



UNITED NATIONS

Regulations
and Rules
of the
United Nations
Joint Staff Pension Fund

1 January 1976



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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, resolution 2191 (XXI) effective 1 January 1967, resolution 2524 (XXIV) effective 1 January 1970, resolution 2887 (XXVI) effective 1 January 1972, resolution 3354 (XXIX) effective 1 January 1975, and resolution 3526 (XXX) effective 1 January 1976.

REGULATIONS OF THE UNITED NATIONS JOINT STAFF PENSION FUND

SCOPE AND PURPOSE OF THE FUND

The United Nations Joint Staff Pension Fund is a fund established by the General Assembly of the United Nations to provide retirement, death, disability and related benefits for the staff of the United Nations and the other organizations admitted to membership in the Fund.

PART I. DEFINITIONS AND INTERPRETATION

Article 1

Definitions

In these Regulations, and in the Administrative Rules, unless the context otherwise requires:

(a) "Actuarial equivalent" and "equivalent actuarial value" shall mean the equivalent determined according to the actuarial tables adopted by the Board under article 11.

(b) "Administrative Rules" shall mean the rules made by the Board under article 4.

(c) "Benefit" shall include a withdrawal settlement under article 32, and a residual settlement under article 39.

(d) "Board" shall mean the United Nations Joint Staff Pension Board.

(e) "Child" shall mean a child existing on the date of separation or death in service of a participant and shall include the step-child or adopted child of a participant, and a child *in utero* upon its birth; in the event of uncertainty as to whether adoption has taken place, the matter shall be decided by the Board.

(f) "Commute" shall mean cause to be converted and paid in a lump sum part or the whole of a benefit otherwise payable at periodic intervals, according to the actuarial tables of the Fund.

(g) "Dollars" shall mean dollars of the United States of America.

(h) "Final average remuneration" shall mean the average annual pensionable remuneration of a participant during:

- (i) The thirty-six completed calendar months of highest pensionable remuneration within the last five years of his contributory service, or
- (ii) If his contributory service was less than five years, the thirty-six completed calendar months of highest pensionable remuneration within the actual period of such service, or

- (iii) If his contributory service contained less than thirty-six completed calendar months, the actual number of such months within his contributory service, or
 - (iv) If his contributory service contained no completed calendar month, the actual period of such service.
- (i) "Fund" shall mean the United Nations Joint Staff Pension Fund.
- (j) "General Assembly" shall mean the General Assembly of the United Nations.
- (k) "In pay status" shall mean that a participant is entitled to remuneration from a member organization under the terms of his appointment.
- (l) "Interest" shall mean interest compounded annually at the rates specified in article 11 (c)
- (m) "Member organization" shall mean the United Nations and any specialized agency or other organization admitted to membership in the Fund in accordance with article 3.
- (n) "Own contributions" shall mean the contributions, not exceeding 7 per cent of his pensionable remuneration, made to the Fund by or on behalf of a participant in respect of contributory service under article 22, with interest, provided that, in respect of service in a member organization prior to its admission to membership in the Fund, which has been recognized as contributory, it shall mean:
- (i) The amount transferred on the account of the participant from the Provident Fund of such member organization at the time of its admission, without interest,
- or
- (ii) The amount, not exceeding 12 per cent of his pensionable remuneration, received by the participant from the Provident Fund of such member organization on separation prior to its admission and repaid to that organization, upon re-employment, for the purpose of recognition of such service as contributory, without interest.
- (o) "Participant" shall include a former participant.
- (p) "Pensionable remuneration" shall mean the remuneration, at its equivalent in dollars, of a participant which is pensionable under the terms of his appointment.
- (q) "Restoration" shall mean the inclusion in contributory service of the prior contributory service of a former participant who again becomes a participant.
- (r) "Secondary dependant" shall mean the mother or father, or an unmarried brother or sister under the age of twenty-one, who was dependent on the participant at the date of his death if he died in service, or from the date of his separation to the date of his death if he died after separation. The Board shall prescribe in the Administrative Rules the meaning of "dependent" for the purpose of this definition.

(s) "Secretary-General" shall mean the Secretary-General of the United Nations.

(t) "Separation" shall mean ceasing to be in the service of a member organization otherwise than by death.

(u) "Service" shall mean employment as a full-time member of the staff of a member organization.

(v) "Validation" shall mean the inclusion in contributory service of a period of non-contributory service which occurred prior to the commencement of participation.

Article 2

Interpretation

(a) The Board shall, to the extent required to give effect thereto, interpret these Regulations and the Administrative Rules.

(b) References to participants in either the masculine or the feminine gender shall apply equally to men and to women, except where it is apparent from the context that the provision is intended to apply only to men or only to women.

PART II. MEMBERSHIP AND ADMINISTRATION

Article 3

Membership

(a) The member organizations of the Fund, on the date of entry into effect of these Regulations, are the United Nations and the following:

Food and Agriculture Organization of the United Nations;
Inter-Governmental Maritime Consultative Organization;
Interim Commission for the International Trade Organization;
International Atomic Energy Agency;
International Civil Aviation Organization;
International Labour Organisation;
International Telecommunication Union;
United Nations Educational, Scientific and Cultural Organization;
World Health Organization;
World Meteorological Organization.

(b) Membership in the Fund shall be open to the specialized agencies referred to in article 57, paragraph 2, of the Charter of the United Nations and to any other international, intergovernmental organization which participates in the common system of salaries, allowances and other conditions of service of the United Nations and the specialized agencies.

(c) Admission to membership in the Fund shall be by decision of the General Assembly, upon the affirmative recommendation of the Board, after acceptance by the organization concerned of these Regulations and agree-

ment reached with the Board as to the conditions which shall govern its admission.

Article 4

Administration of the Fund

(a) The Fund shall be administered by the United Nations Joint Staff Pension Board, a staff pension committee for each member organization, and a secretariat to the Board and to each such committee.

(b) The administration of the Fund shall be in accordance with these Regulations and with Administrative Rules consistent therewith which shall be made by the Board and reported to the General Assembly and the member organizations.

(c) The Board may appoint a Standing Committee which shall have the power to act on behalf of the Board when it is not in session and may, subject to article 7, delegate its powers under these Regulations to the staff pension committees of the member organizations.

(d) The assets of the Fund shall be used solely for the purposes of, and in accordance with, these Regulations.

Article 5

United Nations Joint Staff Pension Board

(a) The United Nations Joint Staff Pension Board shall consist of:

(i) Six members appointed by the United Nations Staff Pension Committee, two of whom shall be from the members and alternate members elected by the General Assembly, two from those appointed by the Secretary-General, and two from those elected by the participants in service in the United Nations; and

(ii) Fifteen members appointed by the staff pension committees of the other member organizations in accordance with a table fixed by the Administrative Rules, five of whom shall be from the members and alternate members chosen by the bodies of the member organizations corresponding to the General Assembly, five from those appointed by the chief administrative officers of the member organizations, and five from those chosen by the participants in service.

(b) Alternate members may be appointed by each staff pension committee.

Article 6

Staff pension committees

(a) The United Nations Staff Pension Committee shall consist of three members and three alternate members elected by the General Assembly, three members and three alternate members appointed by the Secretary-General, and three members and three alternate members, who shall be participants in

the Fund and on the staff of the United Nations, elected by the participants in service in the United Nations by secret ballot.

(b) The elected members and alternate members of the Committee shall hold office for three years or until the election of their successors, and shall be eligible for re-election; in the event that such a member or alternate member ceases, during his term of office, to be a member of the Committee, another member or alternate member may be elected to hold office during the remainder of his term.

(c) The staff pension committees of the other member organizations shall consist of members and alternate members chosen by the body of the organization corresponding to the General Assembly, its chief administrative officer, and its participants in service, in such a manner that the number representing each shall be equal and in the case of the participants that the members and alternate members shall themselves be participants in the service of the organization. Each member organization shall make rules for the election or appointment of the members and alternate members of its committee.

Article 7

Secretariat of the United Nations Joint Staff Pension Board

(a) A Secretary to the Board, and a Deputy Secretary or other officer empowered to act in the absence of the Secretary, shall be appointed by the Secretary-General on the recommendation of the Board.

(b) The Secretary-General shall appoint such further staff as may be required from time to time by the Board in order to give effect to these Regulations.

(c) The Secretary shall be the chief executive officer of the Fund and shall perform his functions under the authority of the Board; he, or the officer empowered to act in his absence, shall certify for payment all benefits properly payable under these Regulations.

Article 8

Secretariats of staff pension committees

(a) The secretariat of the Board shall serve as the secretariat of the United Nations Staff Pension Committee.

(b) A secretary to the staff pension committee shall be appointed by the chief administrative officer of each other member organization on the recommendation of the committee.

Article 9

Committee of Actuaries

(a) A committee consisting of five independent actuaries shall be appointed by the Secretary-General upon the recommendation of the Board.

(b) The function of the committee shall be to advise the Board on actuarial questions arising out of the operation of these Regulations.

Article 10

Consulting Actuary

A consulting actuary to the Board shall be appointed by the Secretary-General upon the recommendation of the Board for the purpose of providing actuarial services to the Fund.

