

English

Les Livrets
Thématiques

Separation

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Joint Staff Pension Fund

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Introduction

The United Nations Joint Staff Pension Fund (UNJSPF) Regulations and Rules govern the conditions of participation and the determination of the deriving entitlements.

The rules are numerous and complex: the purpose of this booklet is to guide you, facilitate your understanding and assist you in your assessment and selection of benefit upon separation.

Disclaimer: *The information is made available for the convenient use of the UNJSPF's participants and former participants. If there is an ambiguity, inconsistency or conflict between the information provided and the UNJSPF Regulations and Rules, any decisions will be based on the regulations and Rules, and not on the information contained in this booklet.*

Contents

- When can I retire?
- What is the difference between the normal retirement age and the mandatory age of separation?
- Supposing I want to leave before age 55?
- Supposing I separate from service and wish to transfer my pension rights to the pension plan of my new employer, how may I do so?
- What is the difference between a deferred retirement benefit and a withdrawal settlement?
- If I decide to leave at age 55 or older but before the mandatory age of separation and take a benefit will I be penalized?
- How far in advance of my retirement date should I start the process?
- I have heard people speak of the local track or double track pension system. What is that and would it apply to me?
- If I have submitted my resignation on early retirement or I am separating at the mandatory age of separation (60 or 62 dependent on when recruited), or I am separating with a withdrawal settlement, what happens next?

- What else do I do or what am I responsible for?
- Why do I keep hearing that the UNJSPF takes so long to process the initial pension payments?
- Where can I obtain the Payment Instructions?
- The form itself seems complex. How do I fill it out?
- What do I do if I find that my pension payment has not been processed as soon as I had hoped?
- If I decide to take a lump sum does it have to be a one third lump sum?
- May I have my lump sum paid into a different account than my monthly benefit?
- If I wish to receive my lump sum in a currency other than the US Dollar, how will the conversion be done?
- Will my benefit be adjusted for inflation?
- Can I change my choice of benefit after my initial election has been processed?
- Would my spouse be entitled to a benefit?
- Is my pension different if I am single or married?
- If I marry/remarry after retirement, would my new spouse be entitled to a benefit?
- Will my children be entitled to benefits?
- Before I retire, do I have to provide the UNJSPF with a new form indicating to whom I would like my residual benefit to be paid to should I die?
- What do I do about after service health coverage?
- What about taxes on my benefit?

Annex

Guide to filling out the Payment Instruction form
Regulations: Part V – Benefits of the UNJSPF Regulations and Rules
Administrative rules: Sections I and J

When can I retire?

You may retire from your employing organization and receive a benefit at any time after your 55th birthday, provided that you have had five years or more of contributory service in the UN Joint Staff Pension Fund (UNJSPF). If you have had less than five years of contributory service you can, irrespective of your age, only take a withdrawal settlement.

What is the difference between the normal retirement age and the mandatory age of separation?

The normal retirement age (62 for participants entering or reentering on or after 1 January 1990 instead of 60) is the age at which a UNJSPF participant can retire with a retirement benefit unreduced on account of age. On the other hand, the mandatory age of separation is the age at which a staff member must separate from the service of his or her employing organization.

Supposing I want to leave before age 55?

If you have had at least five years of contributory service you may either:

(a) take a withdrawal settlement thus relinquishing all rights to a retirement benefit from the UNJSPF;

(b) defer your choice of benefit for up to 36 months after separation with no interest accrued during the period of deferment or;

(c) elect to take a deferred retirement benefit which would be payable at any age you choose after age 55.

Supposing I separate from service and wish to transfer my pension rights to the pension plan of my new employer, how may I do so?

The transfer of pension rights is possible only on the basis of a formal transfer agreement between the UNJSPF and the pension plan of an international organization or national government. Please see the website (www.unjspf.org) for the agreements concluded to date.

What is the difference between a deferred retirement benefit and a withdrawal settlement?

A withdrawal settlement is a one-time payment that relinquishes all rights to a retirement benefit from the UNJSPF. A deferred retirement benefit means that you have decided to leave your monies in the UNJSPF until you reach any age on or after the age of 55. However, you should be aware that a deferred retirement benefit would only accrue cost-of-living increases on and after the age of 55. Additionally, if you choose to commence payment before you reach the normal retirement age (either 60 or 62), that amount will be reduced.

If I decide to leave at age 55 or older but before the mandatory age of separation and take a benefit will I be penalized?

Under the regulations of the UNJSPF (Article 29) your benefit would be paid at the standard annual rate for a retirement benefit, reduced for each year or part of year thereof by which your age was less than the normal retirement age. This reduction would be 6% per year unless your contributory service was 25 years or longer, but after 30 years the reduction is 1 per cent per year. More information may be found in article 29 of the UNJSPF Regulations and Rules.

How far in advance of my retirement date should I start the process?

You should ask the UNJSPF (or your pension committee secretariat if you work at one of the Specialized Agencies) for an estimate of your benefit options within six months of your anticipated retirement date. You can also use the interactive Benefit Estimate Programme available on the UNJSPF Website at www.unjspf.org. The estimate will allow the planning process to begin.



I have heard people speak of the local track or double track pension system. What is that and would it apply to me?

If you intend to live outside the United States, you may consider having a local currency pension, adjusted by the local cost of living, rather than the dollar pension. This is called the «local track» under which your monthly pension is established in the currency of your country of residence and adjusted by the local cost of living, as opposed to having a dollar pension adjusted by the United States cost of living. Such a choice avoids the fluctuation of the monthly pension in local currency and provides stability in the currency of the country of residence. Should you decide to go on the local track please bear in mind that you will be permanently on that track and will not be able to revert solely to the dollar track, unless you meet the conditions outlined in section N of the UNJSPF Pension Adjustment System. If you are considering going on the local track you can always ask the UNJSPF for an estimate of your benefit under the double track pension adjustment system either before or after you separate from service. Further information may be found either in the special booklet on the double track system or on the UNJSPF website at www.unjspf.org.

If I have submitted my resignation on early retirement or I am separating at the mandatory age of separation (60 or 62 dependent on when recruited), or I am separating with a withdrawal settlement what happens next?

