

English

Les Livrets
Thématiques

Transfer agreement

United Nations
Joint Staff Pension Fund

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Introduction

The United Nations Joint Staff Pension Fund (UNJSPF) Regulations and Rules govern the conditions of participation and the determination of the deriving entitlements.

The rules are numerous and complex; the purpose of this booklet is to guide you, facilitate your understanding and assist you with information on pertinent issues affecting your pension rights when transferring from one employer to another.

Disclaimer: The information is made available for the convenient use of the UNJSPF participants and beneficiaries. If there is an ambiguity, inconsistency or conflict between the information provided and the UNJSPF Regulations and Rules, any decisions will be based on the Regulations and Rules, and not on the information contained in this booklet.

Contents

What is the purpose of Transfer Agreements?

How many member organizations are there?

What happens if I transfer from one of the Fund's member organizations to another?

What Transfer Agreements has the UNJSPF entered into?

What do transfer of pension rights entail?

Are the same calculation methods applied to the various Transfer Agreements?

Is there a deadline to request a transfer of pension rights?

Can I get an estimate from the UNJSPF of my accrued pension rights?

Can I get an estimate from the UNJSPF of the service credit to be granted in the UNJSPF?

In the absence of a Transfer Agreement, can I still transfer my pension rights from my former employing organization to the UNJSPF?

Assuming a Transfer Agreement has been concluded by the UNJSPF and my former employing organization:

- a) How does it work if I wish to transfer my accrued pension rights to the UNJSPF?**
- b) Can I still transfer my pension rights to UNJSPF if I have withdrawn my benefits from the Pension Scheme of my former employing organization?**
- c) Is it compulsory to transfer my pension rights to the UNJSPF?**
- d) Is it always beneficial to transfer my pension rights?**

Assuming a Transfer Agreement has been concluded by the UNJSPF and my new employing organization, how does it work if I wish to transfer my accrued pension rights from the UNJSPF?

May I apply for transfer of pension rights while on leave-without-pay (LWOP)?

Is assignment on a reimbursable loan or secondment covered under Transfer Agreements?

Annexes

- I UNJSPF Member Organizations**
- II UNJSPF list of concluded transfer agreements.**
- III Regulations: articles 3,13 and 21 and Administrative rules: Section L, rule L.1**



What is the purpose of Transfer Agreements?

Pension Transfer Agreements are designed, in part, to accommodate the transfer of staff between employers, **other than the Pension Fund's member organizations**, by securing continuity of their pension rights.

How many UNJSPF member organizations are there?

As of 1 January 2005, twenty-one international organizations are members of the United Nations Joint Staff Pension Fund (UNJSPF). A list of the organizations is contained in Annex I and may also be obtained from the Fund's website at www.unjspf.org.

What happens if I transfer from one of the Fund's member organizations to another?

If your service ends in one member organization but continues in another, or if you join another member organization with a break of less than 36 months in your Pension Fund participation and without a benefit having been processed or paid to you, your entitlements and obligations as a UNJSPF participant continue and are linked. No action would be necessary on your part since the member organizations in question would automatically report your participation status directly to the Fund.

What Transfer Agreements has the UNJSPF entered into?

The UNJSPF has entered into Transfer Agreements with a number of international organizations and Governments. A list of those Transfer Agreements (including those that have been terminated or suspended) is contained in Annex II and may also be obtained from the Fund's website at www.unjspf.org.

What do transfer of pension rights entail?

In general terms, the "releasing" Pension Plan calculates the present value of the accrued pension rights of the transferring employee. The "receiving" Plan

calculates the period of pensionable service credit granted upon receipt of the transfer payment, based on its actuarial assumptions adopted for this purpose.

Are the same calculation methods applied to the various Transfer Agreements?

No. As regards transfers to or from the International Monetary Fund (IMF), the Inter-American Development Bank (IADB), and the World Trade Organization (WTO) the amount of funds transferred is set forth in the applicable agreements and the period of service credited under the “receiving” Plan is equal to that accrued under the “sending” Plan on a straight one-to-one basis. This is known as an “Inner Circle” agreement.