Article 11

Adoption of actuarial bases

(a) The Board shall, on the advice of the Committee of Actuaries, adopt, and revise when appropriate, service, mortality and other tables and shall decide upon the rates of interest to be used in the periodic actuarial valuation of the Fund.

(b) At least once in every three years the Board shall have an actuarial investigation made into the service, mortality and benefit experience of the participants and beneficiaries of the Fund and shall determine whether the actuarial bases of the Fund should be modified.

(c) The rates of interest which, without prejudice to the power of the Board to establish rates under (a) above for the purpose of actuarial valuation, shall be used in all calculations required in connexion with these Regulations, shall be 2.5 per cent per annum to 31 December 1957, 3 per cent per annum from 1 January 1958 to 31 March 1961 and 3.25 per cent per annum thereafter until changed by the Board.

Article 12

Actuarial valuation of the Fund

(a) The Board shall have an actuarial valuation made of the Fund at least once every three years by the consulting actuary.

(b) The actuarial report shall state the assumptions on which the calculations are based, it shall describe the method of valuation used, and it shall state the results, as well as the recommendations if any, for appropriate action.

(c) The Board shall, in the light of the report, recommend such action to the member organizations as it deems desirable; the recommendations to the General Assembly shall be transmitted through the United Nations Advisory Committee on Administrative and Budgetary Questions, which shall also be provided with a copy of the actuarial report.

Article 13

Transfer of pension rights

The Board may, subject to the concurrence of the General Assembly, approve agreements with member Governments of a member organization, and with intergovernmental organizations with a view to securing continuity of pension rights between such Governments or organizations and the Fund.

Article 14

Annual report and audit

(a) The Board shall present annually to the General Assembly and to the member organizations a report, including a balance-sheet, on the operation of the Fund, and shall inform each member organization of any action taken by the General Assembly upon the report.

(b) An audit of the accounts of the Fund shall be made annually by the United Nations Board of Auditors, in a manner agreed between the Board of Auditors and the Board; a copy of the audit report shall be included in the report under (a) above.

Article 15

Administrative expenses

(a) Expenses incurred by the Board in the administration of these Regulations shall be met by the Fund.

(b) Estimates of the expenses to be incurred under (a) above shall be submitted annually to the General Assembly, during the preceding year, for approval.

(c) Expenses incurred in the administration of these Regulations by a member organization shall be met by that organization.

Article 16

Termination of membership

(a) Membership in the Fund may be terminated by decision of the General Assembly, upon the affirmative recommendation of the Board, following application for termination by a member organization or continued default by a member organization in its obligations under these Regulations.

(b) In the event of such termination, a proportionate share of the total assets of the Fund at the date of termination shall be paid to the former member organization for the exclusive benefit of its staff who were participants in the Fund on such date, pursuant to an arrangement mutually agreed between such organization and the Board.

(c) The amount of the proportionate share shall be determined by the Board after an actuarial valuation of the assets and liabilities of the Fund on the date of termination, provided that no part of the assets which are in excess of the liabilities shall be included in such share.

PART III. ASSETS AND INVESTMENT

Article 17

Assets of the Fund

The assets of the Fund shall be derived from:

- (a) The contributions of the participants;
- (b) The contributions of the member organizations;
- (c) The yield from the investments of the Fund;
- (d) Deficiency payments, if any, under article 27; and
- (e) Receipts from any other source.

Article 18

Property in the assets

The assets shall be the property of the Fund and shall be acquired, deposited and held in the name of the United Nations, separately from the assets of the United Nations, on behalf of the participants and beneficiaries of the Fund.

Article 19

Investment of the assets

(a) The investment of the assets of the Fund shall be decided upon by the Secretary-General after consultation with an Investments Committee and in the light of observations and suggestions made from time to time by the Board on the investments policy.

(b) The Secretary-General shall arrange for the maintenance of detailed accounts of all investments and other transactions relating to the Fund, which shall be open to examination by the Board.

Article 20

Investments Committee

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

PART IV. PARTICIPATION, CONTRIBUTORY SERVICE AND CONTRIBUTIONS

Article 21

Participation

(a) Every full-time member of the staff of each member organization shall, subject to article 52, become a participant in the Fund:

- (i) Upon commencing employment under an appointment for one year or longer, or upon accepting such an appointment while in employment, or
- (ii) 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 expressly excluded by the terms of his appointment.

(b) Participation shall cease when a benefit becomes payable to the participant or on his account, or when the organization by which he is employed ceases to be a member organization.

Article 22

Contributory service

(a) Contributory service shall accrue to a participant in pay status from the date of commencement to the date of cessation of his participation.

(b) Contributory service may accrue in respect of leave without pay if contributions are received by the Fund in accordance with article 25 (b).

(c) Additional contributory service may accrue to a participant if prior service is validated or restored in accordance with article 23 or 24, or if service in a member organization prior to its admission to membership has been recognized as contributory.

Article 23

Validation of non-contributory service

(a) A participant may elect, within one year of the commencement of his participation, to validate prior service during which he was not eligible under these Regulations for participation, provided that (i) participation succeeded the ending of such service within two years, (ii) the service was the most recent prior to his participation and had not been interrupted by a break of more than one year, (iii) participation had not, during such service, been expressly excluded by the terms of his appointment, and (iv) the totality of the period open to validation is elected.

(b) A beneficiary of the participant under these Regulations, other than the recipient of a residual settlement, may, if the participant has died before the expiry of the period within which the election may be made under (a) above, make the election on his behalf within such period.

(c) Validation shall be subject to receipt by the Fund of contributions in accordance with article 25 (c).

Article 24

Restoration of prior contributory service

(a) A former participant to whom a benefit under these Regulations, other than a disability benefit, has been or is being paid and who again becomes a participant after 1 January 1970, may, within one year of the re-commencement of his participation, elect to restore his prior contributory service in the Fund; the election may apply only to the totality of such service.

(b) The prior contributory service in the Fund of a former participant to whom a benefit under these Regulations is due but has not been paid, or to whom a disability benefit has been or is being paid, and who again becomes a participant, shall be restored.

(c) A beneficiary of the participant may make the election under (a) above, under the same conditions as a beneficiary under article 23 (b).

(d) Restoration under (a) above shall be subject to receipt by the Fund of contributions in accordance with article 25 (d).

Article 25

Contributions

(a) Contributions at the rate of 7 per cent of his pensionable remuneration by the participant and at the rate of 14 per cent of his pensionable remuneration by the employing member organization shall be payable to the Fund concurrently with the accrual of contributory service under article 22 (a).

(b) Contributions for the purpose of article 22 (b) in respect of a period of leave without pay shall be at the rate of 21 per cent of the pensionable remuneration of the participant, with interest, payable by the participant in full or by the organization in full, or in part by the participant and in part by the organization, within twelve months of the resumption of participation in pay status.

(c) Contributions for the purpose of validation under article 23 shall be payable, with interest, by the participant and the organization in the amounts which would have been payable respectively by each had service during the

period been contributory, except that in respect of a period of associate participation the amount payable by the organization shall be calculated on the basis of a contribution rate of 9.5 per cent.

(d) Contributions for the purpose of restoration under article 24 shall consist of the benefit, other than a disability benefit, received by the participant in respect of his previous participation, together with the refund, if any, received and repayable by the organization or organizations in respect of such participation under article 26, with interest from the date of payment of the benefit or refund.

(e) In any case in which a period of contributory service accrues, or is deemed to accrue, to a participant otherwise than in accordance with article 22, contributions shall be payable, with interest, by the participant in the amount which would have been payable had service during such period been contributory, and by the organization in an amount sufficient to meet any additional obligations to be borne by the Fund resulting therefrom.

Article 26

Refund of contributions to member organizations

The Fund shall, in the event that a participant entering the Fund on or after 1 January 1967 has, on separation, less than five years of contributory service and becomes entitled to a withdrawal settlement under article 32 (b) (i), refund to the employing member organization half of the contributions paid by it under article 25 in respect of contributory service subsequent to 31 December 1966.

Article 27

Deficiency payments

(a) In the event that an actuarial valuation of the Fund shows that its assets may not be sufficient to meet its liabilities under these Regulations, there shall be paid into the Fund by each member organization the sum necessary to make good the deficiency.

(b) Each member organization shall, subject to (c) below, contribute to this sum an amount proportionate to the total contributions which each paid under article 25 during the three years preceding the valuation date, less the refunds to which it is entitled under article 26.

(c) The contribution of an organization admitted to membership less than three years prior to the valuation date shall be determined by the Board.

PART V. BENEFITS

Article 28

Entitlement to benefits

(a) A participant who is not eligible for a retirement benefit under article 29 or a disability benefit under article 34 may elect on separation to receive an early retirement benefit or a deferred retirement benefit or a withdrawal settlement if he satisfies the conditions of article 30, 31 or 32 respectively.

(b) Retirement, early retirement and deferred retirement benefits shall be payable at periodic intervals for life.