For all types of Separations the UNJSPF needs to receive from your employing organization: (i) the separation documentation indicating the official date of your separation and (ii) the details of your pensionable remuneration and contributions since the end of the previous year and any adjustments that might be due for prior years.

What else do I do or what am I responsible for?

You must complete payment instructions (PENS.E/6 if you have less than 5 years of contributory service in the UNJSPF or PENS.E/7 if you have 5 or more years). Please see the back of this booklet for assistance in filling out those forms. Your payment instructions must indicate the benefit election you have made (where options exist), the complete bank account into which you wish payment to be made, the currency of payment and your mailing address. In addition, please note that completed form bearing your original signature must be submitted to the UNJSPF; **no faxes or e-mails will be accepted.**

For staff members who are **retiring**, official documents attesting to birth, marriage and/or divorce are required. These may already be available in the UNJSPF but it is best to check that this is so either with the UNJSPF or with your pension committee secretariat if you work for a Specialized Agency. Birth certificates are also required for dependent children who are not married and are under the age of 21 and for disabled children.

Why do I keep hearing that the UNJSPF takes so long to process the initial pension payments?

The UNJSPF makes every effort to process benefits **within 15 days of receipt of all required documentation.** If there are delays, this is usually because:

- (a) the separation notification and/or details of your contributions and pensionable remuneration from your employing organization have been delayed;
- (b) you have not submitted or have been delayed in submitting your Payment Instructions or the Payment Instructions you have submitted are not acceptable;
- (c) the UNJSPF does not have complete or accurate personal data on you or your dependants such as date of birth, marital status, number of dependent children, etc.

Where can I obtain the Payment Instructions?

You may download them from the UNJSPF website at www.unjspf.org or you may request it from your local pension secretariat (if you are separating from a Specialized Agency) or the UNJSPF itself.

The form itself seems complex. How do I fill it out?

There is a guide at the back of this booklet and on the UNJSPF website to help you in filling out that form. **PLEASE REMEMBER THAT IF YOU DO NOT FILL OUT THE FORM LEGIBLY OR ACCURATELY THERE MAY BE A DELAY IN PROCESSING YOUR PAYMENT.** Do not fill in the first page if you wish processing of your benefit to proceed expeditiously.



What do I do if I find that my pension payment has not been processed as soon as I had hoped?

Contact your employing organization to ensure that all the documents required by the UNJSPF have been processed. Speak to your local pension secretariat if you worked for a Specialized Agency or the UNJSPF itself if you worked for the UN family of organizations to determine what is the cause of the delay.

If I decide to take a lump sum does it have to be a one third lump sum?

No. You may take any amount as a lump sum provided that it does not exceed the actuarial equivalent of one third of your benefit or your contributions with interest.

May I have my lump sum paid into a different account than my monthly benefit?

Yes. The Payment Instruction form provides for this.

If I wish to receive my lump sum in a currency other than US dollars how will the conversion be done? And what about the monthly pension?

Your US dollar lump sum would be converted by the bank, using the bank rate of exchange available at the time of payment. On the other hand, should you request to receive your periodic benefit in an equivalent currency, the UNJSPF itself would establish the amount payable by using the UN Operational rate of exchange in effect for the month preceding the calendar quarter of payment. See also the question above on the local or two-track pension system.

Will my benefit be adjusted for inflation?

Your US dollar monthly benefit will be adjusted according to cost-of-living changes as measured by the US Consumer Price Index (US-CPI), provided the minimum movement in the CPI (currently 2%) has occurred. For a beneficiary who opts to provide proof of residence in a country other than the United States, the benefit under the two-track Pension Adjustment System is adjusted by the CPI of both the United States (dollar track) and the actual country of residence (local track) and is paid in accordance with the comparison feature to account for exchange rates. Please note that when a benefit is first adjusted for a change in the cost-of-living, the adjustment is reduced by 1.5 percentage points.

Can I change my choice of benefit after my initial election has been processed?

The former participant cannot for any reason, subsequently change a benefit election once implemented by the UNJSPF. Therefore, if you have more than one way of taking your benefit, it is important that you consider carefully, before you choose, what your decision may imply both for you and your family, since once acted upon, your decision is irrevocable.

Will my spouse be entitled to a benefit?

If you are in receipt of a retirement, early retirement, deferred retirement or disability benefit, and if your spouse should survive you while having remained legally married to you, she/he would become entitled to a survivor's benefit upon your death. If there were two or more spouses who are legally recognized (i.e. in a Moslem country where polygamy is legal), the survivor's benefit would be divided among such spouses. Also, a benefit may be payable to a former spouse who fulfills all the criteria for entitlement to a divorced surviving spouse's benefit. In such an event, the survivor's benefit would be divided between the spouse and the former spouse in proportion to the duration of their marriages to the participant. Full information on survivor's benefits may be found in articles 34, 35, 35 bis and 35 ter of the UNJSPF's Regulations or the website at www.unjspf.org.

If I marry/remarry after retirement, would my new spouse be entitled to a benefit?

No, your spouse would not be eligible for a survivor's benefit in the event of your death. However, you may purchase a benefit for a spouse married after separation from service through a reduction in your own monthly benefit by submitting an application to the UNSJPF within 180 days of the date of marriage/remarriage. For more information please consult the website and the specific booklet on survivor's benefits.

Is my pension different if I am single or married?

No, the potential survivorship element is not taken into account in the calculation of a pension benefit. The amount of your benefit would not be different whether you are married or single when you retire.

Will my children be entitled to benefits?

A child's benefit is payable on behalf of unmarried children under the age of 21. If you are eligible for a retirement benefit, the child's benefit begins at the same time as your own benefit. For the recipient of an early retirement benefit, a child's benefit is payable as from the time a participant who had separated on early retirement reaches his/her normal retirement age (60 or 62), except that payment of a disabled child's benefit commences at the same time as an early retirement benefit. A benefit for a disabled child continues for as long as the child remains incapacitated within the meaning of the UNJSPF Regulations. A benefit is not payable for a child born after the date of your separation, unless the child was conceived before then. Nor is a child's benefit payable if you have taken a deferred retirement benefit or a withdrawal settlement. Also, please note that the UNJSPF does not provide a benefit for children who continue their higher education after reaching age 21.