However, the majority of the Transfer Agreements are so called “Outer Circle” agreements, because the pension schemes of the respective organizations/governments are not substantially equivalent to that of the UNJSPF. For these Agreements (i.e. all agreements with the exception of those with IMF, IADB, and WTO), the amount of the transfer value payable by the “sending” Plan is computed under the terms and conditions laid down in the Transfer Agreement. **For transfers to the UNJSPF**, the transfer value remitted would result in the recognition of additional pensionable service credits in the UNJSPF, with the length of such service being determined through an actuarial calculation performed by the Consulting Actuary for the UNJSPF. **For transfers from the UNJSPF** to a “receiving” Plan, the transfer payment is determined as the **larger** of the actuarial value of the accrued UNJSPF pension rights or the withdrawal settlement due under Article 31 of the UNJSPF Regulations. For further details, please see the full text of the relevant Transfer Agreements, which can be obtained from the Fund’s website at www.unjspf.org. On that site, click on Documents and Publications and when the listing comes up click on “Agreements on Transfer of Pension Rights”.

Is there a deadline to request a transfer of pension rights?

Yes, information on the deadline and other eligibility conditions is contained in each Transfer Agreement. As the terms and conditions of the individual Transfer Agreements differ, it is strongly recommended that you read the agreement relevant to your case. These agreements are available on the Fund’s website at www.unjspf.org. (see above)

Can I get an estimate from the UNJSPF of my accrued pension rights?

Yes, you should submit a written request for such an estimate. However, a final determination can be made only after your separation from service and confirmation that you are eligible to transfer your accrued pension rights under a Transfer Agreement.

Can I get an estimate from the UNJSPF of the pensionable service credits to be granted in the UNJSPF?

Yes, once you know the transfer amount from your “sending” Plan, you can request an estimate of the length of the additional pensionable service credits to be granted in the UNJSPF, before making the definitive decision to transfer your pension rights to the UNJSPF.

In the absence of a Transfer Agreement, can I still transfer my pension rights from my former employing organization to the UNJSPF?

No, transfers of pension rights into or from the UNJSPF are only permitted where an applicable transfer agreement is in effect.

Assuming a Transfer Agreement has been concluded by the UNJSPF and my former employing organization:

a) How does it work if I wish to transfer my accrued pension rights to the UNJSPF?

Once you become a UNJSPF participant, you should promptly inform in writing both your former employer and the UNJSPF of your interest in transferring your accrued pension rights to the UNJSPF. After your eligibility to transfer has been verified, you should ask your former employer to inform the UNJSPF of the amount available for such transfer. The UNJSPF would then give you an estimate of the additional pensionable service credit in the UNJSPF that would result. You would then have to decide whether or not to proceed with the transfer. After the transfer payment has been actually made to the UNJSPF, you would be notified of the additional pensionable service credits that you received in the UNJSPF.

b) Can I still transfer my pension rights to UNJSPF if I have withdrawn my benefits from the Pension Scheme of my former employing organization?

No. In these circumstances the option of availing yourself of the Transfer Agreement would not be open to you. For application of the Transfer Agreement, the payment of the transfer value representing your accrued pension rights would have to come to the UNJSPF directly from the Pension Scheme of your former employing organization.

c) Is it compulsory to transfer my pension rights to the UNJSPF?

No, because each participant decides on his or her own whether or not to elect to transfer accrued pension rights under the applicable Transfer Agreement. Any transferring employee who decides not to transfer his or her pension rights will retain all rights to individual benefits under his or her current plan, as they apply upon separation from service.

d) Is it always beneficial to transfer my pension rights?

No, because often a transferring employee would receive substantially less in pensionable service credits than he or she accrued with the “sending” Plan. The decision whether or not to transfer would depend on the combined benefits that you would expect to receive from the “receiving” Plan when you eventually separate from that organization, as opposed to taking a benefit from the “sending” Plan and then getting a separate benefit from the “receiving” Plan.

Assuming a Transfer Agreement has been concluded by the UNJSPF and my new employing organization, how does it work if I wish to transfer my accrued pension rights from the UNJSPF?

After your eligibility to transfer has been verified, you may request the UNJSPF to provide you with an estimate of the transfer value, to enable you to learn what you would receive under the “receiving” Plan if you were to proceed with the transfer of your accrued UNJSPF pension rights. Should you decide definitively to go ahead with the transfer, the precise transfer value under the applicable Transfer Agreement would be determined and the UNJSPF would remit the amount in question to the “receiving” Plan.

May I apply for transfer of pension rights while on leave-without-pay (LWOP)?

No, you must separate from service before applying for transfer of your pension rights. Transfer of accrued pension rights at the end of a leave-without-pay period is governed by the provisions of the applicable Transfer Agreement and can be done only after your LWOP is terminated.

Is assignment on a reimbursable loan or secondment covered under Transfer Agreements?