Article 29

Retirement benefit

(a) A retirement benefit shall be payable to a participant whose age on separation is sixty years or more and whose contributory service was five years or longer.

(b) The benefit shall, subject to (c) below, be payable either:

- (i) At the standard annual rate which is obtained by multiplying the years of the participant's contributory service, not exceeding thirty, by 1/50 of his final average remuneration, or
- (ii) At the minimum annual rate which is obtained by multiplying the years of the participant's contributory service, not exceeding ten, by the smaller of 180 dollars or 1/30 of his final average remuneration, if the benefit so calculated would be greater than the amount under (i) above.

(c) The annual rate of the benefit shall nevertheless not be less, when no other benefit is payable on the account of the participant under these Regulations, than the smaller of 300 dollars or the final average remuneration of the participant.

(d) A benefit payable at the standard annual rate may be commuted by the participant into a lump sum:

- (i) If the rate is 300 dollars or more, to the extent of one third of its actuarial equivalent or the amount of his own contributions, whichever is greater, or
- (ii) If the rate is less than 300 dollars, to the extent of its full actuarial equivalent; if a participant is married, the prospective benefit payable to his spouse may also be commuted at the standard annual rate of such benefit.

(e) A benefit payable at the minimum annual rate or at the rate under (c) above may be commuted into a lump sum as in (d) above, if the participant elects to receive it instead at the standard annual rate.

Article 30

Early retirement benefit

(a) An early retirement benefit shall be payable to a participant whose age on separation is at least fifty-five but less than sixty and whose contributory service was five years or longer.

(b) The benefit shall be payable

- (i) At a rate equal in actuarial value, at the age of the participant on separation, to the standard annual rate for a retirement benefit, or
- (ii) If the contributory service of the participant was twenty-five years or longer, at the standard annual rate for a retirement benefit reduced, for each year or part thereof by which the age of the participant on separation was less than sixty, at the rate of 2 per cent per year.

(c) The benefit may be commuted by the participant into a lump sum to the extent specified in article 29 (d) for a retirement benefit.

Article 31

Deferred retirement benefit

(a) A deferred retirement benefit shall be payable to a participant whose age on separation is less than sixty and whose contributory service was five years or longer.

(b) The benefit shall be payable at the standard annual rate for a retirement benefit and shall commence at age sixty or, if the participant so elects, at any age not less than fifty-five, provided that in such event it shall be reduced so as to be equivalent in actuarial value, at the age at which the participant has elected to receive it, to a benefit commencing at age sixty.

(c) The benefit may be commuted by the participant into a lump sum:

- (i) If the rate of the benefit at age sixty is 300 dollars or more, equivalent to his own contributions, or
- (ii) If such rate is less than 300 dollars, equivalent to the full actuarial value of the benefit.

Article 32

Withdrawal settlement

(a) A withdrawal settlement shall be payable to a participant whose age on separation is less than sixty, or if he is sixty or more on separation but is not entitled to a retirement benefit.

(b) The settlement shall consist of:

- (i) His own contributions, if the contributory service of the participant was less than five years, or
- (ii) His own contributions increased by 10 per cent for each year in excess of five up to a maximum of 100 per cent, if the contributory

service of the participant was five years or longer, subject to (c) below.

(c) The settlement shall nevertheless, if the contributory service of the participant was five years or longer and commenced prior to 1 April 1961, consist of the aggregate of the following amounts if such aggregate is greater than the amount yielded by (b) (ii) above:

- (i) The withdrawal settlement which the participant would have received had separation been on 31 December 1966 and had the Regulations, actuarial bases and other provisions in force on 31 March 1961 remained in force; and
- (ii) The excess of the contributions which he actually made from 1 April 1961 to 31 December 1966 over the contributions which he would have made in respect of the same period had the Regulations, actuarial bases and other provisions in force on 31 March 1961 remained in force, with interest; and
- (iii) His own contributions from 1 January 1967 increased by 10 per cent for each year of contributory service in excess of five, whether before or after 1 January 1967, up to a maximum of 100 per cent.

Article 33

Deferment of payment or choice of benefit

(a) The payment to a participant of a withdrawal settlement, or the exercise by a participant of a choice available to him between one benefit and another, or between a form of benefit involving payment in a lump sum and another form, may be deferred at his request at the time of separation for a period of six months.

(b) A participant who has deferred a choice under (a) above shall, if his choice is not made within the period, be deemed to have chosen a deferred retirement benefit if his age on separation was less than sixty, and in any event a form of benefit payable otherwise than in a lump sum.

Article 34

Disability benefit

(a) A disability benefit shall, subject to article 42, be payable to a participant who is found by the Board to be incapacitated for further service in a member organization reasonably compatible with his abilities, due to injury or illness constituting an impairment to health which is likely to be permanent or of long duration.

(b) The benefit shall commence on separation or, if earlier, on the expiration of the paid leave due to the participant and shall continue for as long as the participant remains incapacitated, provided that after age fifty-five incapacity shall be deemed to be permanent.

(c) The benefit shall, if the age of the participant on entitlement is sixty years or more, be payable at the standard or the minimum annual rate for a retirement benefit as the case may be; if the age of the participant is less than sixty, the benefit shall be payable at the standard annual rate for a retirement benefit, provided that the rate shall not be less than the smaller of:

- (i) One third of the final average remuneration of the participant,
- (ii) The rate of the retirement benefit which would have been payable had the participant remained in service until age sixty and had his final average remuneration remained unchanged.

(d) The annual rate of the benefit shall, notwithstanding (c) above, not be less, when no other benefit is payable on the account of the participant under these Regulations, than the smaller of 300 dollars or the final average remuneration of the participant.

(e) A benefit which is discontinued shall, if a participant who has been separated does not upon such discontinuance again become a participant, be converted at his option to a deferred retirement benefit or a withdrawal settlement, calculated as at the date of commencement of the disability benefit.

(f) The Board may prescribe the extent to which and the circumstances in which a disability benefit may be reduced when the beneficiary, although remaining incapacitated within the meaning of this article, is nevertheless in paid employment.

Article 35

Widow's benefit

(a) A widow's benefit shall, subject to article 42 and to (b) below, be payable to the surviving female spouse of a participant who was entitled to a retirement, early retirement, deferred retirement or disability benefit at the date of his death, or who died in service, if she was married to him at the date of his death in service or, if he was separated prior to his death, she was married to him at the date of separation and remained married to him until his death.

(b) A benefit shall nevertheless not be payable if the participant had commuted his widow's prospective benefit under article 29 or 30, or had commuted a deferred retirement benefit under article 31 (c).

(c) The benefit shall, if the participant died in service or during entitlement to a retirement, early retirement or disability benefit, be payable at the standard annual rate of half the retirement or disability benefit which would have been payable to the participant had he become entitled thereto at the date of his death, or of half of his retirement, early retirement or disability benefit including such part thereof as may have been commuted, as the case may be, provided that the rate shall not be less than the smaller of:

- (i) 750 dollars; or
- (ii) Twice the standard annual rate above.

(d) The annual rate of the benefit shall, notwithstanding (c) above, not be less, when no other benefit is payable on the account of the participant under these Regulations, than the smaller of 300 dollars or the final average remuneration of the participant.

(e) The benefit shall, if the participant died after the commencement of a deferred retirement benefit which had not been commuted under article 31 (c), be payable at half the annual rate of such benefit and, if he died before its commencement, at the rate of half the actuarial equivalent at the date of his death of the annual rate of the benefit at age sixty.

(f) The benefit shall be payable at periodic intervals for life or until remarriage, provided that a benefit payable at an annual rate of less than 200 dollars may be commuted by the widow into a lump sum which is the actuarial equivalent of the benefit at the standard annual rate under (c) above, or the annual rate under (e) above, as the case may be.

(g) The benefit shall, where there is more than one surviving spouse, be divided equally between the spouses, and upon the death or remarriage of each such spouse shall be equally divided among the remainder.

(h) A lump sum in the amount of twice the annual rate of the benefit shall, unless (g) above applies, be payable to a surviving spouse upon remarriage.

Article 36

Widower's benefit

A widower's benefit, at the rates and under the conditions applicable in article 35 to a widow's benefit, shall be payable to the surviving male spouse of a participant.

Article 37

Child's benefit

(a) A child's benefit shall, subject to (b) and (c) below, be payable to each child of a participant who is entitled to a retirement, early retirement or disability benefit or who has died in service, while the child remains unmarried and under the age of twenty-one.

(b) A benefit shall be payable to a child who is over the age of twenty-one if the child is found by the Board to have been incapacitated by illness or injury for substantial gainful employment:

- (i) On reaching the age of twenty-one, if immediately prior thereto a child's benefit was payable, or
- (ii) At the time of the death in service or entitlement to a benefit of the participant.

A benefit payable as above shall continue for as long as the child remains incapacitated.

(c) A benefit shall, notwithstanding (a) and (b) above, not become payable, if the participant has chosen an early retirement benefit, until he dies or reaches the age of sixty.