Before I retire, do I have to provide the UNJSPF with a new form indicating to whom I would like my residual benefit to be paid to should I die?

A residual benefit would only be applicable if you died before the UNJSPF had paid out the equivalent of your own contributions plus interest. In such cases, i.e. if you did NOT take a one third lump sum or if the total of the lump sum plus the amount of periodic benefits paid by the UNJSPF is less than your own contributions plus interest, a residual settlement could be due if you died *without* a surviving spouse, dependent child under the age of 21 who has not married, disabled child, or secondary dependant.

What do I do about after service health coverage?

Any queries regarding after service health coverage (ASHI) should be directed to your employing organization since it is that organization that bears the responsibility for such coverage.

What about taxes on my benefit?

Each country determines, based on its own relevant national tax legislation and policies, whether and to what extent UNJSPF pensions are subject to national taxation. The UNJSPF does not maintain official up-to-date familiarity with national tax laws since beneficiaries reside in over 180 countries. Therefore, for authoritative advice on tax issues, you should consult your local tax authority or an attorney or accountant who specializes in such matters. Please note that the UNJSPF itself makes no tax reimbursements to its beneficiaries under any circumstances. Any reimbursement of national income taxes that may be payable on certain UNJSPF benefits is done by the former employing organization. A Guide to National Taxation of UNSJPF benefits, with Special Reference to the United States, may be found on the UNJSPF website.

Regulations

Article 27

Entitlement to benefits

(a) A participant who is not eligible for a retirement benefit under article 28 or a disability benefit under article 33 may elect on separation to receive an early retirement benefit or a deferred retirement benefit or a withdrawal settlement if he or she satisfies the conditions of article 29, 30 or 31 respectively.

(b) Retirement, early retirement and deferred retirement benefits shall be payable at periodic intervals for life.

Article 28

Retirement benefit

(a) A retirement benefit shall be payable to a participant whose age on separation is the normal retirement age or more and whose contributory service was five years or longer.

(b) The benefit shall, subject to (d), (e) and (f) below, in respect of any period or periods of participation commencing on or after 1 January 1983, be payable at the standard rate obtained by multiplying:

(i) The first five years of the participant's contributory service, by 1.5 per cent of the final average remuneration;

(ii) The next five years of contributory service, by 1.75 per cent of the final average remuneration;

(iii) The next 25 years of contributory service, by 2 per cent of the final average remuneration; and

(iv) The years of contributory service in excess of 35 and performed as from 1 July 1995, by 1 per cent of the final average remuneration, subject to a maximum total accumulation rate of 70 per cent.

However, in respect of a participant with a prior period of contributory service of five years or longer ending between 1 January 1978 and 31 December 1982, the standard annual rate specified above shall be calculated by taking into account as periods of contributory service for the purpose of subparagraphs (i), (ii) and (iii) above the period of contributory service before 1 January 1983.

(c) The benefit shall, subject to (d), (e) and (f) below, in respect of any period of participation commencing prior to 1 January 1983, be payable at the standard annual rate obtained by multiplying:

(i) The first 30 years of the participant's contributory service, by 2 per cent of the final average remuneration;

(ii) The years of contributory service in excess of 30, but not exceeding five, by 1 per cent of the final average remuneration; and

(iii) The years of contributory service in excess of 35 and performed as from 1 July 1995 by 1 per cent of the final average remuneration, subject to a maximum total accumulation rate of 70 per cent.

(d) (i) However, except as provided in (ii) below, the benefit otherwise payable at the standard annual rate in accordance with the applicable provisions of (b) or (c) above to a participant at a level above D-2, top step, of the scale of pensionable remuneration indicated in article 54 (see appendix B below), shall not exceed, as at the time of the participant's separation, the greater of:

(A) 60 per cent of the participant's pensionable remuneration on the date of separation; or

(B) The maximum benefit payable under the provisions of (b) or (c) above to a participant at the level D-2 (top step for the preceding five years) separating on the same date as the participant;

(ii) However, for a participant separating at the level of Under Secretary General, Assistant Secretary General or their equivalent level, to whom the provisions of (i) above are applicable, the benefit payable shall not be less than the benefit that would have been payable at the standard annual rate if the participant had separated from service on 31 March 1986; for participants separating at other levels above D 2, top step, in the scale of pensionable remuneration in appendix B below, to whom the provisions of (i) above are applicable, the benefit payable shall not be less than the benefit that would have been payable at the standard annual rate if the participant had separated from service on 31 March 1993; for participants who entered or re-entered the Fund at an ungraded level before 1 April 1993, the provisions of (i) above shall not be applicable.

(e) The benefit shall however be payable at the minimum annual rate which is obtained by multiplying the years of the participant's contributory service, not exceeding 10, by the smaller of 180 dollars [increased to 773.34 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2001] or 1/30 of the final average remuneration, if the benefit so calculated would be greater than the amount under (b) or (c) above.

(f) The annual rate of the benefit shall nevertheless not be less, when no other benefit is payable on account of the participant under these Regulations, than the smaller of 300 dollars [increased to 1,229.64 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2001] or the final average remuneration of the participant.

(g) A benefit payable at the standard annual rate may be commuted by the participant into a lump sum subject to the following limitations and to supplementary article D, where applicable:

(i) If the rate is 300 dollars or more, the amount of the lump sum may not exceed the smaller of:

(A) The actuarial equivalent of one third of the benefit; or

(B) The actuarial equivalent of one third of the maximum benefit that would be payable to a participant retiring at the normal retirement age, on the same date as the participant, with a final average remuneration equal to the pensionable remuneration on that date for the top step of level P 5 on the scale of pensionable remuneration in appendix B below;

(ii) Nevertheless, if the amount calculated under (i) above is less than the amount of the participant's own contributions, then the benefit may be commuted to the extent of the latter amount;

(iii) If the rate is less than 300 dollars, the benefit may be commuted to the extent of its full actuarial equivalent; if a participant is married, the prospective benefit payable to his or her spouse may also be commuted at the standard annual rate of such benefit.

