

No. 566

**UNITED NATIONS
and
INTERNATIONAL TELECOMMUNICATION UNION**

Agreement for the admission of the International Telecommunication Union into the United Nations Joint Staff Pension Fund. Signed at New York, on 14 January 1960

Official texts: English and French.

Filed and recorded by the Secretariat on 14 January 1960.

**ORGANISATION DES NATIONS UNIES
et
UNION INTERNATIONALE
DES TÉLÉCOMMUNICATIONS**

Accord en vue de l'admission de l'Union internationale des télécommunications à la Caisse commune des pensions du personnel des Nations Unies. Signé à New-York, le 14 janvier 1960

Textes officiels anglais et français.

Classé et inscrit au répertoire par le Secrétariat le 14 janvier 1960.

No. 566. AGREEMENT¹ BETWEEN THE UNITED NATIONS AND THE INTERNATIONAL TELECOMMUNICATION UNION FOR THE ADMISSION OF THE INTERNATIONAL TELECOMMUNICATION UNION INTO THE UNITED NATIONS JOINT STAFF PENSION FUND. SIGNED AT NEW YORK, ON 14 JANUARY 1960

WHEREAS Article XXVIII of the Regulations of the United Nations Joint Staff Pension Fund, approved by the General Assembly of the United Nations on 7 December 1948,² 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 Plenipotentiary Conference of the International Telecommunication Union has decided to accept the Regulations of the United Nations Joint Staff Pension Fund and to enter into the required agreements and whereas the Secretary-General of the International Telecommunication Union has been authorized by the Plenipotentiary Conference of that Organization to negotiate and sign the required agreement;

WHEREAS at its ninth session in September 1958 the United Nations Joint Staff Pension Board authorized its Standing Committee to submit on its behalf to the Secretary-General of the United Nations the observations required under Article XXVIII of the Regulations and whereas this agreement has been communicated to the Standing Committee of the United Nations Joint Staff Pension Board by the representatives of the Secretary-General on that Committee for observations prior to its conclusion and whereas the Standing Committee of the United Nations Joint Staff Pension Board has communicated to the Secretary-General that it has no objections to the execution of this Agreement;

IT IS, THEREFORE, AGREED AS FOLLOWS :

¹ Came into force on 14 January 1960 by signature, with retroactive effect from 1 January 1960, in accordance with article 12.

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

Article 1

The International Telecommunication Union (hereinafter referred to as the Union) accepts as of 1 January 1960 subject to the provisions of this Agreement, the Regulations of 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 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 II of the Regulations, the Union has determined that every full-time member of its staff shall be subject to the Regulations if he enters employment under a contract without a time limit; or if he enters employment under a fixed-term contract for five years or more; or if he has completed five years of employment and remains on a contract providing for further service of at least one year, or remains in employment for more than one year thereafter; or if the Union certified that the particular fixed-term contract is considered to cover a probationary period and is designed to lead to employment for an indefinite period, provided that he is under sixty years of age at the time of entry into the Fund and that his participation is not excluded by his contract of employment.

The Secretary-General of the Union 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.

Article 3

In accordance with supplementary Article B of the Regulations, the Union has determined that every full-time member of the staff shall be subject to the Regulations applicable to associate participants if he enters employment under a fixed-term contract for at least one year but less than five years; or if he has completed one year of continuous employment, provided that he is not eligible under Article II.1 of the Fund Regulations to become a participant, provided that he is under sixty years of age and provided further that his associate participation is not excluded by his contract of employment.

The Secretary-General of the Union shall promptly transmit to the Secretary of the Board the names and other relevant data to be determined by the Board pertaining to staff members becoming eligible for associate participation.

Article 4

Notwithstanding the provisions of Articles 2 and 3 of the present Agreement, a staff member of the Union shall not, as a general rule, be admitted to the Fund if :

- (a) He is a member of the Savings Insurance Fund of the Union and is sixty years of age or more at the effective date of entry of the Union into the Fund; or
- (b) He is a member of the Pension Fund of the Union and is sixty years of age or more at the effective date of entry of the Union into the Fund; or
- (c) He is a member of the Provident Fund of the Union at the effective date of entry of the Union into the Fund.

Article 5

Within one month following the signing of this Agreement the Secretary-General of the Union shall transmit to the Secretary of the Board a complete list of members of the staff of the Union eligible for participation or associate participation in the Fund on the effective date of the admission of the Union.

Article 6

Within one year following the admission of the Union to the Fund, each member of the staff of the Union who has been admitted as a participant in the Fund under the provisions of the present Agreement may elect to have the entire period between 1 February 1946 and 1 January 1960 during which he was in full-time employment as a staff member of the Union, counted as contributory service under the Regulations provided that payment is made by the Union to the Fund of 21 per cent of the actual salary received by that participant during the period together with interest at 3 per cent from the sixth day of January 1953 to the date of actual payment.

When contributory service is purchased under the present article the rate of pensionable salary on the last day before the admission to the Fund shall be the minimum amount for final average remuneration in the calculation of benefits under the Regulations.

For the purpose of the application of Articles VII.5 and X.1 (a) of the Regulations, four-sevenths of the amount transferred by the Union to the Fund under the first paragraph of this article shall be considered as if it were the amount 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 ".

Article 7

The Union will pay such additional sum as may be determined by the Board or its Standing Committee on the report of the Consulting Actuary to be neces-

sary in respect of the new obligations incurred by the Fund through the admission of new participants under Article 2 of the present Agreement, the counting as contributory service of period of prior employment under Article 6 or the determination of a minimum final average remuneration under the second paragraph of Article 6 of the present Agreement.

Article 8

As provided by Article XVIII of the Regulations, where a staff member of the Union who has been admitted from the ITU Provident Fund or Pension Fund makes voluntary deposits under Article XVIII of the Regulations during the year following his admission to the Fund, the maximum amount of such deposit shall be an amount computed to be sufficient to purchase an additional retirement benefit which, together with his prospective regular retirement benefit as provided in the Regulations will provide for him a total retirement benefit not to exceed 60 per cent of his final average remuneration at the age of retirement.

Article 9

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

Article 10

Should the Union 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 of which the Union 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 Union's share of the deficiency, if any, revealed by such valuation, which sum shall then become payable by the Union to the Fund.

Thereafter, upon the death or cessation of service with the Union of each participant in the employment of the Union 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 X of the Regulations had he left the service of the Union on the date of default.

As soon as the Union has made the additional contributions necessary as determined by actuarial valuation to restore to each such participant remaining in the employment of the Union during the period of default, his contributory service prior to default and during the period subsequent to default, the prospec-

tive 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 11

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

(b) Procedure shall be agreed upon between the Union 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 Union 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 the Agreement.

(c) The Union 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 12

This Agreement, of which the English and French texts are equally authentic is effective as from 1 January 1960. It has been duly signed in duplicate in each of these languages on 14th January, one thousand nine-hundred and sixty, at New York.

For the United Nations :
By W. A. B. HAMILTON
for the Secretary-General

For the International Telecommunication Union :
By Gerald C. GROSS
Secretary-General