(d) The benefit shall, during the continuance of any periodic benefit resulting from retirement, early retirement, disability or death in service, but subject to (e) and (f) below, be payable at the annual rate of one third of the benefit payable to the participant or, if the participant died in service, one third of the retirement or disability benefit which would have been payable to him had he become entitled thereto at the date of his death, subject to a minimum of 300 and a maximum of 600 dollars per annum.

(e) The benefit, if no other periodic benefit is payable and there is no surviving parent able, in the opinion of the Board, to support the child, or if the other periodic benefit payable is to a surviving spouse who is not a natural or adoptive parent and does not have custody of the child, and further subject to (f) below, shall be payable at the rate in (d) above increased by whichever is the greater of:

- (i) 300 dollars or one quarter of the retirement, early retirement or disability benefit from which it is derived, if one child's benefit is payable; and
- (ii) 600 dollars or half the retirement, early retirement or disability benefit from which it is derived, and divided by the number of eligible children, if more such benefits than one are payable.

(f) The total benefits payable under (d) above shall nevertheless not exceed an annual rate of 1,800 dollars, nor shall the total benefits under (d) or (e) above, added to any retirement benefit payable under article 29 (b), early retirement benefit under article 30 (b), disability, widow's or widower's benefit exceed the final average remuneration of the participant added to the total annual children's allowances payable to him by the member organization at the time he was separated.

(g) Benefits payable under this article shall be recalculated as may be required to achieve the purposes of (e) and (f) above.

Article 38

Secondary dependant's benefit

(a) A secondary dependant's benefit shall, subject to article 42 and to (b) below, be payable to not more than one surviving secondary dependant of a participant who was entitled to a retirement, early retirement, deferred retirement or disability benefit at the date of his death, or who died in service.

(b) A secondary dependant's benefit shall nevertheless not be payable:

- (i) Where a benefit is or was payable to a child or to the surviving spouse of the participant, and

(ii) In the case of a brother or sister, where the benefit payable to the participant was a deferred retirement benefit.

(c) The benefit shall be payable at the following rates:

(i) In the case of a mother or father, at the rates and under the conditions applicable in article 35 (b), (c), (d), (f) and (h) to a widow's or widower's benefit, save that the Board may, in the event of remarriage, decide in its discretion to continue the benefit;

(ii) In the case of a brother or sister, at the rate applicable in article 37 (d) to a child's benefit and shall be payable or shall continue to be payable beyond the age of twenty-one under the conditions of article 37 (b).

(d) In the event that more than one person is eligible under this article, the benefit shall be payable to the person designated by the participant prior to his death or, failing such designation or person, to the person designated by the Board.

Article 39

Residual settlement

(a) A residual settlement shall be payable if, upon the death of a participant and the exhaustion, as the case may be, of any entitlements due under these Regulations to his survivors, the total amount of the benefits paid to him and on his account is less than his own contributions.

(b) The settlement shall be payable to a beneficiary designated by the participant and alive when the payment is due; failing such beneficiary, the settlement shall be paid to the estate of the participant.

(c) The settlement shall consist of the participant's own contributions at the date of his separation or death in service, reduced by the total amount of the benefits paid to him and on his account.

Article 40

Limitation of entitlements during leave without pay

(a) Entitlement to a disability benefit or to a benefit payable in case of death, during a period of leave without pay granted for the performance of military service, shall instead be to a withdrawal settlement calculated as of the day immediately preceding the commencement of such leave, in accordance with article 32.

(b) In the event that a participant becomes entitled to a retirement, early retirement or deferred retirement benefit on separation during a period of leave without pay, a widow's, widower's, child's or secondary dependant's benefit shall not be payable unless entitlement thereto would have existed had the participant died on the day immediately preceding the commencement of such leave.

Article 41

Effect of re-entry into participation

(a) If a former participant who is entitled to a benefit under these Regulations again becomes a participant, he shall forfeit such entitlement upon restoration of his prior contributory service; if the prior contributory service of the participant is not restored, entitlement to the benefit, or to a benefit derived therefrom, shall be deferred until he dies or is again separated, provided that in this event the total benefits payable to him or on his account shall not exceed the benefits which would have been payable had his participation in the Fund been continuous.

(b) A participant whose benefit is deferred upon re-entry into participation and who does not elect to restore his prior contributory service shall be credited with a lump sum having the actuarial value which his benefit had at the date of re-entry into participation; on subsequent separation the participant shall receive an annuity equal in value to the sum with which his account had been credited at the date of re-entry, including interest. In the event of the death of the participant there shall be paid in respect of the benefit which was deferred such benefits as would have been payable if the participant had died on the day before he re-entered participation.

PART VI. GENERAL PROVISIONS

Article 42

Medical examination

(a) Every participant in the Fund shall be required to undergo a medical examination in accordance with the standards prescribed by the Board, unless the Board accepts the findings of an earlier medical examination.

(b) A participant who refuses to undergo such medical examination, and for whom the findings of an earlier examination are not accepted, shall not, until he has completed five years of contributory service, be entitled to a disability benefit under these Regulations, nor shall a widow's, widower's or secondary dependant's benefit be payable in the event of his death in service unless such period has been completed.

Article 43

Information from participants and beneficiaries

(a) A participant or beneficiary may be required to supply information, and to furnish documentary or other proof thereof, in respect of any matter on which information or proof is deemed desirable by the Board for the purposes of these Regulations.

(b) Failure to supply such information or proof, or the omission or misrepresentation of any material fact therein, shall enable the Board to redetermine the entitlements of the participant or beneficiary under these Regulations, provided that entitlement to participation or to a benefit shall not be less favourable than if the information or proof had been supplied or truly represented.

Article 44

Recovery of indebtedness to the Fund

The Board may deduct from any benefit payable under these Regulations to a participant, or on his account, the amount of any indebtedness to the Fund by the participant or by any beneficiary or third person to whom payment has been made otherwise than in accordance with these Regulations.

Article 45

Interest on unpaid benefits

The Fund shall not be liable for interest on any due but unpaid benefit.

Article 46

Non-assignability of rights

A participant or beneficiary may not assign his rights under these Regulations.

Article 47

Forfeiture of benefits

(a) The right to a withdrawal settlement or residual settlement shall be forfeit if for two years after payment has been due the beneficiary has failed to submit payment instructions or has failed or refused to accept payment.

(b) The right to a retirement, early retirement, deferred retirement or disability benefit shall be forfeit if for five years after the first payment has been due the beneficiary has failed to submit payment instructions or has failed or refused to accept payment.

(c) The right to continued periodic payments of a retirement, early retirement, deferred retirement or disability benefit shall be forfeit if for two years after a periodic payment has been due the beneficiary has failed to submit payment instructions or has failed or refused to accept payment.

(d) The right to a benefit shall nevertheless not be forfeit under (a), (b), or (c) above if its exercise has been prevented by circumstances beyond the control of the beneficiary.

(e) The Board may, if in its opinion there are circumstances which so warrant, restore the right to any benefit which has been forfeited.

Article 48

Currency

(a) Contributions under these Regulations shall be calculated and remitted to the Fund in dollars.

(b) Benefits shall be calculated in dollars and shall be payable in any currency selected by the recipient, at the rate of exchange for dollars obtained by the Fund on the date of payment.

Article 49

Jurisdiction of the United Nations Administrative Tribunal

(a) Applications alleging non-observance of these Regulations arising out of a decision of the Board may be submitted directly to the United Nations Administrative Tribunal by:

- (i) 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 21 of these 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;
- (ii) Any other person who can show that he is entitled to rights under these Regulations by virtue of the participation in the Fund of a staff member of such member organization.

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

(c) The decision of the Tribunal shall be final and without appeal.

(d) 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 Board.

PART VII. AMENDMENT AND ENTRY INTO FORCE

Article 50

Amendment

(a) The Board may recommend amendments to these Regulations to the General Assembly, which may amend these Regulations after consultation with the Board.

(b) The Regulations so amended shall enter into force as from the date specified by the General Assembly but without prejudice to rights to benefits acquired through contributory service prior to that date.

Article 51

Entry into force

(a) These Regulations shall enter into force and supersede all previous Regulations with effect from 1 January 1970.

(b) No provision shall be construed as applying retroactively to participants in the Fund prior to 1 January 1970 unless expressly stated therein or specifically amended to such effect by the General Assembly with due regard to the provisions of article 50.

PART VIII. TRANSITIONAL PROVISIONS

Article 52

Limitation on participation

An associate participant in the Fund on 31 December 1966 shall, if he remains in continuous service, continue to be an associate participant in accordance with article II *bis* of the Regulations in force on that date and shall only 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 service to or beyond five years.

For the purpose of (b) above, service before 1 January 1967 shall be deemed to have been continuous if a break or breaks therein do not total more than one year.

Article 53

Preservation of entitlement to retirement benefits

A participant in the Fund on 31 December 1966 whose service has been continuous since that date shall be entitled to a retirement benefit under article 29 of these Regulations notwithstanding that his contributory service was less than five years.

Article 54

Preservation of rights to voluntary deposits

A participant who, prior to the entry into force of these Regulations, had been authorized by the Board to deposit an amount in the Fund in accordance with article XVIII of the Regulations then in force shall be entitled, in respect of such authorization, to the benefit of that article as though it were still in force.

