

No. 466

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**UNITED NATIONS  
and  
INTERNATIONAL LABOUR ORGANISATION**

**Agreement for the admission of the International Labour  
Organisation into the United Nations Joint Staff Pen-  
sion Fund. Signed at New York, on 12 October 1950**

*Official texts: English and French.*

*Filed and recorded by the Secretariat on 2 October 1952.*

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**ORGANISATION DES NATIONS UNIES  
et  
ORGANISATION INTERNATIONALE DU TRAVAIL**

**Accord concernant l'admission de l'Organisation inter-  
nationale du Travail à la Caisse commune des pensions  
du personnel des Nations Unies. Signé à New-York, le  
12 octobre 1950**

*Textes officiels anglais et français.*

*Classé et inscrit au répertoire par le Secrétariat le 2 octobre 1952.*

No. 466. AGREEMENT<sup>1</sup> BETWEEN THE UNITED NATIONS AND THE INTERNATIONAL LABOUR ORGANISATION FOR THE ADMISSION OF THE INTERNATIONAL LABOUR ORGANISATION INTO THE UNITED NATIONS JOINT STAFF PENSION FUND. SIGNED AT NEW YORK, ON 12 OCTOBER 1950

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WHEREAS Article 28 of the Regulations of the United Nations Joint Staff Pension Fund, approved by the General Assembly of the United Nations on 7 December 1948,<sup>2</sup> provides that a specialized agency referred to in Article 57, paragraph 2, of the Charter shall become a member organization of the United Nations Joint Staff Pension Fund on its acceptance of these Regulations, provided that agreement has been reached with the Secretary-General of the United Nations as to any payments necessary to be made by such specialized agency to the Pension Fund in respect of the new obligations incurred by the Fund through its admission and as to the other transitional arrangements which may be necessary, including the extent to which these Regulations are to be applicable to employees of the specialized agency at the time of admission to the Fund;

WHEREAS the International Labour Organisation is a specialized agency as described above, and whereas its Governing Body at its 111th Session authorized its Director-General to negotiate and enter into agreement with the Secretary-General of the United Nations for the entrance of the International Labour Organisation into the United Nations Joint Staff Pension Fund;

WHEREAS, as provided in Article 28 of the Regulations of the United Nations Joint Staff Pension Fund, this agreement has been communicated to the Joint Staff Pension Board by the representatives of the Secretary-General on that Board for observation prior to its conclusion and whereas the Joint Staff Pension Board has communicated to the Secretary-General that it has no objections to the execution of this agreement;

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<sup>1</sup> Came into force on 12 October 1950, by signature.

<sup>2</sup> United Nations, *Official Records of the Third Session of the General Assembly, Part I*, resolution 248 (III).

IT IS, THEREFORE, AGREED as follows :

*Article 1*

The International Labour Organisation (hereinafter referred to as the Agency) accepts as of 1 July 1950, subject to the provisions of this Agreement, the Regulations for the United Nations Joint Staff Pension Fund (hereinafter referred to as the Regulations) as applicable to itself and to the members of its staff and becomes as from that date a member organization of the United Nations Joint Staff Pension Fund (hereinafter referred to as the Fund).

*Article 2*

In accordance with Article 2 of the Regulations, the Agency has determined that every full-time member of its staff who is not on 1 July 1950 a member of the I.L.O. Staff Pension Fund, shall be subject to the Regulations if he enters employment under a contract for one year or more or when he has completed one year of employment; provided that he is under sixty years of age at the time of entering such employment and that his participation is not excluded by his contract of employment.

The Director-General of the Agency shall promptly transmit to the Secretary of the United Nations Joint Staff Pension Board the names and other relevant data to be determined by the United Nations Joint Staff Pension Board (hereinafter referred to as the Board) pertaining to staff members becoming eligible for participation.

The earliest date from which employment with the Agency can be reckoned for the purpose of participation in the Fund under the provisions of Article 3 of the Regulations, shall be the first day of February 1946.

*Article 3*

(a) Within one month following the signing of this Agreement, the Director-General shall transmit to the Secretary of the Board a complete list of members of the staff of the Agency eligible for participation in the Fund on the effective date of admission of the Agency.

(b) The Period in respect of which a participant included in that list contributed to the Staff Provident Fund of the Agency shall be counted as contributory service.

(c) Other periods of service in the Agency between 1 February 1946 and 1 July 1950 may be reckoned as contributory service, provided a contribution

equal to 21.8 per cent of pensionable earnings during such period of service is paid to the Fund.