(h) A benefit payable at the minimum rate under (e) or (f) of this article may be commuted into a lump sum as in (g) above, if the participant elects to receive it instead at the standard annual rate

Article 29

Early retirement benefit

(a) An early retirement benefit shall be payable to a participant whose age on separation is at least 55 but less than the normal retirement age and whose contributory service was five years or longer.

(b) The benefit shall be payable at the standard annual rate for a retirement benefit, reduced for each year or part thereof by which the age of the participant on separation was less than the normal retirement age, at the rate of 6 per cent a year, except that:

(i) If the contributory service of the participant was 25 years or longer but less than 30 years, reduced by 2 per cent a year in respect of the period of contributory service performed before 1 January 1985, and 3 per cent a year in respect of the period of such service performed as from 1 January 1985; or

(ii) If the contributory service of the participant was 30 years or longer, reduced by 1 per cent a year; provided however that the rate in (i) or (ii) above shall apply to no more than five years.

(c) The benefit may be commuted by the participant into a lump sum to the extent specified in article 28(g) for a retirement benefit.

Article 30

Deferred retirement benefit

(a) A deferred retirement benefit shall be payable to a participant whose age on separation is less than the normal retirement age and whose contributory service was five years or longer.

(b) The benefit shall be payable at the standard annual rate for a retirement benefit and shall commence at the normal retirement age, or, if the participant so elects, at any age not less than 55, provided that in such event it shall be reduced in the same manner and under the same conditions as specified in article 29(b).

(c) The benefit may be commuted by the participant into a lump sum if the rate of the benefit at the normal retirement age is less than 300 dollars. Such commutation shall be equivalent to the full actuarial value of the benefit.

Article 31

Withdrawal settlement

(a) A withdrawal settlement shall be payable to a participant whose age on separation is less than the normal retirement age, or if the participant is the normal retirement age or more on separation but is not entitled to a retirement benefit.

(b) The settlement shall consist of:

(i) The participant's own contributions, if the contributory service of the participant was less than five years; or

(ii) The participant's own contributions increased by 10 per cent for each year in excess of five up to a maximum of 100 per cent, if the contributory service of the participant was more than five years.

Article 32

Deferment of payment or choice of benefit

(a) The payment to a participant of a withdrawal settlement, or the exercise by a participant of a choice among available benefits, or between a form of benefit involving payment in a lump sum and another form, may be deferred at the participant's request for a period of 36 months.

(b) A participant who deferred a choice under (a) above shall, if the choice is not made within the period, be deemed to have chosen a deferred retirement benefit if his or her age on separation was less than the normal retirement age, and in any event a form of benefit not payable in a lump sum.

Article 33

Disability benefit

(a) A disability benefit shall, subject to article 41, be payable to a participant who is found by the Board to be incapacitated for further service in a member organization reasonably compatible with his or her abilities, due to injury or illness constituting an impairment to health which is likely to be permanent or of long duration.

(b) The benefit shall commence on separation or, if earlier, on the expiration of the paid leave due to the participant and shall continue for as long as the participant remains incapacitated, provided that after age 55 incapacity shall be deemed to be permanent.

(c) The benefit shall, if the age of the participant on entitlement is the normal retirement age or more, be payable at the standard or the minimum annual rate for a retirement benefit as the case may be; if the age of the participant is less than the normal retirement age, the benefit shall be payable at the rate of the retirement benefit which would have been payable had the participant remained in service until the normal retirement age and had the final average remuneration remained unchanged.

(d) The annual rate of the benefit shall, notwithstanding (c) above, not be less, when no other benefit is payable on account of the participant under these Regulations, than the smaller of 500 dollars [increased to 2,047.92 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2001] or the final average remuneration of the participant.

(e) A benefit which is discontinued shall, if a participant who has been separated does not upon such discontinuance again become a participant, be converted at his or her option to a deferred retirement benefit or a withdrawal settlement, calculated as at the date of commencement of the disability benefit.

(f) The Board may prescribe the extent to which and the circumstances in which a disability benefit may be reduced when the beneficiary, although remaining incapacitated within the meaning of this article, is nevertheless in paid employment.

Article 34

Widow's benefit

(a) A widow's benefit shall, subject to article 41 and to (b) below, be payable to the surviving female spouse of a participant who was entitled to a retirement, early retirement, deferred retirement or disability benefit at the date of his death, or who died in service, if she was married to him at the date of his death in service or, if he was separated prior to his death, she was married to him at the date of separation and remained married to him until his death.

(b) A benefit shall nevertheless not be payable if the participant had commuted his widow's prospective benefit under article 28 or 29.

(c) The benefit shall, if the participant died in service or during entitlement to a retirement, early retirement or disability benefit, be payable at the standard annual rate of half the retirement or disability benefit which would have been payable to the participant had he become entitled thereto at the date of his death, or of half of his retirement, early retirement or disability benefit including such part thereof as may have been commuted, as the case may be, provided that the rate shall not be less than the smaller of:

- (i) 750 dollars [increased to 3,223.56 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2001] or
- (ii) Twice the standard annual rate above.

(d) The annual rate of the benefit shall, notwithstanding (c) above, not be less, when no other benefit is payable on account of the participant under these Regulations, than the smaller of 500 dollars [increased to 2,047.92 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2001] or the final average remuneration of the participant.

(e) The benefit shall, if the participant died after the commencement of a deferred retirement benefit which had not been commuted under article 30(c), be payable at half the annual rate of such benefit and, if he died before its commencement, at the rate of half the actuarial equivalent at the date of death of the annual rate of the benefit at the normal retirement age.

(f) The benefit shall be payable at periodic intervals for life, provided that a benefit payable at an annual rate of less than 200 dollars may be commuted by the widow into a lump sum which is the actuarial equivalent of the benefit at the standard annual rate under (c) above, or the annual rate under (e) above, as the case may be.

(g) The benefit shall, where there is more than one surviving spouse, be divided equally between the spouses, and upon the death of each such spouse shall be equally divided among the remainder.

(h) Notwithstanding the provisions of (a) and (f) above, with respect to a surviving spouse who had remarried prior to 1 April 1999 the benefit under (a) above shall be payable as from 1 January 2001, subject to recovery (with interest) of the lump sum payment that had been made to that surviving spouse upon remarriage, as provided in the Regulations then in effect.