Supplementary Article A

Part-time employment

The provisions of these Regulations and of the Administrative Rules shall apply equally to members of the staff of each member organization whose employment is for at least half the time of full-time members of the staff, except that:

(a) The entitlement to and the amount of benefits resulting from such employment shall be reduced in the ratio which it bears to full employment; and

(b) Such employment prior to 1 January 1975 shall not be open to validation nor be taken into account for any other purpose.

ANNEX 1

Administrative Rules of the United Nations Joint Staff Pension Fund

INTRODUCTION

(a) The Board has, in terms of article 4 (b) of the Regulations, made the Administrative Rules contained in this annex, which enter into force and supersede all previous rules with effect from 1 January 1971.

(b) The Board, or the Standing Committee on its behalf, may amend these Rules from time to time as it deems desirable, and shall interpret them to the extent required to give effect thereto.

(c) In accordance with article 1 of the Regulations, the terms defined in that article shall bear the same meaning where they appear in these Rules.

(d) "Dependent", for the purpose of article 1 (r) of the Regulations, shall mean in receipt of financial support from the participant in an amount sufficient to meet the financial criteria established for payment of a secondary dependant's allowance under the Staff Regulations and Rules of the member organization by which the participant was employed immediately prior to his separation or death in service, whether or not such allowance was in fact payable.

(e) "In the name of the United Nations", for the purpose of article 18 of the Regulations, shall include the holding of assets in the name of a nominee or nominees of custodians for the United Nations.

(f) "Part-time employment", for the purpose of supplementary article A of the Regulations, shall mean employment under conditions requiring attendance for duty during at least half the normal weekly working hours prescribed by the member organization for the duty station at which the employment takes place.

SECTION A

Administration Manual

A.1 The Secretary of the Board shall be responsible, under the authority of the Board, for ensuring the observance of the Regulations and these Rules by the member organizations and the participants; he shall be empowered to issue, and revise from time to time as may be necessary, an Administration Manual in which shall be prescribed, to the extent that they are not contained herein, the procedures and forms which shall be used for the administration of the Fund.

SECTION B

Participation

B.1 Each member organization shall, upon fulfilment by a member of its staff of the conditions of article 21 of the Regulations, register his admission to the Fund as a participant by furnishing to the secretary of the staff pension committee of the organization such information with respect to him as the secretary may require, including the terms of his appointment; the organization shall thereafter notify the secretary of any changes which occur therein.

B.2 The information shall normally include the name of the participant and the date of commencement of his participation, his date of birth, sex and marital status, and, as the case may be, the names and dates of birth of his spouse, children under the age of 21, and secondary dependants; the organization shall verify, to the extent possible, the accuracy of the information furnished.

B.3 The participant shall be responsible for providing the information in B.2 above and for notifying the organization of any changes which occur therein; he may be required to submit documentary or other proof of such information to the organization or the secretary of the committee.

B.4 Information provided by or in respect of a participant or beneficiary under the Regulations or these Rules shall not be disclosed without his written consent or authorization.

B.5 The participant shall, as soon as practicable after the commencement of his participation, specify in writing, on a form provided for the purpose by the secretary of the committee, the secondary dependant, if any, or other person whom he designates as his beneficiary in the event of a benefit becoming payable under article 38 or 39 of the Regulations by reason of his death in service without a surviving spouse or child entitled to a benefit; any changes thereafter in such designation shall similarly be specified by the participant in writing.

B.6 A participant who is separated from the service of one member organization and enters the service of another without an interruption in the continuity of his employment shall, subject to article 21 of the Regulations, remain a participant in the Fund; where such continuity has been interrupted, participation shall be in accordance with article 21 of the Regulations.

B.7 A participant in the Fund who, within thirty days of his separation from the service of a member organization, becomes a member of the Staff Retirement Plan of the International Bank for Reconstruction and Development or the International Monetary Fund, or a member of the Plan who becomes in like manner a participant in the Fund, may, by election in writing on or before the date on which he becomes a member of the Plan or a participant in the Fund as the case may be, cause his pension entitlements in the one to be transferred to the other, in conformity with the terms of the agreement entered into for that purpose.

SECTION C

Medical examination

C.1 In accordance with article 42 (a) of the Regulations, a medical examination shall be carried out of each participant by the medical officer of the member organization by which he is employed, or a medical practitioner designated by him, prior to or as early as may be practicable after the commencement of his participation.

C.2 The examination shall be conducted in such manner as to determine whether or not the participant meets the medical standards, and may be waived if he has undergone a medical examination within twelve months prior to the commencement of his participation the results of which are acceptable to the medical officer.

C.3 A participant whose entitlements are restricted under article 42 (b) of the Regulations shall, upon undergoing a medical examination as provided in rules C.1 and C.2 above, be accorded his full entitlements.

SECTION D

Contributions and interest

D.1 Contributions at the rate of 7 per cent of his pensionable remuneration shall be deducted monthly by the member organization from the salary and emoluments of each of its participants in pay status and remitted in dollars to the Fund; the contributions of

a participant in partial pay status shall be on the basis of his full pensionable remuneration.

D.2 Contributions for the purpose of validation, restoration, or the accrual of contributory service during leave without pay shall be made in dollars in accordance with sections E, F and G below.

D.3 (a) Interest shall accrue each year or part of a year on a participant's contributions to the Fund; interest shall not, however, accrue in any year on contributions made during that year.

(b) For the purpose of accrual of interest under article 25 (b), (c), (d) or (e), article 32 and article 39 (d) of the Regulations, the interest shall be calculated to the end of each financial year and compounded annually at that date.

(c) In the calculation of interest, periods of less than one calendar month shall, if they amount to fifteen days or more, be treated as one month, and if they amount to less than fifteen days, be disregarded.

(d) For the purpose of calculating monthly instalments, including interest, for the amortization of amounts due under article 25 (b), (c) or (d), the interest shall be compounded annually.

D.4 The financial year of the Fund shall be the period 1 January to 31 December inclusive.

SECTION E

Validation of non-contributory service

E.1 A participant who elects to validate non-contributory service under article 23 (a) of the Regulations shall give notice in writing of his election to the secretary of the staff pension committee of the member organization by which he is employed, not later than twelve months after the commencement of his participation, and shall state in such notice the total period or periods of service which to his knowledge are open to validation.

E.2 (a) The secretary of the committee, if he is satisfied that the conditions of article 23 (a) have been fulfilled, shall notify the participant in writing of the contributions which would have been payable by him had the service been contributory, with interest to the date of the notice of election.

(b) The contribution of the member organization shall, except where the service validated is a period of associate participation, be twice the amount under (a) above.

E.3 The participant shall, unless rule E.4 below applies, remit the amount due by him in a lump-sum to the member organization within ninety days of the date of the notification under rule E.2 above, or prior to the date of his separation if earlier, failing which his right to validate shall be deemed to be cancelled.

E.4 (a) A participant whose non-contributory service included a period of associate participation may, in addition to the method prescribed in rule E.3 above, elect to make payment of the amount due by him, commencing within ninety days of the date of the notification under rule E.2, either:

- (i) In part in a lump-sum payable forthwith and in part in equal monthly instalments, with interest, over a period no longer than that of the non-contributory service to be validated; or
- (ii) In full in equal monthly instalments as in (i) above, provided that the total amount due shall be payable prior to the date of the participant's separation, and provided further that the total amount outstanding in instalments may be liquidated at any time, upon notice to the secretary of the committee, by an advance payment in a lump-sum, less interest for the balance of the instalment period.

(b) Payment shall be made, in accordance with the method selected by the participant under (a) above, by remittance to the organization within the time-limits applicable.

(c) In the event of default in the payment of a part lump-sum or in the first payment of an instalment, the right of the participant to validation shall be deemed to be cancelled; in the event of default thereafter, the participant shall be given notice in writing by the secretary of the committee to effect payment within ninety days, failing which his right to validation shall similarly be deemed to be cancelled.

(d) A participant whose right to validation is cancelled shall be credited with contributory service to the extent to which he has made payment under this rule, commencing with the service which was performed last, and shall forfeit the right to validate the remainder of the period.

E.5 (a) A beneficiary who elects to validate on behalf of a deceased participant under article 23 (b) of the Regulations shall give notice in the manner and within the period specified in rule E.1 above; he shall be notified of the amount due in accordance with rule E.2 above; and he shall remit such amount in a lump-sum to the member organization within ninety days of the date of notification.

(b) In the event that a participant dies after having elected to validate under rule E.1 above, but before the amount due by him has been remitted under rule E.3 or E.4, as the case may be, a beneficiary empowered to make an election on behalf of the participant under article 23 (b) shall be entitled, upon notice in writing to the secretary of the committee prior to payment of the benefit, to make or to complete such remittance in a lump-sum within ninety days of the date of notification to him by the secretary of the amount due.

(c) Failure by a beneficiary to comply with the provisions of (a) or (b) above shall be deemed to cancel his rights under article 23 (b).

