

2021-UNAT-1144, Eric Bertrand

Duflos

UNAT Held or UNDT Pronouncements

By including a paragraph about the possibility for a re-entrant to restore his or her prior contributory service under certain conditions in the A/2 form for designation of the recipient of a residual settlement, the Fund discharged its obligation to notify re-entrants such as Mr Duflos. There was no duty on the part of the Pension Fund to provide further information or clarification in that regard in the absence of any request from Mr. Duflos for information or clarification.

Decision Contested or Judgment/Order Appealed

Decision of the Standing Committee of the United Nations Joint Staff Pension Board dated 8 July 2020 to deny Mr. Duflos' request for restoration of his prior contributory service.

Legal Principle(s)

The language of Article 24 of the UNJSPF Regulations is clear about the one-year time limit from the date of the re-entry into the Pension Fund within which to elect to restore a prior contributory service. There is no discretion to waive this time requirement.

Outcome

Appeal dismissed on merits

Outcome Extra Text

On appeal, UNAT affirmed the decision of the Pension Board.

Full judgment

[Full judgment](#)

Applicants/Appellants

Eric Bertrand Duflos

Entity

UNDP

Case Number(s)

2020-1485

Tribunal

UNAT

Registry

New York

Date of Judgement

29 Oct 2021

Language of Judgment

English

Issuance Type

Judgment

Categories/Subcategories

United Nations Joint Staff Pension Fund (UNJSPF)

Prior contributory service/restoration of

Applicable Law

UNJSPF Regulations

- Article 24

Related Judgments and Orders

2018-UNAT-834

2018-UNAT-830

2010-UNAT-004

2010-UNAT-023