Article 35

Widower's benefit

A widower's benefit, at the rates and under the conditions applicable in article 34 to a widow's benefit, shall be payable to the surviving male spouse of a participant.

Article 35 bis

Divorced surviving spouse's benefit

(a) Any divorced spouse of a participant or former participant, separated on or after 1 April 1999, who was entitled to a retirement, early retirement, deferred retirement or disability benefit, or of a participant who died in service on or after that date, may, subject to the provisions of article 34(b) (applicable also to widowers), request a former spouse's benefit, if the conditions specified in paragraph (b) below are fulfilled.

(b) Subject to paragraph (d) below, the divorced spouse is entitled to the benefit set out in paragraph (c) below, payable prospectively following receipt of the request for a divorced surviving spouse's benefit, if, in the opinion of the Chief Executive Officer of the Fund, all of the following conditions are fulfilled:

(i) The participant had been married to the former spouse for a continuous period of at least ten years, during which contributions were paid to the Fund on account of the participant or the participant was awarded a disability benefit under article 33 of the Regulations;

(ii) The former spouse had not remarried;

(iii) The participant's death occurred within 15 years of the date when the divorce became final, unless the former spouse proves that at the time of death the participant was under a legal obligation to pay maintenance to the former spouse;

(iv) The former spouse has reached the age of 40. Otherwise the benefit entitlement shall commence on the day immediately following the day that age is reached; and

(v) Evidence is provided by the former spouse that the participant's pension entitlement from the Fund was not taken into account in a divorce settlement.

(c) A former spouse who, in the opinion of the Chief Executive Officer, has met the conditions set out in paragraph (b) above shall be entitled to the widow's or widower's benefit under article 34 or 35 as the case may be; however, if the participant is survived by both one or more such former spouses and/or by a spouse entitled to a benefit under article 34 or 35, the benefit payable under article 34 or 35 shall be divided between the spouse and former spouse(s) in proportion to the duration of their marriages to the participant.

(d) Article 34(f) and (g) shall apply *mutatis mutandis*.

(e) The divorced spouse of a former participant who separated before 1 April 1999 and, in the opinion of the Chief Executive Officer, met all the other eligibility conditions in paragraphs (a) and (b) above shall be entitled as from 1 April 1999 to a benefit equal to twice the minimum surviving spouse's benefit under article 34(c), subject to the proviso that the amount of such benefit cannot exceed the amount payable to a surviving spouse of the former participant.

Article 35 ter

Spouses married after separation

(a) A former participant receiving a periodic benefit may elect to provide a periodic benefit for life in a specified amount (subject to paragraph (b) below) to a spouse who was not married to him or her at the date of separation. Such election shall be made within 180 days of the date of marriage or of the entry into force of this provision, if later, and shall become effective one year after the date of marriage, or one year after the date of entry into force of this provision, as appropriate. The benefit shall be payable as of the first day of the month following the death of the former participant. When the election becomes effective, the benefit payable to the former participant shall be reduced in accordance with actuarial factors to be determined by the Fund's Consulting Actuary. An election under this subsection may not be revoked after it becomes effective, except by the death of the spouse, in which case it will be considered terminated as from that date.

(b) Any election made under paragraph (a) shall be subject to the following:

(i) The amount of the periodic benefit payable to the former participant, after reduction owing to elections made pursuant to paragraph (a) above, shall be at least one half of the benefit that would have been payable without any such elections; and

(ii) The amount of the benefit payable to the spouse shall not be larger than the amount of the benefit payable to the retired participant after reduction for the elections.

Article 36

Child's benefit

(a) A child's benefit shall, subject to (b) and (c) below, be payable to each child of a participant who is entitled to a retirement, early retirement or disability benefit or who has died in service, while the child remains unmarried and under the age of 21.

(b) A benefit shall be payable to a child who is over the age of 21 if the child is found by the Board to have been incapacitated by illness or injury for substantial gainful employment:

- (i) On reaching the age of 21, if immediately prior thereto a child's benefit was payable; or
- (ii) At the time of the death in service or entitlement to a benefit of the participant.

A benefit payable as above shall continue for as long as the child remains incapacitated.

(c) A child's benefit shall, notwithstanding (a) above, not become payable, if the participant has chosen an early retirement benefit, until the participant dies or reaches the normal retirement age, except to a child under the age of 21 found by the Board to be disabled.

(d) The benefit shall, during the continuance of any periodic benefit resulting from retirement, early retirement, disability or death in service, but subject to (e) and (f) below, be payable at the annual rate of one third of the benefit payable to the participant or, if the participant died in service, one third of the retirement or disability benefit which would have been payable if the participant had become entitled thereto at the date of death, subject to a minimum of 300 dollars per annum [increased to 1,290.36 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2001] and a maximum of 600 dollars [increased to 2,542.80 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2001].

(e) The benefit, if no other periodic benefit is payable and there is no surviving parent able, in the opinion of the Board, to support the child, or if the other periodic benefit payable is to a surviving spouse who is not a natural or adoptive parent and does not have custody of the child, and further subject to (f) below, shall be payable at the rate in (d) above increased by the greater of:

- (i) 300 dollars [increased to 1,290.36 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2001] or one quarter of the retirement, early retirement or disability benefit from which it is derived, if one child's benefit is payable; and
- (ii) 600 dollars [increased to 2,542.80 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2001] or half the retirement, early retirement or disability benefit from which it is derived, and divided by the number of eligible children, if more than one such benefit is payable.

(f) The total benefits payable under (d) above shall nevertheless not exceed an annual rate of 1,800 dollars [increased to 7,628.40 dollars under the UNJSPF Pension Adjustment System, effective 1 April 2001], nor shall the total benefits under (d) or (e) above, added to any retirement benefit payable under article 28(b), (c), (d) or (e), early retirement benefit under article 29(b), disability, widow's or widower's benefit exceed the final average remuneration of the participant added to the total annual children's allowances that were payable by the member organization at the time the participant was separated.

(g) Benefits payable under this article shall be recalculated as may be required to achieve the purposes of (e) and (f) above.