E.6 A former participant who, during his participation, does not validate the non-contributory service then open to validation by him shall not, by virtue of a new period of participation, be entitled to validate such service.

SECTION F

Restoration of prior contributory service

F.1 A participant who elects to restore prior contributory service as a former participant under article 24 (a) of the Regulations shall give notice in writing of his election to the secretary of the staff pension committee of the member organization by which he is employed, not later than twelve months after the re-commencement of his participation.

F.2 (a) The secretary of the committee, if he is satisfied that the conditions of article 24 (a) have been fulfilled, shall ascertain from the Secretary of the Board the periods of prior contributory service of the participant, together with the benefits received and the interest thereon to the date of the notice of election, and shall notify the participant in writing of the total amount due.

(b) The amount due from the member organization shall be the amount of the refund, if any, received by it under article 26 of the Regulations, with interest as in (a) above.

F.3 The participant shall make, or commence, payment of the amount within ninety days of the date of the notification by the secretary under rule F.2 above, either:

(a) In full in a lump-sum; or

(b) In part in a lump-sum payable forthwith and in part in equal monthly instalments, with interest, over a period no longer than half the length of the prior contributory service elected to be restored; or

(c) In full in equal monthly instalments as in (b) above, provided that the total amount due shall be payable prior to the date of the participant's separation, and provided further that the total amount outstanding in instalments under (b) or (c) above may be liquidated at any time, upon notice to the secretary of the committee, by an advance payment in a lump-sum, less interest for the balance of the instalment period.

F.4 (a) Payment shall be made, in accordance with the method selected by the participant under rule F.3 above, by remittance to the organization within the time-limits applicable.

(b) In the event of default in the payment of a lump-sum, part lump-sum, or the first payment of an instalment, the right of the participant to restoration shall be deemed to be cancelled; in the event of default thereafter, the participant shall be given notice in writing by the secretary of the committee to effect payment within ninety days, failing which his right to restoration shall similarly be deemed to be cancelled.

(c) A participant whose right to restoration is cancelled shall be refunded forthwith the payments which he has made, with accrued interest, and shall forfeit any further right to such restoration.

F.5 A beneficiary who elects to restore on behalf of a deceased participant under article 24 (c) of the Regulations, or to make or complete the remittances due by a participant who had so elected prior to his death, shall be bound, *mutatis mutandis*, by the provisions of rule E.5.

SECTION G

Leave without pay

G.1 A participant who resumes pay status after a period of leave without pay shall, if he wishes contributory service to accrue to him in terms of article 22 (b) of the Regulations in respect of such period, give notice thereof in writing to the secretary of the committee, not later than nine months after the resumption of his participation in pay status; the notice shall include a statement of the extent, if any, to which the organization has agreed to contribute to the Fund on his behalf in respect of such period.

G.2 The secretary of the committee shall notify the participant in writing of the amount of the contributions due from him under article 22 (b), with interest to the date of the notice in rule G.1 above.

G.3 The participant shall remit the amount notified to him under rule G.2 above, to the organization, within 90 days of the date of the notification, or prior to his separation if earlier, failing which his right to contribute in respect of the period of leave without pay shall be deemed to be cancelled.

G.4 A participant who is separated while on leave without pay, and wishes contributory service to accrue to him in respect of such leave, shall give notice in like manner to the secretary of the committee, on or before the date of his separation; he shall be notified of the amount due by him in accordance with rule G.2 above, and shall remit such amount to the organization within 90 days of the date of the notification, failing which his right to contribute in respect of the leave without pay shall be deemed to be cancelled.

SECTION H

Determinations of incapacity and inability to engage in gainful employment

General

H.1 The determination of incapacity for the purpose of disability benefits under article 34 (a) and (b) of the Regulations and of children's and secondary dependants'

benefits under article 37 (b) shall, by virtue of powers hereby delegated in accordance with article 4 (c), be made in each case by the staff pension committee of the organization by which the participant is employed, subject to the provision that, failing unanimity, a determination with respect to a disability benefit shall be referred to the Standing Committee for decision.

H.2 The determination under article 36 that a surviving male spouse is without means to support himself and is unable, by reason of age or infirmity, to engage in substantial gainful employment shall be made in each case by the Standing Committee on behalf of the Board.

H.3 In each case in which a staff pension committee has determined that a participant or a child is incapacitated, or in which a determination with respect to a disability benefit has been referred to the Standing Committee for decision, the medical officer of the organization shall transmit a report on the medical aspects of the case to the Medical Consultant, who shall in turn report thereon as may be required by the Secretary of the Board.

Disability benefits (article 34)

H.4 A determination under article 34 (a) of the Regulations shall be made by the staff pension committee at the request of the organization:

(a) Whenever the appointment of a participant is terminated, or is proposed to be terminated, for reasons of health;

(b) Whenever on the expiry of the appointment of a participant there is reason to believe that he may be incapacitated within the meaning of article 34 (a);

(c) Whenever a participant is placed, or is proposed to be placed, on leave without pay for reasons of health.

H.5 A determination under article 34 (a) shall similarly be made at the request of a participant:

(a) Whenever the organization has not acted in accordance with rule H.4 above, or

(b) Whenever a participant alleges that on the date of separation he was incapacitated within the meaning of article 34 (a).

H.6 (a) The request shall be in writing, addressed to the secretary of the committee, and in the case of a participant shall be made not later than four months after the date of separation or commencement of leave without pay, unless in the opinion of the committee there are exceptional circumstances justifying submission of the request at a later date.

(b) The request shall state the material facts on which the organization or the participant relies and the conclusions which are deduced therefrom, and shall be accompanied where practicable by a report from the medical officer of the organization, or a medical practitioner retained by the participant, as the case may be.

(c) The organization, or the participant if the request has been submitted by him, may be required by the committee to provide further evidence or information thereon prior to a determination being reached.

H.7 (a) A determination that a participant is incapacitated within the meaning of article 34 (a) shall, until the participant reaches age fifty-five, be reviewed by the committee from time to time for the purpose of establishing his continued eligibility or otherwise for a disability benefit, in accordance with article 34 (b).

(b) The date for each such review shall be set by the committee, having regard to the opinion of the medical officer of the organization on the prospects for the participant's recovery, and in such manner that the interval between reviews does not normally exceed three years; the committee may nevertheless review a determination at an earlier date than that set for the review if there is reason to believe that the participant is no longer incapacitated.

(c) The participant shall be informed in writing by the secretary of the committee of the date or interval set for the review in each case and shall, as and when required, submit himself to a medical examination by the medical officer, or a medical practitioner designated by him, for the purpose of providing evidence enabling the committee to reach a further determination on the continuance or otherwise of his incapacity.

(d) Upon review, the committee shall continue a disability benefit if it determines that the participant remains incapacitated; it may suspend or discontinue a benefit if the participant has failed to submit to a medical examination when required to do so, or if the results of a medical examination are inconclusive; it may impose on the participant the fulfilment of a condition precedent to the continuation of a benefit or the removal of a suspension; and it shall discontinue a benefit when the evidence before it shows beyond reasonable doubt that the participant is no longer incapacitated, provided that a benefit so discontinued may be re-instated by the committee if it is satisfied, upon further evidence, that the participant was in fact then incapacitated.

H.8 (a) A disability benefit which is suspended or discontinued shall cease to be paid at the end of the third complete month after the month in which the decision was taken;

(b) A disability benefit which is re-instated after suspension or discontinuance shall re-commence from the date on which it ceased to be paid, unless the committee, after a review of the circumstances of the case, decides that it shall re-commence from a later date.

Disabled children's (and brother's or sister's) benefits (article 37 (b))

H.9 A determination under article 37 (b) shall be made by the staff pension committee whenever the child, or the brother or sister, of a participant, eligible in other respects for a child's or secondary dependant's benefit, claims, or is claimed, to be incapacitated by illness or injury for substantial gainful employment:

(a) Upon reaching the age of 21, if immediately prior thereto a child's or a secondary dependant's benefit was payable, as the case may be;

(b) Upon the death in service or entitlement to a retirement or disability benefit of the participant, if the child is then over the age of 21;

(c) Upon the death or attainment of the age of 60 of a participant entitled to an early retirement benefit, if the child is then over the age of 21 and is claimed to have been incapacitated at the date of the participant's separation;

(d) Upon the death of a participant entitled to a retirement, early retirement, or disability benefit, if a brother or sister is then over the age of 21 and is claimed to have been incapacitated at the date of the participant's separation.

H.10 The claim shall be made in writing, addressed to the secretary of the committee, by or on behalf of the child or secondary dependant, and shall be accompanied by a report from a medical practitioner on the nature of the illness or injury and the extent, if any, to which gainful employment is possible; in the case of rule H.9 (b) above, the report shall be submitted by the medical officer of the organization.

H.11 A determination that a child or secondary dependant is incapacitated within the meaning of article 37 (b) shall be reviewed, *mutatis mutandis*, in accordance with the provisions applicable to disability benefits in rules H.7 and H.8 above, save that the intervals between reviews may exceed three years.

