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### *Treaties and international agreements*

*filed and recorded*

*from 14 February 1981 to 11 March 1981*

*No. 872*

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### *Traités et accords internationaux*

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**UNITED NATIONS  
(UNITED NATIONS JOINT STAFF  
PENSION FUND)  
and  
EUROPEAN CENTRE FOR MEDIUM-RANGE  
WEATHER FORECASTS**

**Exchange of letters constituting an agreement on the transfer of pension rights of participants in the United Nations Joint Staff Pension Fund and of staff members of the European Centre for Medium-range Weather Forecasts (with annex). New York, 10 February 1981, and Reading, 6 March 1981**

*Authentic text: English.*

*Filed and recorded by the Secretariat on 6 March 1981.*

EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT<sup>1</sup>  
BETWEEN THE UNITED NATIONS (UNITED NATIONS JOINT  
STAFF PENSION FUND) AND EUROPEAN CENTRE FOR  
MEDIUM-RANGE WEATHER FORECASTS ON THE TRANS-  
FER OF PENSION RIGHTS OF PARTICIPANTS IN THE  
UNITED NATIONS JOINT STAFF PENSION FUND AND OF  
STAFF MEMBERS OF THE EUROPEAN CENTRE FOR  
MEDIUM-RANGE WEATHER FORECASTS

I

UNITED NATIONS JOINT STAFF PENSION FUND

10 February 1981

I.b.13 SKC/sgz

Dear Sir,

It gives me great pleasure to inform you that the General Assembly of the United Nations, by its resolution 35/215 of 17 December 1980<sup>2</sup> concurred in the Agreement on the transfer of pension rights of participants in the United Nations Joint Staff Pension Fund and of staff members of the European Centre for Medium-range Weather Forecasts that was negotiated between your Organization and the Fund. Accordingly, all the formalities required on the part of the Board for the conclusion and entry into force of the said Agreement have been fulfilled.

In view of the above, I propose that this letter and your reply, confirming that all formalities on the part of the European Centre for Medium-range Weather Forecasts have also been fulfilled, shall constitute the consent of the Parties to be bound by the negotiated text, a copy of which is contained in annex V of document A/35/9/Add.1 attached to this Letter. The Agreement shall be considered to have taken effect as of 1 January 1981, in accordance with article 5 of the Agreement.

Very truly yours,

ARTHUR C. LIVERAN  
Secretary

Mr. A. C. Wiin-Nielsen  
Director  
European Centre for Medium-range Weather Forecasts  
Reading, Berkshire, England, (UK)

<sup>1</sup> Came into force on 6 March 1981 by the exchange of the said letters, with retroactive effect from 1 January 1981, in accordance with article 5 (1) of the said annex.

<sup>2</sup> United Nations, *Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 48 (A/35/48)*, p. 246.

## ANNEX V

## AGREEMENT ON THE TRANSFER OF PENSION RIGHTS OF PARTICIPANTS IN THE UNITED NATIONS JOINT STAFF PENSION FUND AND OF STAFF MEMBERS OF THE EUROPEAN CENTRE FOR MEDIUM-RANGE WEATHER FORECASTS

*Article 1.* In the present Agreement:

- (a) "Pension Fund" means the United Nations Joint Staff Pension Fund.
- (b) "Participant" means a participant in the Pension Fund.
- (c) "Centre" means the European Centre for Medium-range Weather Forecasts.
- (d) "Staff member" means a staff member of the European Centre for Medium-range Weather Forecasts.

*Article 2.* 1. A former participant who has not received a benefit under the Regulations of the Pension Fund may avail himself of the provisions of the present Agreement if he enters the service of the Centre within six months after his participation has ceased and elects within such period to transfer his entitlements from the Pension Fund to the Centre.

2. Upon so electing, he shall cease to be entitled to any benefit under the Regulations of the Pension Fund.

3. Upon his becoming a staff member, the Pension Fund shall pay to the Centre an amount equal to the larger of:

- (a) The equivalent actuarial value, calculated in accordance with articles 1, paragraph (a), and 11 of the Regulations of the Pension Fund, of the retirement benefit which the participant had accrued in the Pension Fund based on his contributory service and final average remuneration up to the date his participation ceased; or
- (b) The withdrawal settlement to which he would have been entitled under article 32 of the Regulations of the Pension Fund, upon his separation from the service of a member organization of the Pension Fund.

4. He shall be credited with reckonable service with the Centre as calculated in accordance with article 12, paragraph (1), of the Centre's Pension Scheme Rules and relevant Instructions.

*Article 3.* 1. A former staff member may, in accordance with article 12, paragraph 2, of the Centre's Pension Scheme Rules, avail himself of the provisions of the present Agreement if he enters the service of a member organization of the Pension Fund within six months after his severance from the service of the Centre and elects within such period to transfer his entitlements from the Centre to the Pension Fund.

2. Upon so electing, he shall cease to be entitled to receive benefits under the Centre's Pension Scheme Rules.

3. Upon his becoming a participant, the Centre shall pay to the Pension Fund an amount equal to:

- (a) The actuarial equivalent of his retirement pension rights as calculated in accordance with article 12, paragraph 2, of the Centre's Pension Scheme Rules; or, in the absence of such rights
- (b) The severance grant to which he would have been entitled under article 11 of the Centre's Pension Scheme Rules upon his separation from the service of the Centre.

4. He shall be credited for purposes of the Pension Fund with contributory service equal to such period as the actuarial advisers to the Pension Fund shall determine as of the date of his election and in accordance with articles 1, paragraph (a), and 11 of the Regulations of the Pension Fund to be equal in value to the amount paid by the Centre to the Pension Fund.

*Article 4.* Participants who entered the service of the Centre and staff members who entered the service of a member organization of the Pension Fund before 1 January 1981, and who have not received any payments from the Pension Fund resulting from their participation, or from the Centre with respect to their retirement pension rights, as the case may be, may elect to avail themselves of the provisions of this Agreement by so informing the Pension Fund and the Centre in writing before 1 July 1981. Upon so electing, the provisions of article 2, paragraphs 2, 3 and 4, and article 3, paragraphs 2, 3 and 4 above shall apply.

*Article 5.* 1. This Agreement shall take effect from 1 January 1981.

2. Its implementation shall be subject to the Rules of Administration and Procedure to be established by agreement between the Secretary of the Pension Fund and the Director of the Centre.

## II

EUROPEAN CENTRE FOR MEDIUM-RANGE  
WEATHER FORECASTS  
READING, BERKSHIRE, ENGLAND

6 March 1981

Our Ref: AP81-110/JPM/db

Dear Mr. Liveran,

Thank you for your letter reference I.b.13SKC/sgz, dated 10 February 1981, informing me that the General Assembly of the United Nations, by its resolution 35/215 of 17 December 1980, concurred in the Agreement of the transfer of pension rights of participants in the United Nations Joint Pension Fund and of staff members of the European Centre for Medium-range Weather Forecasts.

This is to confirm that all formalities on the part of the European Centre for Medium-range Weather Forecasts have been fulfilled, and I agree with your proposal that the above-mentioned Letter and this Letter shall constitute the consent of the Parties to be bound by the negotiated text contained in annex V of document A/35/9/Add.1.

The Agreement shall be considered to have taken effect as of 1 January 1981, in accordance with article 5 of the Agreement.

Yours sincerely,

[Signed]

J. LABROUSSE  
Director

Mr. A. C. Liveran  
Secretary  
United Nations  
New York, U.S.A.