Article 37

Secondary dependant's benefit

(a) A secondary dependant's benefit shall, subject to article 41 and to (b) below, be payable to not more than one surviving secondary dependant of a participant who was entitled to a retirement, early retirement, deferred retirement or disability benefit at the date of death, or who died in service.

(b) A secondary dependant's benefit shall nevertheless not be payable:
(i) Where a benefit is or was payable to a child or to the surviving spouse of the participant; and
(ii) In the case of a brother or sister, where the benefit payable to the participant was a deferred retirement benefit.

(c) The benefit shall be payable at the following rates:
(i) In the case of a mother or father, at the rates and under the conditions applicable in article 34(b), (c), (d), (f) and (h) to a widow's or widower's benefit, save that the Board may, in the event of remarriage, decide in its discretion to continue the benefit;
(ii) In the case of a brother or sister, at the rate applicable in article 36(d) to a child's benefit and shall be payable or shall continue to be payable beyond the age of 21 under the conditions of article 36(b).

(d) In the event that more than one person is eligible under this article, the benefit shall be payable to the person designated by the participant or, failing such designation or person, to the person designated by the Board.

Article 38

Residual settlement

(a) A residual settlement shall be payable if, upon the death of a participant and the exhaustion, as the case may be, of any entitlements due under these Regulations to his or her survivors, the total amount of the benefits paid to and on account of the participant is less than the participant's own contributions.

(b) The settlement shall be payable to a beneficiary designated by the participant and alive when the payment is due; failing such beneficiary, the settlement shall be paid to the estate of the participant.

(c) The settlement shall consist of the participant's own contributions at the date of his or her separation or death in service, reduced by the total amount of the benefits paid to and on account of the participant.

Article 39

Limitation of entitlements during leave without pay

(a) Entitlement to a disability benefit or to a benefit payable in case of death, during a period of leave without pay granted for the performance of military service, shall instead be to a withdrawal settlement calculated as of the day immediately preceding the commencement of such leave, in accordance with article 31.

(b) In the event that a participant becomes entitled to a retirement, early retirement or deferred retirement benefit on separation during a period of leave without pay, a widow's, widower's, child's or secondary dependant's benefit shall not be payable unless entitlement thereto would have existed had the participant died on the day immediately preceding the commencement of such leave.

Article 40

Effect of re-entry into participation

(a) If a former participant who is entitled to a retirement, early retirement or deferred retirement benefit under these Regulations again becomes a participant, entitlement to such benefit or to a benefit derived therefrom shall be suspended and no benefit shall be payable until the participant dies or is again separated.

(b) Such a participant who again becomes a participant and is again separated after at least five years of additional contributory service shall also be entitled, at the time of such subsequent separation, in respect of such service and subject to paragraph (d) below, to a retirement, early retirement or deferred retirement benefit, or a withdrawal settlement under article 28, 29, 30 or 31, as the case may be.

(c) Such a participant, who again becomes a participant and is again separated after less than five years of additional contributory service, shall, in respect of such service, become entitled to:

(i) A withdrawal settlement under article 31; or

(ii) Subject to (d) below, a retirement, early retirement or deferred retirement benefit, as the case may be, under article 28, 29 or 30, based on the length of such additional contributory service; provided, however, that such benefit may not be commuted into a lump sum, in whole or in part, and shall not be subject to any minimum provisions.

(d) Payment of benefits under (b) or (c)(ii) above shall commence on the date of the resumption or commencement, as the case may be, of payment of benefits suspended under (a) above. In no event shall the total benefits payable to or on account of a former participant in respect of separate periods of contributory service exceed the benefits which would have been payable had the participation in the Fund been continuous.

Administrative Rules

Section I

Entitlement to benefits

I.1 Entitlement to a benefit shall, subject to rules I.3 and I.4 below but without further action by an organ of the Fund other than as may be required to determine eligibility for a disability or incapacitated child's benefit under these Rules, vest in a participant and in the child of a participant on the day succeeding the last day of contributory service; it shall vest in the widow, widower, secondary dependant, designated beneficiaries or estate of a participant on the day succeeding the day of the participant's death in service, and on the first day of the month succeeding the death if the participant died while in receipt of a periodic benefit.

I.2 Entitlement to a benefit under article 36(a) of the Regulations shall continue to the end of the month in which the child marries or reaches the age of twenty one.

I.3 Entitlement shall be subject to certification by the Chief Executive Officer of the Fund, in accordance with article 7(c), that the conditions for payment of the benefit have been fulfilled; the Chief Executive Officer shall refer to the Standing Committee for decision any case which is not so certified.

I.4 Where, in the case of a disability benefit, a period of leave in pay status has succeeded a period of leave without pay for reasons of health, entitlement to the benefit shall vest as though the paid leave of the participant had been continuous.

I.5 In no circumstances shall more than one child's benefit be payable in respect of any one child. Where entitlement to more than one child's benefit would otherwise exist in respect of a child, the child's benefit that is largest shall be payable.

Section J

Computation and payment of benefits

J.1 The member organization by which a participant is employed shall, upon separation, inform the secretary of the staff pension committee of the participant's last day of service and shall furnish such further information as the secretary may require for the purpose of computing the entitlements under the Regulations.

J.2 (a) The participant shall specify in writing, on a form provided for the purpose by the secretary of the committee, the benefit and any commutation thereof elected in accordance with the Regulations, instructions with respect to the method, currency and the banking or other institution, if such be the case, to which payment should be made on account of the participant. Subsequent changes in the election of benefits by the participant shall not be accepted unless:

(i) No payment has yet been made by the Fund; and

(ii) In the case of a deferred retirement benefit, in addition to meeting the condition under subparagraph (i) above, no letter of entitlement has yet been sent by the Fund.

(b) In the case of a participant who separates on or after 31 December 1984, or whose deferred retirement benefit commences after 31 December 1984, payment of the periodic benefit shall be made monthly in arrears. Payment of the periodic benefits of all other participants and of their beneficiaries shall be made monthly in advance.

(c) In the case of a participant whose remuneration under the terms of appointment was expressed in a currency other than dollars and who selects such currency for the payment of a withdrawal settlement under article 31(b)(i), the Chief Executive Officer shall be authorized [as an incident of making payment under article 47(b)] to make such payment at a rate of exchange which will ensure that the amount paid to the participant shall not be less than the amount deducted from his remuneration for the purpose of article 25, without interest.

