

No. 831

**UNITED NATIONS
and
INTERIM COMMISSION
FOR THE INTERNATIONAL TRADE ORGANIZATION**

**Agreement for the admission of the Interim Commission
for the International Trade Organization to the United
Nations Joint Staff Pension Fund. Signed at Geneva
and at New York on 20 May 1957**

Authentic texts: English and French.

Filed and recorded by the Secretariat on 15 February 1979.

**ORGANISATION DES NATIONS UNIES
et
COMMISSION INTÉRIMAIRE
DE L'ORGANISATION INTERNATIONALE
DU COMMERCE**

Accord concernant l'affiliation de la Commission intérimaire de l'Organisation internationale du commerce à la Caisse commune des pensions du personnel des Nations Unies. Signé à Genève et à New York le 20 mai 1957

Textes authentiques : anglais et français.

Classé et inscrit au répertoire par le Secrétariat le 15 février 1979.

AGREEMENT¹ FOR THE ADMISSION OF THE INTERIM COMMISSION FOR THE INTERNATIONAL TRADE ORGANIZATION TO THE UNITED NATIONS JOINT STAFF PENSION FUND

WHEREAS Article XXVIII of the regulations of the United Nations Joint Staff Pension Fund 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, under Article A of said regulations, the Interim Commission for the International Trade Organization shall be treated as if it were a specialized agency as described above, with one exception not pertinent hereto, and whereas said Commission had decided to accept the regulations of the United Nations Joint Staff Pension Fund and to enter into the required agreements and whereas it has authorized its Executive Secretary to negotiate and sign the required documents;

WHEREAS, as provided in Article XXVIII 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 observations prior to its conclusion and whereas the Joint Staff Pension Board has communicated to the Secretary-General that it has no objection to the execution of this agreement;

It is, therefore, agreed as follows:

Article 1. The Interim Commission for the International Trade Organization (hereinafter referred to as the Agency) accepts as of 1 June 1957 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, subject to the exception provided under Article A of said regulations, 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 II of the regulations, the Agency has determined that every full-time member of its staff 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 Executive Secretary 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.

¹ Came into force on 1 June 1957, in accordance with article 1.

Article 3. Within one month following the signing of this Agreement, the Executive Secretary 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 the admission of the Agency.

The period in respect of which a participant included in that list contributed to the Staff Benefit Fund of the Agency shall be counted as contributory service provided that the earliest date from which employment with the Agency may be counted as contributory service under the Fund shall be the first day of April 1948.

Article 4. Within one month following the signing of this agreement, the Agency shall pay to the Fund twenty-one per cent of the total pensionable remuneration of the participants payable during the period of employment to be counted as contributory service in accordance with Article 3 of this agreement, plus compound interest at two and one half per cent per annum from the sixth day of January, 1953 to the date of actual payment. Four sevenths of the amount so paid on account of each such participant shall be considered as having been transferred on his account from the Provident Fund of a member organization.

Article 5. 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 6. In the event that the functions of the Agency shall be transferred to a successor organization the staff members of the Agency who became participants in the Fund pursuant to this agreement shall continue, provided that the appropriate contribution has been paid on their account, their participation in the Fund without interruption of service until such time as the successor organization shall become a member organization of the Fund or until the membership of the Agency in the Fund shall be terminated in accordance with the regulations.

Article 7. 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 X 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 contribution 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 8. (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 the 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 9. This agreement, of which the English and French texts are equally authentic has been duly signed in duplicate in each of these languages on 20 May 1957.

For the United Nations:

By [Signed]¹
Secretary-General

For the Interim Commission
for the International Trade Organization:

By [Illegible]
Executive Secretary

¹ Signed by Dag Hammarskjöld.