

cial year ended 31 December 1954 and the certificate of the Board of Auditors;⁵

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in paragraphs 224 to 226 of its first report⁶ to the General Assembly at its tenth session.

*539th plenary meeting,
3 November 1955.*

953 (X). Annual report of the United Nations Joint Staff Pension Board

The General Assembly

Takes note with satisfaction of the annual report⁷ of the United Nations Joint Staff Pension Board.

*539th plenary meeting,
3 November 1955.*

954 (X). Report of the United Nations Joint Staff Pension Board on the third actuarial valuation of the United Nations Joint Staff Pension Fund as of 30 September 1954

The General Assembly

1. *Takes note* of the report⁸ of the United Nations Joint Staff Pension Board on the third actuarial valuation of the United Nations Joint Staff Pension Fund as of 30 September 1954;

2. *Takes note* of the observations thereon of the Advisory Committee on Administrative and Budgetary Questions as set forth in its third report⁹ to the General Assembly at its tenth session.

*539th plenary meeting,
3 November 1955.*

955 (X). Amendments to the Regulations of the United Nations Joint Staff Pension Fund

The General Assembly

Adopts the texts annexed to the present resolution as amendments to the Regulations of the United Nations Joint Staff Pension Fund. These amendments shall become effective from the date of their adoption.

*539th plenary meeting,
3 November 1955.*

ANNEX

Article I, paragraph 4 (amended text)

"Final average remuneration" means the average annual pensionable remuneration of the participant during the last five years of his contributory service. Where the participant has less than five years of contributory service, the final average remuneration shall mean the average annual pensionable remuneration during the actual period of contributory service.

Article II, paragraph 2 (amended text)

The foregoing provision shall apply to the Registrar and every full-time officer of the Registry of the International Court of Justice except that the occupant of the position of Registrar as at 16 December 1954 shall become a participant notwithstanding that he was over sixty years of age at the time of his appointment.

⁵ *Ibid.*, Tenth Session, Supplement No. 6D (A/2900).

⁶ *Ibid.*, Supplement No. 7 (A/2921).

⁷ *Ibid.*, Supplement No. 8 (A/2914).

⁸ *Ibid.*, Supplement No. 8A (A/2916).

⁹ *Ibid.*, Tenth Session, Annexes, agenda item 44, document A/2986.

Article IV, paragraph 3 (amended text)

A participant who is entitled under this article to a benefit which is less than \$180 per annum may, prior to the date on which the first payment of his retirement benefit becomes due and with the consent of the Joint Staff Pension Board receive the whole benefit payable to him in the form of a lump sum which is the actuarial equivalent of his benefit. In the case of a participant who is married at the date of retirement, he may also receive the actuarial equivalent of the prospective benefit which would be payable on his death under article VII, 2(a).

Article VII, paragraph 2(a) (amended text)

If a married man who is a recipient of a retirement benefit as provided under article IV dies, his widow, provided she was his wife at the time of the cessation of his service with the member organization, shall be entitled, except as provided in paragraph 3 below, to a widow's benefit half as large as the benefit which was being paid to the deceased at the time of his death. However, if the deceased at the time of his retirement had received a lump sum as provided in article IV in lieu of part or the whole of the retirement benefit to which he was entitled, the widow's benefit shall be half of the total retirement benefit to which the staff member was entitled at the cessation of his service, except that in the case where a married man received the actuarial equivalent of a prospective widow's benefit, no widow's benefit shall be payable. This benefit shall cease on the widow's remarriage.

Article VII, paragraph 5 (amended text)

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

(a) His own contributions to the Pension Fund, with compound interest at 2½ per cent per annum, plus

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

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

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

Article IX, paragraph 2 (amended text)

On the basis of the medical examinations referred to in the preceding paragraph, the Joint Staff Pension Board shall decide whether the participant concerned shall be covered by the provisions of articles V and VII, 1, immediately, or shall not be covered by those provisions until he has completed five years of contributory service or, in the case of a re-entrant, until he has completed five years of contributory service subsequent to his re-entrance. However, no participant shall be excluded from the benefits provided under articles V and VII, 1, if the disability or death is the direct result of accident or damage to health arising from service in an unhealthy area, nor shall his widow be excluded from the provision of article VII, 1, if he has attained age sixty.

