

## ARTICLE XXXIV

*(Documentary evidence)*

Replace the present text by the following:

"1. Every participant and every beneficiary under these regulations shall furnish such documentary evidence as may be required under the administrative rules.

"2. If the Joint Staff Pension Board finds that any material fact so required has been omitted or misrepresented, the Board shall be empowered to take such omission or misrepresentation into account in deciding on the individual's entitlement to benefits or participation in the Pension Fund or in modifying any such decision, provided that the individual's entitlement to benefits and participation in the Fund in such case shall be no less favourable than it would have been had the material facts been disclosed or accurately represented."

## III

## ADJUSTMENTS IN BENEFITS AFTER AWARD

*Decides that:*

1. The supplement of 5 per cent to pensions and life annuities authorized, pending the outcome of the comprehensive review, by paragraph 5 of General Assembly resolution 1310 (XIII) shall cease to be paid after 31 March 1961, provided that if in any case the increases resulting from paragraph 2 below in the benefits of a participant or his widow, taken together with the benefits payable to his children, shall amount to less than the amount of the 5 per cent supplement, the difference shall continue to be paid;

2. With effect from 1 April 1961, all pensions and life annuities in payment or payable under the provisions of articles IV, V, VII, VIII and X.1 (*d*) of the Regulations of the United Nations Joint Staff Pension Fund as in force on 31 March 1961, shall, with the exception stated in paragraph 3 below, be adjusted to the amount which would have been payable had they been awarded under the provisions of articles IV, V, VII, VIII, and X.3 (*a*) or X.3 (*b*), as approved in section II of the present resolution, and had their final average remuneration been calculated on a base salary at the mid-point between their actual net base salary and the corresponding United Nations gross salary; in the case of staff subject to the post adjustment system who retired between 1 January 1959 and 31 March 1961, the base pensionable remuneration shall be deemed to have been further increased by 5 per cent with effect from 1 January 1959;

3. No adjustment shall be made in the amount of lump-sum payments paid or payable under the Regulations in force on 31 March 1961, nor shall the new provisions of article IV.1 (*b*) applied retroactively to any retirement benefit of which the recipient commuted a part to a lump sum;

4. Where part of any retirement benefit has been commuted to a lump sum, the amount of any remaining part which is paid or payable as an annuity shall be increased *pro rata* to the increase which would have been granted under paragraph 2 above in the full retirement benefit, other than as a result of article IV.1 (*b*), had no part of it been commuted;

5. The present resolution shall create no entitlement to a pension or annuity to which no entitlement existed at the date a former participant left the service;

6. The United Nations Joint Staff Pension Board is requested to study, at its next session, methods by which any future adjustments in benefits, after their

award, might be made; pending the outcome of such study, the Board is invited to establish, from the excess yield on its investments, a Reserve for Pension Adjustments, and to credit annually to such Reserve an amount sufficient to cover the actuarial value of an increase of 1 per cent in benefits and annuities in payment and in deferred annuities payable under article X of the Regulations.

*954th plenary meeting,  
18 December 1960.*

## 1562 (XV). Amendments to the Pension Scheme Regulations for members of the International Court of Justice

*The General Assembly,*

*Having considered the reports of the Secretary-General<sup>30</sup> and the Advisory Committee on Administrative and Budgetary Questions,<sup>31</sup>*

1. *Adopts* the text annexed to the present resolution as revised Pension Scheme Regulations for members of the International Court of Justice;

2. *Decides* that the revised Regulations shall come into force on 1 January 1961 and shall supersede the Regulations contained in the annex to General Assembly resolution 86 (I) of 11 December 1946, as amended by resolution 1408 (XIV) of 1 December 1959.

*954th plenary meeting,  
18 December 1960.*

## ANNEX

### PENSION SCHEME REGULATIONS FOR MEMBERS OF THE INTERNATIONAL COURT OF JUSTICE

## ARTICLE I

*Retirement pension*

1. A member of the International Court of Justice who has ceased to hold office and who has reached the age of sixty-five shall be entitled during the remainder of his life, subject to paragraph 4 below, to a retirement pension, payable monthly, provided that he has:

(a) Completed at least five years of service;

(b) Not been required to relinquish his appointment under Article 18 of the Statute of the Court for reasons other than the state of his health.

2. The amount of the retirement pension shall be determined as follows:

(a) If the member has served a full term of nine years, the amount of the pension shall be 10,000 dollars a year;

(b) If he has served for more than nine years, the amount of the pension shall be increased by 33.33 dollars a year for each month of service in excess of nine years, provided that the maximum retirement pension shall not exceed two-thirds of his annual salary;

(c) If he has served for less than a full term of nine years, the amount of the retirement pension shall be that proportion of 10,000 dollars which the number of months of his actual service bears to 108.