(d) In the event of a discrepancy in the amount of a benefit paid in full in a lump sum, whether due to an error or to amendment or revision in data reported to the Fund, a correction shall be made if the discrepancy exceeds 25 dollars.

(e) Benefits payable under the Regulations to the children of a participant shall, unless there are exceptional circumstances, be paid on their behalf to the participant and, upon the participant's death, to the surviving parent or legal guardian of each child, in accordance, *mutatis mutandis*, with (a), (b), (c) and (d) above.

J.3 The participant shall at the same time, where there is a prospect that a benefit may become payable under article 37 or 38 of the Regulations, specify similarly the secondary dependant or other person designated as the beneficiary, as the case may be; in the absence of such designation, payment shall be made in accordance with the designation of the participant under rule B.5 above.

J.4 The contributory service of a participant which is used as a multiple to obtain the rate or amount of any particular benefit shall be calculated in years and fractions of years, each complete calendar month being deemed equal to one twelfth of a year, and the total number of days comprised in the incomplete calendar months being apportioned by the addition of one month for each thirty days or part thereof of fifteen days or longer; a residual period of less than fifteen days shall be disregarded.

J.5 The contributory service of a participant which is used to determine eligibility for a benefit shall be calculated according to the actual years, months and days comprised therein; for the purpose of determining the final average remuneration, incomplete months shall be disregarded except as provided in article 1(h).

J.6 The contributory service of a participant shall not include unused annual leave accrued at the date of separation, for which compensation is paid, or any period in respect of which payment is made in lieu of notice of termination.

J.7 The age of a participant shall be calculated in years and fractions of years from the date of birth to the date of separation, in accordance with the method prescribed for the calculation of contributory service in J.4 above; a participant shall nevertheless not be considered to have reached age fifty five, age sixty or age sixty two until his or her fifty fifth, sixtieth or sixty second birthday, as the case may be, shall have elapsed.

J.8 The participant, and any person entitled through the participant to a periodic benefit from the Fund, shall be required from time to time to furnish, to the satisfaction of the Chief Executive Officer, proof that the participant, and any person on whose behalf a benefit is paid, remains alive and, as the case may be, unmarried; the Chief Executive Officer may, in his or her discretion, suspend payment of a benefit pending the receipt of such proof.

J.9 (a) Any payments made by the Fund to a participant, beneficiary of a participant or third person otherwise than in accordance with the Regulations of the Fund may be deducted from any future benefits payable to or on account of the participant under these Regulations or may be recovered directly from the person or estate of the person to whom any such payments were made. The Chief Executive Officer may, where such an overpayment had been attributable to the submission of incorrect information to the Fund, recover interest, as well as administrative costs of 10 per cent of the overpayment.

(b) The Chief Executive Officer may, where appropriate, waive recovery of all or part of an indebtedness to the Fund. Such waivers shall be reported to the Standing Committee annually;

(c) Two years after discovery by the Fund that any such payments were made, the Chief Executive Officer, in accordance with procedures in the Administration Manual, may deem that the amounts of such payments are unrecoverable and may authorize that such amounts be written off as uncollectible indebtedness to the Fund.

Your Pension Number (and NOT your Index Number)

UNITED NATIONS JOINT STAFF PENSION FUND
INSTRUCTIONS FOR PAYMENT OF BENEFITS

(For participants with 5 or more years of Contributory Service)

Pension Number

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As a participant in the Pension Fund you will, upon separation, become entitled to one of the benefits indicated on page 2.

To assist you in filling out this form, you should read the instructions below since all parts of the form do not necessarily apply to your situation.

If you believe you are entitled to a disability benefit you should not complete this form, but should refer to Administrative Rule H.6.

- If you wish to elect deferment of payment or choice of benefit (under the terms of Article 32 of the Regulations), the **ONLY** action required by you is to enter your mailing address and sign the statement below. Please note the important provision of Article 32, which applies if you defer election, but make no final choice within 36 months. However, in accordance with Article 44 the Fund shall not be liable for interest on any due but unpaid benefits.
- If you wish to submit payment instructions at this time, please complete this form as follows:
 - You should complete Parts I and II, and sign the form on pages 2 and 3.
 - If you have less than 5 years of contributory service, you should NOT complete this form, but should get in touch with the Secretary of your Staff Pension Committee.

(Please read carefully the notes which are intended as a guide to the benefit to which you may be entitled.)

- Completed form should be sent to the Secretary of your Staff Pension Committee.
- Additional points to be noted:
 - A participant is not deemed to have reached the age of 55, 60, or 62, until the end of the day of his/her 55th, 60th, or 62nd birthday, respectively.
 - Entitlement to a benefit does not exist until a participant separates from service.
 - No benefit can be paid until documentation is processed and payment is certified by the CEO of the Pension Fund.
 - Monthly pension benefits may be subject to cost-of-living adjustments.
- Articles 34, 35, 35 bis, 36 and 37 of the Regulations automatically provide for certain benefits in respect of eligible widows, widowers, divorced surviving spouses, children or secondary dependants.
- Full commutation may be possible where the amount of a periodic benefit would be below US\$300 per year.
- You should have on file a "Designation of Recipient of Residual Settlement" form. Any death benefit should be submitted on form PENS A/2.
- Please refer to Article 46 of the Regulations regarding forfeiture of benefits.

NOTE: The following portion is to be completed **ONLY** if you elect deferment of payment under the Regulations; please note that your account accrues interest only if you elect to such deferment, please return this page to the Secretary of your Staff Pension Committee. **RETAIN** pages 2 and 3, to be used when making your final decision.

I, _____, wish to defer payment of my benefit for a period of up to 36 months from the date of my separation, as provided for in Article 32 of the Regulations.

(Print Name)

My future mailing address is:

(Number and Street)

(State or Province) (Postal Code) (Country)

Date _____ Signature: _____

This page should be completed **ONLY** if you wish to defer your choice of benefit for up to 36 months in view of a possible re-entry into participation. If you complete this page, no immediate payment will be made to you.