Article X, paragraph 1(a) (amended text)

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

(i) His own contributions to the Pension Fund, with compound interest at 2½ per cent per annum, plus

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

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

Article X, paragraph 1(b) (amended text)

If the participant has five or more years of contributory service, he shall be entitled, four months after his employment ceases, to a lump-sum payment which shall be the actuarial equivalent, at the date his employment ceased, of the retirement benefit payable at the age of sixty calculated on the basis of his contributory service and final average remuneration, provided that the amount to be received under this clause shall not be less than the amount receivable under sub-paragraph (a) above. During that period of four months he shall not be eligible for a disability benefit but shall be eligible for a death benefit based on his contributory service at the date he ceased to be employed by a member organization; except that

- (i) A widow's benefit will be payable only if his widow was his wife at the time his employment ceased, and
- (ii) If a death benefit becomes payable under article VII, 5, and no child's benefit is payable under article VIII, the death benefit shall not be less than the withdrawal benefit which would have been paid to the participant if he had requested earlier payment under the terms of sub-paragraph (c).

If he dies during this period of four months and a death benefit becomes payable under article VII, no further benefit shall be payable.

Article X, paragraph 1(d) (amended text)

Any participant whose years of contributory service when added to his age at withdrawal equal sixty or more may elect to receive, in lieu of the lump sum due under sub-paragraph (b) above, his withdrawal benefit in the form of either:

- (i) A life annuity, either immediate or deferred to age sixty, which is the actuarial equivalent of such lump sum, or
- (ii) One-half of the lump sum due under sub-paragraph (b) above and a life annuity deferred to age sixty which is the actuarial equivalent of one-half of such lump sum, or
- (iii) In the case of a married male participant, a life annuity, either immediate or deferred to age sixty, including a prospective widow's benefit for his wife, which is the actuarial equivalent of such lump sum. Where a participant who has so elected dies, such widow shall be entitled to a widow's benefit half as large as the life annuity which was being paid to the deceased at the time of his death, or had been deferred to age sixty as the case may be. This benefit shall cease on the widow's remarriage and the widow shall be entitled to a lump-sum payment equal to twice the annual amount of her widow's benefit.

Article X, paragraph 2 (amended text)

The payment of any lump sum due under this article shall be postponed at the request of the person entitled to the benefit for a period not exceeding three years from the date when the benefit became due.

Article X, paragraph 3 (new text)

Where a lump sum payment of a withdrawal benefit due under this article is made more than four months after the date when a participant's employment ceased, compound interest at 2½ per cent per annum shall, from that date, be added to the amount of benefit to which he is entitled.

Article XI (revised text)

Summary dismissal for serious misconduct

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

- (a) His own contributions to the Pension Fund, with compound interest at 2½ per cent per annum, plus

(b) Such amount as may have been transferred on his account to the Pension Fund from the Provident Fund at the time of his entry into the Pension Fund, without interest, provided that, on the recommendation of the Secretary-General of the United Nations, or of the competent authority of the member organization concerned, the Joint Staff Pension Board shall, to the extent so recommended, grant to such participant a lump sum equal to either the whole or a part of the remainder of the benefit he would have been entitled to, under article X, had he ceased to be employed for reasons other than summary dismissal for serious misconduct.

Article XLI (new text)

**Jurisdiction of the United Nations
Administrative Tribunal**

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

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

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

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

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

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

956 (X). Acceptance by the specialized agencies of the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of the Regulations of the United Nations Joint Staff Pension Fund

The General Assembly

1. Takes note of the report¹⁰ of the Secretary-General on the acceptance by the specialized agencies of the jurisdiction of the United Nations Administrative Tribunal in matters involving applications alleging non-observance of the Regulations of the United Nations Joint Staff Pension Fund;

2. Takes note of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its third report¹¹ to the General Assembly at its tenth session.

*539th plenary meeting,
3 November 1955.*

957 (X). Procedure for review of United Nations Administrative Tribunal judgements: amendments to the Statute of the Administrative Tribunal

The General Assembly,

Recalling section B of its resolution 888 (IX) of 17 December 1954 in which it accepted in principle judicial

¹⁰ *Ibid.*, document A/2970.

¹¹ *Ibid.*, document A/2986.