

No. 19496

**UNITED NATIONS
(UNITED NATIONS JOINT STAFF PENSION FUND)
and
UKRAINIAN SOVIET SOCIALIST REPUBLIC**

**Agreement concerning the transfer of pension rights with a
view to securing their continuity. Signed at Kiev on
16 October 1980**

Authentic texts: English and Russian.

Registered ex officio on 1 January 1981.

**ORGANISATION DES NATIONS UNIES
(CAISSE COMMUNE DES PENSIONS DU PERSONNEL
DES NATIONS UNIES)
et
RÉPUBLIQUE SOCIALISTE SOVIÉTIQUE
D'UKRAINE**

**Accord concernant le transfert des droits à pension visant à
assurer la continuité de ces droits. Signé à Kiev le
16 octobre 1980**

Textes authentiques : anglais et russe.

Enregistré d'office le 1^{er} janvier 1981.

AGREEMENT¹ CONCERNING THE TRANSFER OF PENSION RIGHTS WITH A VIEW TO SECURING THEIR CONTINUITY BETWEEN THE UNITED NATIONS JOINT STAFF PENSION FUND AND THE GOVERNMENT OF THE UKRAINIAN SOVIET SOCIALIST REPUBLIC

Article I. 1. For the purposes of the present Agreement, unless the context otherwise requires:

a) "The legislation of the Ukrainian SSR" means the legislation of the USSR on social security, including the pension system, applicable also to the Ukrainian SSR.

b) "Social Security Fund of the USSR" means the account of the State Social Insurance Budget of the USSR allocated for pension purposes in respect of the Ukrainian SSR.

c) "Pension Fund" means the United Nations Joint Staff Pension Fund.

d) "Regulations" means the Regulations of the Pension Fund.

e) "Participant" means a staff member of one of the member organizations, who is a participant in the Pension Fund and who is on secondment from the public service of the Ukrainian SSR.

f) "Contributory service" means service accrued to a participant pursuant to article 22 of the Regulations.

g) "Separation from the Pension Fund" means the cessation of the payment of contributions payable to the Pension Fund under article 25 of the Regulations.

2. Unless otherwise defined herein, words and terms used in the Regulations shall have the same meaning in this Agreement.

3. Words importing the masculine gender include the feminine gender.

Article II. 1. A participant who is not entitled to receive a disability benefit under article 34 of the Regulations and who resumes his employment with the public service of the Ukrainian SSR may on separation from the Pension Fund elect to have this Agreement apply in respect to him by filing with the Pension Fund and the Ministry of Social Security in the USSR an election recorded on a form that he may obtain from the Pension Fund or from the Ministry of Social Security in the USSR. This election form must be filed before any payment has been made to the participant by the Pension Fund and, in any event, within six months of separation from the Pension Fund. Within six months from the date of receiving the above-mentioned form and of receiving notification of the participant's separation, whichever is later, the Pension Fund will pay to the Social Security Fund of the USSR, on behalf of the participant, an amount computed in accordance with article III.

2. The provisions of paragraph 1 shall apply to participants who are in contributory service on or after the coming into effect of this Agreement and to former participants who, in accordance with article 33 of the Regulations, had deferred, until the date of the entry into effect of this Agreement, the choice available to them.

Article III. The amount that the Pension Fund shall pay to the Social Security Fund of the USSR pursuant to article II shall be determined as follows:

a) If the participant is not entitled to elect to receive an early retirement benefit under article 30 of the Regulations or a deferred retirement benefit under

¹ Came into force on 1 January 1981, in accordance with article VI.

article 31 thereof and is not eligible for a retirement benefit under article 29 thereof, the amount shall be the equivalent actuarial value, calculated in accordance with article 1, paragraph (a), and article 11 of the Regulations, of the benefit the participant had accrued in the Pension Fund, based on his contributory service and final average remuneration up to the date his contributory service ceased, provided, however, that such amount shall not be more than twice the participant's own contributions, nor less than the withdrawal settlement that would otherwise have been payable under article 32 of the Regulations.

b) If the participant is entitled to elect to receive an early retirement benefit under article 30 of the Regulations or a deferred retirement benefit under article 31 thereof, or is eligible for a retirement benefit under article 29 thereof, the amount shall be the equivalent actuarial value, calculated in accordance with article 1, paragraph (a), and article 11 of the Regulations, of the benefit the participant had accrued in the Pension Fund, based on his contributory service and final average remuneration up to the date his contributory service ceased, provided, however, that such amount shall not be more than three times the participant's own contributions nor less than the withdrawal settlement that would otherwise have been payable under article 32 of the Regulations.

Article IV. When, in accordance with article II, payment is made by the Pension Fund into the Social Security Fund of the USSR in respect of a participant:

- a) He shall cease to be entitled to any benefit under the Regulations; and
- b) The period of his contributory service shall count as pensionable under the legislation of the Ukrainian SSR as if during that period he had been in the public service of the Ukrainian SSR, and the amount paid to the Social Security Fund shall be taken into account in determining the type and amount of his pension benefit in accordance with the legislation of the Ukrainian SSR.

Article V. The Parties to this Agreement shall establish the rules necessary to implement and interpret this Agreement, including the form needed for the purpose of article II thereof.

Article VI. This Agreement shall enter into effect from 1 January 1981.

Article VII. 1. This Agreement may be terminated by either Party by notice in writing given to the other Party at least one year before the date of termination specified in the notice.

2. This Agreement may be modified by written agreement between the Parties hereto.

3. The provisions of paragraphs 1 and 2 shall be subject to the procedure prescribed by article 13 of the Regulations.

IN WITNESS WHEREOF, this Agreement has been signed in duplicate, in English and Russian, both copies and texts being equally authentic, at Kiev this day of 16 October 1980.

On behalf of the United Nations
Joint Staff Pension Board:

[Signed — Signé]¹

On behalf of the Government
of the Ukrainian Soviet
Socialist Republic:

[Signed — Signé]²

¹ Signed by Arthur C. Liveran — Signé par Arthur C. Liveran.

² Signed by Vladimir Alekseevitch Kravetz — Signé par Vladimir Alekseevitch Kravets.