SECTION I

Entitlement to benefits

I.1 Entitlement to a benefit shall, subject to rules I.3 and I.4 below but without further action by an organ of the Fund other than as may be required to determine

eligibility for a disability or incapacitated child's benefit under these Rules, vest in a participant and in the child of a participant on the day succeeding the last day of his contributory service; it shall vest in the widow, widower, secondary dependant, designated beneficiaries or estate of a participant on the day succeeding the day of his death if he died in service, and on the first day of the month succeeding his death if he died while in receipt of a periodic benefit.

I.2 Entitlement to a benefit under article 37 (a) of the Regulations shall continue to the end of the month in which the child marries or reaches the age of twenty-one.

I.3 Entitlement shall be subject to certification by the Secretary of the Board, in accordance with article 7 (c) of the Regulations, that the conditions for payment of the benefit have been fulfilled; the Secretary shall refer to the Standing Committee for decision any case in which he has declined so to certify.

I.4 Where, in the case of a disability benefit, a period of leave in pay status has succeeded a period of leave without pay for reasons of health, entitlement to the benefit shall vest as though the paid leave of the participant had been continuous.

SECTION J

Computation and payment of benefits

J.1 The member organization by which a participant is employed shall, upon his separation, inform the secretary of the staff pension committee of his last day of service and shall furnish such further information as the secretary may require for the purpose of computing his entitlements under the Regulations; the secretary, if he is in doubt as to the entitlements of the participant or on his account, may refer the matter to the committee before computing such entitlements.

J.2 (a) The participant shall specify in writing, on a form provided for the purpose by the secretary of the committee, the benefit and any commutation thereof which he elects in accordance with the Regulations, his instructions with respect to the method, currency and periodicity of payment, and the banking or other institution, if such be the case, to which payment should be made for his account;

(b) In the case of a periodic benefit, payment may at the option of the participant be made monthly in advance or quarterly in arrear without interest on the arrears;

(c) In the event that the currency selected by the participant is other than dollars, the Secretary shall be authorized (as an incident of making payment under article 48 (b)) to make such payment at the United Nations operational rate of exchange; the rate shall nevertheless, in the case of a participant whose remuneration under the terms of his appointment was expressed in a currency other than dollars, be such that the amount of a withdrawal settlement payable to him in such currency in accordance with article 32 (b) (i) shall not be less than the amount deducted from his remuneration for the purposes of article 25, without interest.

(d) In the event that the amount of a benefit paid in full in a lump-sum is found to be in error, a correction shall not be made unless the error exceeds five dollars.

(e) Benefits payable under the Regulations to the children of a participant shall, unless there are exceptional circumstances, be paid on their behalf to him and, upon his death, to the surviving parent or legal guardian of each child, in accordance, *mutatis mutandis*, with (a), (b), (c) and (d) above.

J.3 The participant shall at the same time, where there is a prospect that a benefit may become payable upon his death under article 38 or 39 of the Regulations, specify similarly the secondary dependant or other person designated as his beneficiary, as the case may be; in the absence of such designation, payment shall be made in accordance with the designation of the participant under rule B.4 above.

J.4 The contributory service of a participant which is used as a multiple to obtain the rate or amount of any particular benefit shall be calculated in years and fractions of

years, each complete calendar month being deemed equal to one twelfth of a year, and the total number of days comprised in the incomplete calendar months being apportioned by the addition of one month for each thirty days or part thereof of fifteen days or longer; a residual period of less than fifteen days shall be disregarded.

J.5 The contributory service of a participant which is used to determine his eligibility for a benefit shall be calculated according to the actual years, months and days comprised therein; for the purpose of determining his final average remuneration, incomplete months shall be disregarded except as provided in article 1 (*h*).

J.6 The contributory service of a participant shall not include unused annual leave accrued at the date of separation, for which compensation is paid; it shall, however, include any period in respect of which payment is made in lieu of notice of termination, unless the participant requests the exclusion of such period and provided that any portion thereof which is subsequent to the death of the participant shall be excluded.

J.7 The age of a participant shall be calculated in years and fractions of years from the date of his birth to the date of his separation, in accordance with the method prescribed for the calculation of contributory service in rule J.4 above; a participant shall nevertheless not be considered to have reached age fifty-five or age sixty until his fifty-fifth or sixtieth birthday, as the case may be, shall have elapsed.

J.8 The participant, and any person entitled through him to a periodic benefit from the Fund, shall be required from time to time to furnish, to the satisfaction of the Secretary of the Board, proof that he, and any person on whose behalf a benefit is paid to him, remains alive and, as the case may be, unmarried; the Secretary may, in his discretion, suspend payment of a benefit pending the receipt of such proof.

SECTION K

Review and appeal

General

K.1 The staff pension committee of each member organization shall, at the instance of any person who is entitled to submit an application under article 49 of the Regulations, review any decision taken by it or by its secretary in the exercise of powers conferred by the Regulations or these Rules.

K.2 The Standing Committee, acting on behalf of the Board, shall in like manner review any decision taken by it under rule H.1 or H.2 in which the medical conclusions are in dispute, any decision referred to it under rule K.6 below, and any decision by the Secretary of the Board which is not otherwise subject to review.

K.3 The decision shall, upon review, be either confirmed, rescinded, or varied to the extent necessary to bring it into conformity with the Regulations and these Rules.

K.4 An appeal shall lie to the Standing Committee, acting on behalf of the Board, from the decision of a staff pension committee taken upon review, and to the United Nations Administrative Tribunal, in accordance with article 49 of the Regulations, from the decision of the Standing Committee taken either upon appeal as above or upon review under rule K.2.

Procedure for review

K.5 A review shall be initiated by delivery to the secretary of the staff pension committee, or to the Secretary of the Board if the review is by the Standing Committee, within thirty days of receipt of notification of the disputed decision, of a notice in writing stating the points of fact or of law contained in the decision which are disputed, and the grounds upon which the request for the review is founded; the staff pension committee, or the Standing Committee as the case may be, may nevertheless, upon good cause shown, accept for review a request of which notice was delivered after the expiry of the period prescribed above.

K.6 A review by a staff pension committee shall, unless rule K.7 below applies, be completed within sixty days of the delivery of the notice prescribed under rule K.5 above, failing which the request shall be referred by the secretary to the Secretary of the Board and the review shall thereupon be made instead by the Standing Committee on behalf of the Board.

K.7 (a) Where the outcome of the review turns in whole or in part on the medical conclusions on which the disputed decision was based, the staff pension committee, or the Standing Committee as the case may be, shall obtain the advice of a medical board on the correctness or otherwise of such conclusions before proceeding with the review;

(b) The medical board shall consist of a medical practitioner selected by the participant or person requesting the review, the medical officer of the organization or a medical practitioner designated by him, and a third medical practitioner selected in agreement by the former two who shall not be the medical officer of a member organization; the board shall undertake such further examination of the medical conclusions at issue, and/or of the person who is the subject of the review, as it considers desirable, and shall report its conclusions in writing to the staff pension committee or the Standing Committee, as the case may be, which shall thereupon proceed with the review.

(c) If the decision resulting from the review varies the disputed decision, the medical fees and expenses of the board shall be borne by the Fund; if the disputed decision is confirmed, the medical fees and expenses of the practitioner selected by the participant or person requesting the review and half the medical fees and expenses of the third practitioner shall be borne by him and the remainder by the Fund; indebtedness by a participant under this rule may be recovered in accordance with article 44 of the Regulations.

Procedure for appeal

K.8 (a) An appeal to the Standing Committee, acting on behalf of the Board, from the decision of a staff pension committee taken upon review shall be initiated by delivery to the Secretary of the Board, within sixty days of notification of the decision appealed against, of a notice in writing stating the points of fact or of law contained in the decision which are disputed, and the grounds upon which the appeal is founded; the Standing Committee may nevertheless, upon good cause shown, agree to consider an appeal notice of which was delivered after the expiry of the period prescribed above.

(b) An appeal to the United Nations Administrative Tribunal from the decision of the Standing Committee, acting on behalf of the Board, shall be in accordance with the Statute and Rules of the Tribunal.

ANNEX II

Rules of Procedure of the United Nations Joint Staff Pension Fund

The following provisional Rules of Procedure were approved under article 4 (b) of the Regulations by the Standing Committee on behalf of the Board at its 131st meeting on 4 December 1970, and enter into force on 1 January 1971:

SECTION A

United Nations Joint Staff Pension Board

A.1 In accordance with article 5 of the Regulations, the Board shall be composed as indicated in appendix I below. The Board shall meet in regular session not less frequently than once in every two years at a time and place to be decided by the Board or its Standing Committee.

A.2 Before each regular session of the Board, the secretaries of the staff pension committees shall notify the Secretary of the Board of the names of the persons appointed by the committees as members and alternate members of the Board in accordance with article 5. They shall remain accredited until the next regular session of the Board unless the Secretary of the Board is notified that a committee has made a change in its representation.

A.3 Special sessions of the Board shall be held upon the decision of the Board or of the Standing Committee, or at the request of a majority of the members of the Board. The time and place of a special session shall be decided by the Standing Committee.

