

2010-UNAT-019, Carranza

UNAT Held or UNDT Pronouncements

UNAT confirmed the UNJSPB's interpretation of Article 24 of the Regulations to the effect that the 2007 amendment to Article 24 of the UNJSPF Regulations only applies to staff members who prior to 2007 had been ineligible to restore previous contributory service. UNAT held, therefore, that the amended Article 24 did not apply to the staff member as he had been eligible to restore previous contributory service but had failed to do so in a timely manner.

Decision Contested or Judgment/Order Appealed

The staff member sought to restore his prior period of contributory service following the amendment to Article 24 of the UNJSPF Regulations. The UNJSPB rejected his request on the grounds that the amended Article 24 concerned only "participants who previously were unable to restore prior contributory service because the length of such service was more than five years".

Legal Principle(s)

Amended Article 24 of the UNJSPF Regulations, which governs the restoration of prior contributory service, only applies to staff members who, prior to 2007, had been ineligible to restore previous contributory service.

Outcome

Appeal dismissed on merits

Full judgment

[Full judgment](#)

Applicants/Appellants

Carranza

Entity

UNHCR

Case Number(s)

2010-024

Tribunal

UNAT

Registry

New York

Date of Judgement

30 Mar 2010

President Judge

Judge Boyko

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

United Nations Joint Staff Pension Fund (UNJSPF)

Validation of prior service

Applicable Law

UNJSPF Regulations

- Article 24