board.

2. In the event of termination of membership the following provisions shall apply: the proportionate share of each such former member organization in the total assets of the Pension Fund as of the date its membership terminated shall be determined by actuarial valuation. The share so determined shall be disposed of either by payments to the former organization or pursuant to such arrangement as may be mutually agreed between that organization and the Board, in either case on behalf of and for the exclusive benefit of its staff who were participants as of such date; provided, however, that no part of the assets of the Pension Fund which are in excess of the amount required to meet the liabilities under the Regulations as of such date shall be included in determining such proportional share.

Article XXXIX

External audit

The Joint Staff Pension Board shall arrange for an annual audit of the Fund to be made by the Board of Auditors of the United Nations. A copy of the report of the Board of Auditors shall be included as part of the annual report as prescribed under article XXXV.

Article XL

Appointed date

These Regulations, which supersede and replace the Provisional Regulations of the United Nations Joint Staff Pension Scheme, shall come into force on 23 January 1949.

Article XLI

Jurisdiction of the United Nations Administrative Tribunal

1. Applications alleging non-observance of the Regulations of the United Nations Joint Staff Pension Fund arising out of a decision of the Joint Staff Pension Board may be submitted directly to the United Nations Administrative Tribunal by:

(a) Any staff member of a member organization which has accepted the jurisdiction of the Tribunal in Joint Staff Pension Fund cases who is eligible under article II of the Regulations as a participant in the Fund, even after his employment has ceased, and any person who has succeeded to such staff member's rights upon his death;

(b) Any other person who can show that he is entitled to rights under the Regulations of the Fund by virtue of the participation in the Fund of a staff member of such member organization.

2. In the event of a dispute as to whether the Tribunal has competence, the matter shall be settled by a decision of the Tribunal.

3. The decision of the Tribunal shall be final and without appeal.

4. The time-limits prescribed in article 7 of the Statute of the Tribunal are reckoned from the date of the communication of the contested decision of the Joint Staff Pension Board.

Article XLII

Forfeiture of right to a benefit

1. The right to a lump-sum benefit shall be forfeit if, for two years after the date on which payment would have been due, the person entitled has lodged no claim and has failed to submit payment instructions or has refused to accept payment.

2. The right to a pension or life annuity shall be forfeit if, for five consecutive years, the person entitled has lodged no claim and has failed to submit payment instructions or has refused to accept arrears.

3. The right to unpaid instalments of a pension or life annuity shall be forfeit if, for two years after payment would have been due, the person entitled has lodged no claim and has failed to submit payment instructions or has refused to accept payment.

4. The provisions of paragraphs 1, 2 and 3 of this article shall not affect any right to a benefit which has not been exercised for reasons beyond the beneficiary's control.

5. Forfeitures as described above shall be reported to the Board. Where the right to a benefit has been forfeited pursuant to paragraphs 1, 2 and 3 of this article and information subsequently received shows that such forfeiture would have been contrary to the provisions of paragraph 4 if the facts of the case had been known in time, the Board shall restore the right to a benefit.

6. The Board may reinstate right to a benefit when it has been satisfied that exceptional circumstances exist which warrant such action,

Supplementary article A

The Interim Commission for the International Trade Organization

For the purpose of these Regulations, the Interim Commission for the International Trade Organization shall be treated as if it were a specialized agency except that its representatives shall not have the right to vote in the United Nations Joint Staff Pension Board and its Standing Committee.

Supplementary article B

The International Atomic Energy Agency

For the purposes of these Regulations, the International Atomic Energy Agency shall be treated as if it were a specialized agency.

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