3. A member who ceases to hold office before the age of sixty-five and who would be entitled to a retirement pension when he reached that age may elect to receive a pension from any date after the date on which he ceases to hold office. Should he so elect, the amount of such pension shall be that amount which has the same actuarial value as the retirement pension which would have been paid to him at the age of sixty-five.

<sup>30</sup> *Ibid.*, agenda item 54, document A/4424.

<sup>31</sup> *Ibid.*, documents A/4544 and A/4579.

4. No retirement pension shall be payable to a former member who has been re-elected to office until he again ceases to hold office. At that time, the amount of his pension shall be calculated in accordance with paragraph 2 above on the basis of his total period of service and shall be subject to a reduction equal in actuarial value to the amount of any retirement pension paid to him before he reached the age of sixty-five.

## ARTICLE II

### *Disability pension*

1. A member found by the Court to be unable to perform his duties because of permanent ill-health or disability shall be entitled upon leaving office to a disability pension payable monthly.

2. The amount of the disability pension shall be determined as in article I, paragraph 2, provided that it shall not be less than 5,000 dollars a year.

## ARTICLE III

### *Widow's pension*

1. Upon the death of a married member, his widow shall be entitled to a widow's pension amounting to one-third of the pension which he would have received had he become entitled to a disability pension at the time of his death, provided that the widow's pension shall not be less than one-sixth of the annual salary.

2. Upon the death of a married former member who was in receipt of a disability pension, his widow, provided she was his wife at the date his service ended, shall be entitled to a widow's pension amounting to one-third of the pension which her husband was receiving, provided that the widow's pension shall not be less than one-sixth of the annual salary.

3. Upon the death of a married former member who was entitled to a retirement pension, his widow, provided she was his wife at the date his service ended, shall be entitled to a widow's pension calculated as follows:

(a) If the former member had not begun, at the date of his death, to receive his retirement pension, the widow's pension shall amount to one-third of the pension which would have been payable to him under article I, paragraph 3, had he commenced to receive such pension on the date of his death, provided that the widow's pension shall not be less than one-twelfth of the annual salary;

(b) If the former member had begun to receive his retirement pension before he reached the age of sixty-five, under article I, paragraph 3, the widow's pension shall amount to one-third of the amount of such pension, but shall not be less than one-twelfth of the annual salary;

(c) If the former member had reached the age of sixty-five when he began to receive his retirement pension, the widow's pension shall amount to one-third of his retirement pension, but shall not be less than one-sixth of the annual salary.

4. A widow's pension shall cease on her remarriage.

## ARTICLE IV

### *Child's benefit*

1. Each child or legally adopted child of a member or former member who dies shall be entitled, while unmarried and under the age of twenty-one, to a benefit calculated as follows:

(a) Where there is a widow entitled to a pension under article III, the annual amount of the child's benefit shall be:

(i) Ten per cent of the retirement pension which the former member was receiving; or

(ii) If the former member had not begun, at the date of his death, to receive his retirement pension, 10 per cent of the pension which would have been payable to him under article I, paragraph 3, had he commenced to receive such pension on the date of his death; or

(iii) In the case of the death of a member in office, 10 per cent of the pension which he would have received had

he qualified for a disability pension at the date of his death;

provided, in all cases, that the amount of the child's benefit shall not exceed 600 dollars a year;

(b) Where there is no widow entitled to a pension under article III, or where the widow dies, the total amount of the children's benefits payable under sub-paragraph (a) above shall be increased by the following amount:

(i) If there is only one eligible child, by one-half of the amount of the pension which was being paid or would have been paid to the widow;

(ii) If there are two or more eligible children, by the amount of the pension which was being paid or would have been paid to the widow;

(c) The total children's benefits payable under sub-paragraph (b) above shall be divided equally among all the eligible children to determine the amount of any one child's benefit; as and when a child ceases to be eligible, the total benefit payable to the remainder shall be recalculated in accordance with sub-paragraph (b).

2. The total amount of children's benefit, when added to the amount of any widow's benefit in payment, shall not exceed the pension which the former member or member received or would have received.

## ARTICLE V

### *Special provisions*

1. Notwithstanding the provisions of article I, paragraph 1 (a), a member elected to fill a casual vacancy who holds office for the remainder of his predecessor's term, where such remaining term is less than five but not less than three years, shall on retirement, after completion of that term and provided that he is not subsequently re-elected, be entitled during the remainder of his life, and subject to article I, paragraph 4, to a retirement pension, payable monthly, calculated in accordance with article I, paragraph 2 (c).

2. Upon the death of a married former member who was entitled to a retirement pension under paragraph 1 above, his widow and children shall be entitled to the appropriate benefit provided under article III, paragraph 3, and article IV, subject to the conditions described therein but without the application of the related minima provisions.

## ARTICLE VI

### *Definitions*

1. "Member" means either the President, the Vice-President or a member of the Court in office.

2. "Annual salary" means the annual salary, exclusive of any allowances, fixed by the General Assembly and received by the member at the time he ceased to hold office.