UNITED NATIONS JOINT STAFF PENSION FUND
INSTRUCTIONS FOR PAYMENT OF BENEFITS

Your Pension Number

(For participants with 5 or more years of Contributory Service)

Pension Number

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Part I – ELECTION OF BENEFIT (Please mark the applicable box below and sign at the bottom of the page.)

(Surname) (First) (Middle)

A. RETIREMENT BENEFIT FOR PARTICIPANTS WHO HAVE REACHED THE NORMAL RETIREMENT AGE (Article 28) (See note 4)

- 1. Full pension.....
- 2. One-third lump sum, OR \$ _____ if less than one third, OR your contributions with interest if greater, AND the balance as a pension. This means renouncing all rights to a minimum pension.....

Check here if you opt for a monthly pension WITHOUT lump sum

Check here if you opt for a reduced monthly pension WITH a lump sum

B. EARLY RETIREMENT BENEFIT FOR PARTICIPANTS WHO HAVE REACHED AGE 55, BUT HAVE NOT REACHED THE NORMAL RETIREMENT AGE (Article 29) (See note 4)

- 1. Full early retirement pension
- 2. One-third lump sum, OR \$ _____ if less than one third, OR your contributions with interest if greater, AND the balance as an early retirement benefit.....

as above

NOTE 1. Immediate pension at a reduced rate, with survivor's benefits. Child's benefit to commence only from the normal retirement age or at death, if earlier.

C. DEFERRED RETIREMENT BENEFIT FOR PARTICIPANTS AT ANY AGE UNDER THE NORMAL RETIREMENT AGE (ARTICLE 30) (See notes 2, 3 and 4)

- Full deferred pension, with survivor's benefits, payable at the normal retirement age.....

If you leave your money in the Fund, you will be entitled to a monthly benefit normally beginning at age 60 or 62

NOTE 2. Deferred benefits may be paid, at a reduced rate, on or after age 55. Kindly notify the Fund approximately one month prior to the age at which you wish your deferred benefit to begin.

NOTE 3. No child's benefit is payable under any form of deferred pension.

NOTE 4. The normal retirement age is 62 for those whose participation commenced or recommenced on or after 1 January 1990. (It is age 60 for those whose continuous participation had commenced before 1990.)

D. WITHDRAWAL SETTLEMENT AT ANY AGE UNDER THE NORMAL RETIREMENT AGE (Article 31)

- A final cash withdrawal settlement which will extinguish all other entitlements.....

DO NOT FORGET TO SIGN HERE

Date: _____ Signature: _____

If you have reached the normal retirement age, 60 or 62 (for those who entered Pension Fund after 1/1/90), indicate your benefit option here.

If you are between age 55 and normal retirement age, make your choice here

If you separate from service before age 55 with more than 5 years of contributory service, you can opt for a future monthly benefit

If you separate from service before normal retirement age and you opt for immediate reimbursement of your contributions, select the withdrawal settlement extinguishing all other rights

UNITED NATIONS JOINT STAFF PENSION FUND
INSTRUCTIONS FOR PAYMENT OF BENEFITS

Pension Number

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PART II – PAYMENT INSTRUCTIONS (PLEASE PRINT or TYPE – DO NOT USE ABBREVIATIONS)

I, _____, hereby submit payment instructions for the benefit payable to me as elected in Part 1 (see page 2).

NOTE: Payment will have to be made in your name to your account only. If you do not have a bank account and are unable to open one, then payment may be sent in care of a United Nations office. Payment cannot be remitted to a mailing address, nor can it be made to a third party.

A. Payment Instructions (If payment instructions are not completed in full, this form will be returned, causing delay in payment of benefit.)

1. MONTHLY BENEFIT

By remittance to my account as follows:

NAME OF FINANCIAL INSTITUTION	BANK ACCOUNT NUMBER
(NAME OF BRANCH, IF APPLICABLE)	
(ADDRESS)	Indicate your SWIFT, ABA, Routing, BLZ, ABI, CAB or sorting code, etc. as required by your bank for direct deposit.
(CITY, STATE, POSTAL CODE, COUNTRY)	

NOTE: Please provide a document from your bank indicating bank codes and preferred routing for international payments.

2. LUMP SUM (Complete only if different from above.)

By remittance to my account as follows:

NAME OF FINANCIAL INSTITUTION	BANK ACCOUNT NUMBER
(NAME OF BRANCH, IF APPLICABLE)	
(ADDRESS)	Indicate your SWIFT, ABA, Routing, BLZ, ABI, CAB or sorting code, etc. as required by your bank for direct deposit.
(CITY, STATE, POSTAL CODE, COUNTRY)	

B. Currency of Payment: Lump Sum _____ Monthly Benefit _____
(Please Specify) (Please Specify)

NOTE: Benefits may be payable in any currency selected by the recipient. Unless indicated otherwise, payment of your benefit will be made in U.S. dollars. With respect to the lump sum, if any currency other than US dollars is selected, the conversion from U.S. dollars will be done by the bank without Pension Fund involvement.

C. Mailing address (to be completed in all cases):

_____ (Number and Street)	_____ (City)
_____ (State or Province)	_____ (Postal Code)
	_____ (Country)

Date: _____ Signature: _____

Your Pension Number

Indicate here the bank and account for your MONTHLY pension

Your account number should be CLEARLY indicated with a maximum of detail. Please provide IBAN for Eurozone and Swift code when available.

Indicate here the bank and account for the payment of your LUMP SUM (1/3)

The lump sum is due in US \$. If you request for payment in another currency, the change will be made by the bank on the day of the transfer. It will NOT be done at a UN exchange rate, but at a bank rate.

Indicate here the currency of payment for your monthly pension. CAUTION! If you complete only this form you will be on the dollar track paid in the currency indicated here. If you want to opt for the local track, you will have to formally apply for it by completing an additional form (E/10 form) and providing a proof of residence.

DO NOT FORGET TO SIGN HERE



Contacting the UN Pension FUND

In New York

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Room S-635 - United Nations
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United States
Tel.: (212)963 6931
Fax: (212) 963 3146

E.mail : unjspf@un.org

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***Obtain more information on the Pension Fund Web Site
www.unjspf.org***

***The secretariat of the
Staff Pension Committee will assist participants from member
organisations.***