#### *Article 4*

The Agency shall transfer to the Fund :

(a) A sum equal to 21.8 per cent of the pensionable earnings during membership in the Staff Provident Fund of those staff members who shall become eligible, in accordance with Article 3 (a) and (b) of this Agreement, for participation in the Fund.

This sum shall be transferred within one month following the signing of this Agreement.

(b) Any sums becoming payable under Article 3 (c).

These sums shall be transferred within three months following the signing of this Agreement.

#### *Article 5*

The amount transferred by the Agency to the Fund under Article 4 (a) shall be treated to the extent of 12.8 per cent of pensionable earnings during membership in the Staff Provident Fund, as provided in the Regulations for amounts transferred from the Provident Fund at the time of entry into the Pension Fund.

#### *Article 6*

In lieu of the seven per cent deduction provided for in Article 16 of the Regulations, 7.8 per cent of their pensionable remuneration shall be deducted throughout their entire service from the remuneration of those members of the Staff of the Agency who become participants in the Fund on the effective date of the admission of the Agency.

For the purpose of computing benefits payable to such participants " final average remuneration " shall mean, in lieu of the definition given in Article 1 (d) of the Regulations, the average annual pensionable remuneration during the last five years of contributory service before the termination of employment. Where a 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.

In the event of the adoption of any amendments to the Regulations whereby the term " final average remuneration " shall mean the average annual pensionable remuneration of the participant during a period less than the period prescribed in Article 1 (d) of the Regulations, then the additional contribution of 0.8 per cent from the I.L.O. staff members shall be adjusted accordingly.

*Article 7*

All payments to be made by the Agency to the Fund in accordance with the Regulations shall be treated by the Agency as preferred debts which shall be satisfied immediately after payment of salaries due by the Agency to its staff.

*Article 8*

Should the Agency for any reason interrupt or cease to make its payments to the Fund as required under the Regulations, the Secretary of the Board shall promptly report the facts to the Board and the Board shall determine the date as of which the Agency shall be deemed to be in default. The Board shall then cause an actuarial valuation of the Fund to be made in order to determine the sum necessary to make good the Agency's share of the deficiency, if any, revealed by such valuation, which sum shall then become payable by the Agency to the Fund.

Thereafter, upon the death or cessation of service with the Agency of each participant in the employment of the Agency on the date of default, he or his designated beneficiary shall be paid the actuarial equivalent of the benefit to which he would have been entitled under Article 10 of the Regulations had he left the service of the Agency on the date of default.

As soon as the Agency has made the additional contributions necessary as determined by actuarial valuation, to restore to each such participant remaining in the employment of the Agency during the period of default his contributory service prior to default and during the period subsequent to default, the prospective rights of each participant to the benefit provided in the preceding paragraph shall cease and he shall in lieu thereof be entitled to all the rights of a participant credited in accordance with the Regulations with contributory service from his last date of participation prior to default.

*Article 9*

In the event of the dissolution of the Joint Staff Pension Fund by the General Assembly of the United Nations, the United Nations and all member organizations will, in the absence of any other agreed arrangement, be entitled to receive a proportionate share of the net assets of the Fund, to be determined by an actuarial valuation of the Fund on the date of the dissolution.

This provision shall not come into effect until the necessary amendment has been made to the Regulations of the Joint Staff Pension Fund by the General Assembly of the United Nations.

*Article 10*

(a) The Agency shall furnish to the Board, at its request, information based on adequate books and records relating to participants, salary scales, changes in salaries, pensionable remuneration paid and deduction made therefrom.

(b) Procedure shall be agreed upon between the Agency and the Secretary of the Board, subject to the approval of the Board with respect to reporting, vouchering and remittance of the contributions payable to the Fund in accordance with the Regulations by the Agency and the members of its staff who are participants in the Fund and with respect to such other administrative matters as it may be necessary to regulate for the implementation of this Agreement.

(c) The Agency, shall, in consultation with the Secretary of the Board, provide adequate information to its staff concerning the Regulations of the Fund and its operation.

*Article 11*

This Agreement, of which the English and French texts are equally authentic, has been duly signed in duplicate in each of these languages on the twelfth day of October, one thousand nine hundred and fifty.

For the United Nations :

By : *(Signed)* Byron PRICE  
Asst. Secretary-General

For the International Labour  
Organisation :

By : *(Signed)* David MORSE  
Director-General