## ARTICLE VII

### *Miscellaneous provisions*

1. Pensions provided for by the present Regulations shall be calculated in terms of the currency in which the salary of the member concerned has been fixed by the General Assembly.

2. All pensions provided for by these Regulations shall be regarded as expenses of the Court, within the meaning of Article 33 of the Statute of the Court.

3. The President of the Court and the Secretary-General shall establish a table of actuarial reduction factors on the advice of a qualified actuary or actuaries.

## ARTICLE VIII

### *Application and effective date*

1. The present Regulations shall be applicable as from 1 January 1961 to all who are members on or after that date, except that members elected at the fifteenth session of the General Assembly or earlier may, within a period of three months from the date of adoption of the present Regulations, elect to have their entitlements determined in accordance with

the Regulations in force immediately prior to the adoption of the present Regulations.<sup>32</sup>

2. Former members who left office prior to 1 January 1961, or their eligible beneficiaries who are in receipt of a benefit on 1 January 1961, may elect within three months of the adoption of the present Regulations to have their entitlements governed by these Regulations; any former member or beneficiary who does so elect shall have such benefit payments as are due to him on or after 1 January 1961 calculated in accordance with the present Regulations.

### 1575 (XV). Cost estimates for the maintenance of the United Nations Emergency Force<sup>33</sup>

*The General Assembly,*

Recalling its resolutions 1089 (XI) of 21 December 1956, 1151 (XII) of 22 November 1957, 1337 (XIII) of 13 December 1958 and 1441 (XIV) of 5 December 1959,

Having considered the observations made by Member States on the financing of the United Nations Emergency Force,

Having examined the budget estimates for the Force submitted by the Secretary-General for the year 1961<sup>34</sup> and the observations and recommendations thereon of the Advisory Committee on Administrative and Budgetary Questions,<sup>35</sup>

Having noted with satisfaction that special financial assistance has been pledged voluntarily towards the expenditures for the Force in 1961,

Considering that it is desirable to apply voluntary contributions of special financial assistance in such a manner as to reduce the financial burden on those Governments which have the least capacity to contribute towards the expenditures for maintaining the Force,

<sup>32</sup> Annex to General Assembly resolution 86 (I) as amended by resolution 1408 (XIV).

<sup>33</sup> See "Allocation of agenda items", footnote 5.

<sup>34</sup> Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 27, document A/4396.

<sup>35</sup> Ibid., document A/4409.

1. *Authorizes* the Secretary-General to expend up to a maximum of \$19 million for the continuing operation of the United Nations Emergency Force during 1961;

2. *Decides* to assess the amount of \$19 million against all States Members of the United Nations on the basis of the regular scale of assessments, subject to the provisions of paragraphs 3 and 4 below;

3. *Decides further* that the voluntary contributions pledged prior to 31 December 1960, including those already announced and referred to in the fourth preambular paragraph above, shall be applied, at the request of the Member State concerned made prior to 31 March 1961, to reduce by up to 50 per cent:

(a) The assessment that the Member States which were admitted during the fifteenth session of the General Assembly are required to pay for the financial year 1961 in accordance with Assembly resolution 1552 (XV) of 18 December 1960;

(b) The assessment of all other Member States receiving assistance during 1960 under the Expanded Programme of Technical Assistance, commencing with those States assessed at the minimum of 0.04 per cent and then including, in order, those States assessed at the next highest percentages until the total amount of the voluntary contributions has been fully applied;

4. *Decides* that, if Member States do not avail themselves of credits provided for in paragraph 3 above, the amounts involved shall be credited to section 9 of the 1961 budget for the Force;

5. *Approves* the recommendations set forth in paragraphs 67 to 70 of the Secretary-General's report on the United Nations Emergency Force<sup>36</sup> concerning reimbursement of Governments in respect of supplies, material and equipment furnished to their contingents.

960th plenary meeting,  
20 December 1960.

<sup>36</sup> Ibid., document A/4486.

### 1581 (XV). Supplementary estimates for the financial year 1960

*The General Assembly*

1. *Resolves* that for the financial year 1960 the amount of \$US63,149,700 appropriated by its resolution 1443 (XIV) of 5 December 1959 be increased by \$2,585,200 as follows:

Section	Amount appropriated by resolution 1443 (XIV)	Supplementary appropriation	Revised amount of appropriation
(US dollars)			
A. UNITED NATIONS			
Part I. Sessions of the General Assembly, the councils, commissions and committees; special meetings and conferences			
1. Travel of representatives, members of commissions and committees	832,600	89,300	921,900
2. Special meetings and conferences	62,300	559,000	621,300
3. Board of Auditors	53,000	5,000	58,000
TOTAL, PART I	947,900	653,300	1,601,200
Part II. Special missions and related activities			
4. Special missions and related activities	2,523,300	378,800	2,902,100