A.4 All sessions of the Board shall be convened by the Secretary. Items which are proposed by any member of the Board or by any staff pension committee, at least one month before the beginning of a regular session or fourteen days before the beginning of a special session, shall be placed by the Secretary on the provisional agenda and communicated to each member of the Board and to the secretaries of the committees accompanied by the necessary documentation. Other items may be added to the agenda either at the beginning of a session or during a session if the Board so decides.

A.5 Subject to the provisions of the Regulations and of these rules, the Board shall adopt its own procedures. A majority of the members entitled to be present at the Board shall constitute a quorum, provided that not less than two members from each of the three following groups are present:

(a) The representatives of the General Assembly of the United Nations and the corresponding bodies of the other member organizations;

(b) The representatives of the competent authorities of member organizations;

(c) The representatives of the participants.

A.6 Decisions of the Board shall be taken by a majority of the members present and voting.

A.7 At the opening of each regular session, the Board shall elect a chairman and two vice-chairmen who shall preside at the meetings of the Board until their successors are elected.

A.8 A report of each session of the Board shall be prepared under the responsibility of the Secretary and approved by the Board. It shall be distributed as soon as possible to all members of the Board through the secretaries of the staff pension committees.

A.9 Staff pension committees shall have the right to be represented by observers at all sessions of the Board. Each committee may be so represented by no more than two such observers who shall not have the right to vote in the Board. Observers shall have the right to speak with the permission of the Chairman.

A.10 The meetings of the Board shall be held in private. The records and all correspondence of the Board shall be private and kept in the care of the Secretary of the Board.

SECTION B

Standing Committee

B.1 At each regular session the Board shall appoint a Standing Committee composed of nine members (together with one or more alternate members for each of them) elected from the members and alternate members of the Board or of staff pension committees. The representational distribution shall be as indicated in appendix 2 below. If an organization or group of organizations represented on the Standing Committee is unable to send its duly appointed member or alternate member to a meeting of the Standing Committee, it shall have the right to be represented by an observer, who shall not have the right to vote. Observers shall have the right to speak with the permission of the Chairman.

B.2 Whenever between sessions of the Board a member or alternate member of the Standing Committee resigns or ceases to be a member or alternate member of a staff pension committee, another member or alternate member shall be appointed by the committee to which the former member or alternate member belonged, to serve till the next regular session of the Board.

B.3 At its first session following the regular session of the Board, the Standing Committee shall elect a chairman and a vice-chairman who shall serve until a new Standing Committee has been appointed by the Board.

B.4 The Standing Committee shall act, when necessary, on behalf of the Board when the Board is not in session. It shall decide individual cases referred to it, exercise a general control on the operations of the Fund and perform such additional specific functions as may from time to time be assigned to it by the Board. The Standing Committee may on its own initiative and shall at the request of the Board or of any staff pension committee initiate preparatory work on any policy questions to the end that such questions be effectively considered by the Board.

B.5 The Standing Committee shall submit a report to the Board at each regular session on action taken by it since the previous regular session.

B.6 Meetings of the Standing Committee shall be convened by the Secretary upon the instructions of the Chairman, after consultation with its members.

B.7 Records of all meetings of the Standing Committee shall be prepared under the responsibility of the Secretary and approved by the Committee. They shall be distributed as soon as possible to the members of the Standing Committee through the secretaries of the staff pension committees.

B.8 Five members shall constitute a quorum, provided that the three groups comprising a committee under the provisions of article 6 of the Regulations are represented. Decisions of the Standing Committee shall be taken by a majority of the members present and voting.

B.9 The meetings of the Standing Committee shall be private and records and all correspondence kept in the care of the Secretary of the Board.

SECTION C

Staff Pension Committees

C.1 The composition of the staff pension committee of each member organization shall be in accordance with the provisions of article 6 of the Regulations. Each

committee shall hold at least one regular meeting each year. Special meetings shall be held either at the decision of the chairman, at the request of the competent authority or at the request in writing of three members.

C.2 A majority of the members entitled to be present shall constitute a quorum, provided that the three groups comprising the committee under the provisions of article 6 are represented. Subject to Administrative Rule H.1, decisions of the committee shall be taken by a majority of the members present and voting.

C.3 Each committee shall elect a chairman at its first regular session of each year.

C.4 Each committee may appoint a standing committee to transact current business when the committee is not in session. Each of the three groups comprising the committee shall be represented on the standing committee. Any action taken by the standing committee shall be reported to the committee at its following session.

C.5 Records of all meetings of the committee and its standing committee shall be prepared under the responsibility of the secretary of the committee. They shall be approved by the committee and distributed as soon as possible to all members of the committee and to the Secretary of the Board.

C.6 Subject to the provisions of the Regulations and of these rules, each committee shall regulate its own procedures.

C.7 Upon the recommendation of each committee, the competent authority of each member organization shall appoint a secretary and may appoint a deputy-secretary to the committee.

C.8 The meetings of the committees shall be held in private. The records and all correspondence of the committee shall be private and kept in the care of the secretary of the committee.

C.9 Communications between participants and the Secretary of the Board shall normally be made through the secretaries of committees, but any participant may, if circumstances warrant, communicate directly with the Secretary of the Board, who shall inform whenever appropriate the secretary of the committee.

C.10 Each committee may delegate to its secretary, subject to such procedure for supervision and reporting as the committee may consider appropriate, the power of acting on its behalf in connexion with all straightforward individual cases, except those involving disability.

SECTION D

Medical Consultant

D.1 The Board or the Standing Committee shall appoint a Medical Consultant, who shall assist the Board in all medical questions.

D.2 In order to ensure the uniform application of the medical standards prescribed by the Board, the Medical Consultant and the medical officers of the member organizations shall maintain a continuous and regular contact. The medical officers of the member organizations may be invited by the Medical Consultant to furnish information on the manner in which these medical standards are being applied by them and shall, when requested, furnish to the Medical Consultant the relevant medical information as determined by him.

D.3 The Medical Consultant shall prepare an annual report on the application of the medical standards prescribed by the Board and on medical information affecting the granting of benefits from the Fund.

Appendix I

COMPOSITION OF THE BOARD

I	United Nations	6 members	2 from members of the United Nations Staff Pension Committee elected by the General Assembly 2 from members of the United Nations Staff Pension Committee appointed by the Secretary General 2 from members of the United Nations Staff Pension Committee elected by participants
II	ILO	2 members	4 from members of staff pension committees elected by the bodies corresponding to the General Assembly
	WHO	2 members	
	FAO	2 members	4 from members of staff pension committees appointed by the chief executive officers of the specialized agencies
	UNESCO	2 members	
	ICAO	2 members	
IAEA	2 members	4 from members of staff pension committees elected by participants	
III	WMO	1 member	1 from members of staff pension committees elected by the bodies corresponding to the General Assembly
	IMCO	1 member	1 from members of staff pension committees appointed by the chief executive officers of the specialized agencies
	ITU	1 member	1 from members of staff pension committees elected by participants

For each specialized agency or group of specialized agencies listed in the table above the following groups shall be represented during the years indicated below ^a

	1975 1977	1977 1979	1979 1981	1981 1983	1983 1985
ILO	CB P	DG P	CB DG	GB P	DC P
WHO	GB DG	CB P	DC P	CB DC	CB P
FAO	CB P	DG P	CB DC	CB P	DC P
UNESCO	GB DC	CB P	DC P	CB DC	CB P
ICAO	DC P	GB DC	CB P	DC P	CB DC
IAEA	DC P	GB DC	GB P	DC P	CB DC
WMO	P	GB	DC	P	CB
IMCO	GB	DG	P	CB	DC
ITU	DC	P	CB	DC	P

^a Abbreviations used CB Covering body
 DG Director General
 P Participants

Appendix 2

COMPOSITION OF THE STANDING COMMITTEE

I	United Nations	3 members	1 from members of the United Nations Staff Pension Committee elected by the General Assembly 1 from members of the United Nations Staff Pension Committee appointed by the Secretary General 1 from members of the United Nations Staff Pension Committee elected by participants
II	ILO WHO WMO IAEA IMCO ITU	1 member 1 member 1 member	1 from members of staff pension committees elected by the bodies corresponding to the General Assembly of the United Nations 1 from members of staff pension committees appointed by the chief executive officers of the specialized agencies 1 from members of staff pension committees elected by participants
III	FAO UNESCO ICAO	1 member 1 member 1 member	1 from members of staff pension committees elected by the bodies corresponding to the General Assembly of the United Nations 1 from members of staff pension committees appointed by the chief executive officers of the specialized agencies 1 from members of staff pension committees elected by participants

For each specialized agency or group of specialized agencies listed in the table above the following groups shall be represented during the years indicated below ^a

	1975 1977	1977 1979	1979 1981	1981 1983	1983 1985
ILO	GB	P	DC	GB	P
WHO	DC	CB	P	DC	CB
WMO IAEA IMCO ITU	P	DC	GB	P	DC
FAO	CB	P	DC	CB	P
UNESCO	DC	GB	P	DC	CB
ICAO	P	DC	CB	P	DC

- ^a GB Governing body
DC Director General
P Participants