No, the UNJSPF Regulations and Rules make no provision for the assignment of Fund participants on a reimbursable loan or secondment to non-member organizations of the Fund.

Annex I

UNJSPF Member Organizations

United Nations (UN) and its family of organizations

European and Mediterranean Plant Protection organization (EPPO)

Food and Agriculture Organization of the United Nations (FAO)

International Atomic Energy Agency (IAEA)

International Centre for Genetic Engineering and Biotechnology (ICGEB)

International Centre for the Study of the Preservation and the Restoration of Cultural Property (ICCROM)

International Civil Aviation Organization (ICAO)

International Criminal Court (ICC)

International Fund for Agricultural Development (IFAD)

International Labour Organization (ILO)

International Maritime Organization (IMO)

International Seabed Authority (ISA)

Inter-Parliamentary Union (IPU)

International Telecommunication Union (ITU)

International Tribunal for the Law of the Sea (ITLOS)

United Nations Educational Scientific and Cultural Organization (UNESCO)

United Nations Industrial Development Organization (UNIDO)

World Health Organization (WHO)

World Intellectual Property Organization (WIPO)

World Meteorological Organization (WMO)

World Tourism Organization (WTO)

The UNJSPF member organizations as of 1 January 2005 are listed above. Future changes to the above listing may be obtained from the Fund's website at www.unjspf.org

Annex II

UNJSPF Transfer Agreements – concluded under article 13 of Fund's Regulations

Government of Canada – one-way agreement for staff seconded to a member organization of the UNJSPF, effective 1 January 1971

European Free Trade Association (EFTA) - effective 1 January 1980

European Union (EU)¹ - effective 1 January 1980

European Space Agency (ESA) - effective 1 January 1980

International Monetary Fund (IMF) - effective 1 January 1980

European Centre for Medium Range Weather Forecasts (ECMWF) - effective 1 January 1981

Organization for Economic Co-operation and Development (OECD) - effective 1 January 1981

Inter-American Development Bank (IADB) - effective 1 January 1993

Asian Development Bank (ADB) - effective 1 January 1995

European Bank for Reconstruction and Development (EBRD) - effective 1 January 1995

World Trade Organization (WTO) - effective 1 January 2001

European Organization for the Safety of Air Navigation (Eurocontrol) - effective 1 January 2003

Organization for Security and Co-operation in Europe (OSCE) - effective 1 January 2003 (one-way only, i.e., covering only staff who transfer from the OSCE into the UNJSPF)

Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (CTBTO) - effective 1 January 2005

Universal Postal Union (UPU) - effective 1 January 2005

TERMINATED:

International Bank for Reconstruction and Development (IBRD) - terminated in March 2000

Government of Canada - Bilateral agreement terminated in October 2000

SUSPENDED:

Government of the Union of Soviet Socialist Republics

Government of the Ukrainian Soviet Socialist Republics

Government of the Byelorussian Soviet Socialist Republic

These agreements were suspended as of January 1992.

¹ The transfer agreement was actually negotiated with the predecessor organization of the "European Union," namely the "European Communities."

Annex III

Article 3
Membership

Article 13
Transfer of Pension
Rights

Article 21
Participation

Section L
Transfer agreement

Regulations

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:
(For list please refer to Annex I)
- (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 agreement reached with the Board as to the conditions which shall govern its admission.

Article 13

TRANSFER OF PENSION RIGHTS

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

Article 21

PARTICIPATION

- (a) Every full-time member of the staff of each member organization shall become a participant in the Fund:
 - (i) Upon commencing employment under an appointment for six months or longer or upon accepting such an appointment while in employment; or,
 - (ii) Upon completing, in the same or more than one member organization, six months of service without an interruption of more than thirty days,

whichever is earlier, provided that participation is not expressly excluded by the terms of staff member's appointment.

- (b) Participation shall cease when the organization by which the participant is employed ceases to be a member organization, or when he or she dies or separates from such member organization, except that participation shall not be deemed to have ceased where a participant resumes contributory service with a member organization within 36 months after separation without a benefit having been paid.

Administrative Rules

Section L

TRANSFER AGREEMENT

L.1 A participant in the Fund may avail himself or herself of the provisions of any agreement entered into by the Fund for the purpose of securing continuity of pension rights under article 13 of the Regulations of the Fund, in accordance with the terms of the relevant agreement.



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***Obtain more information on the Pension Fund Web Site
www.unjspf.org***

***The secretariat of the
Staff Pension Committee will assist participants from member
organisations.***