

**No. 47975**

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**Austria  
and  
United Nations Industrial Development Organization**

**Agreement between the Republic of Austria and the United Nations Industrial Development Organization on social security. Vienna, 23 April 2010**

**Entry into force:** *1 November 2010 by notification, in accordance with article 18*

**Authentic texts:** *English and German*

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**Autriche  
et  
Organisation des Nations Unies pour le développement  
industriel**

**Accord entre l'Organisation des Nations Unies pour le développement industriel et la République d'Autriche sur la sécurité sociale. Vienne, 23 avril 2010**

**Entrée en vigueur :** *1<sup>er</sup> novembre 2010 par notification, conformément à l'article 18*

**Textes authentiques :** *anglais et allemand*

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[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT  
BETWEEN THE REPUBLIC OF AUSTRIA AND THE UNITED NATIONS INDUSTRIAL  
DEVELOPMENT ORGANIZATION  
ON SOCIAL SECURITY**

Having regard to Sections 27 and 28 of the Agreement between the Republic of Austria and the United Nations Industrial Development Organization concerning the Headquarters of the United Nations Industrial Development Organization, signed on 29 November 1995, the Republic of Austria and the United Nations Industrial Development Organization have agreed as follows:

## **PART I**

### **Definitions**

#### **Article 1**

In this Agreement:

1. The expression the “UNIDO” means the United Nations Industrial Development Organization;
2. The expression “Director-General” means the Director-General of the UNIDO or any officer designated to act on his behalf;
3. The expression “Headquarters Agreement” means the Agreement between the Republic of Austria and the United Nations Industrial Development Organization regarding the Headquarters of the United Nations Industrial Development Organization, which was signed on 29 November 1995, as amended from time to time;
4. The expression “officials” means the Director-General and all members of the staff of the UNIDO except those who are locally recruited and assigned to hourly rates;
5. The expression “Pension Fund” means the United Nations Joint Staff Pension Fund;
6. The abbreviation “ASVG” means the General Social Insurance Act, Federal Gazette No. 189/1955, as amended from time to time;
7. The abbreviation “AIVG” means the Unemployment Insurance Act of 1977, Federal Gazette No. 609/1977, as amended from time to time.

## **PART II**

### **Scope of insurance**

#### **Article 2**

- (1) On taking up their appointment with the UNIDO or after the completion of three years of continuous service with the UNIDO, officials shall have the right in accordance with the provisions of Article 4 to participate in any of the branches of the social insurance provided for in the ASVG and in the unemployment insurance provided for in the AIVG.
- (2) The insurance under paragraph (1) shall have the same legal effect in each of the selected branches as compulsory insurance.

#### **Article 3**

- (1) Insurance under Article 2 (1) shall take effect on the day on which the official takes up his/her appointment with the UNIDO, if a written declaration to participate is made within seven days of taking up the appointment, otherwise on the day following the date on which the declaration is made.

- (2) Insurance under Article 2 (1) shall cease on the date on which the official's appointment with the UNIDO terminates.
- (3) Notwithstanding the provisions of paragraph (2), insurance under Article 2 (1) shall cease as of the effective date of an official's assignment to duty outside Austria for a period of more than three months, unless the insurance is maintained by submission of a written declaration.
- (4) In the case of termination of the insurance under paragraph (3), the former insurance may be resumed with the same scope of coverage upon completion of the official's assignment according to the terms of paragraph (1).
- (5) On becoming participants in the Pension Fund or after the completion of three years of continuous service with the UNIDO, officials shall have the right, according to the terms of Article 4, to terminate their insurance in each of the selected branches of the social insurance provided for in the ASVG and in the unemployment insurance provided for in the AIVG.

#### **Article 4**

Officials may avail themselves of

1. the right under Article 2 (1) within three months of taking up their appointment with the UNIDO or within three months after the completion of three years of continuous service with the UNIDO,
2. the right under Article 3 (3) before taking up their assignment,
3. the right under Article 3 (4) within one month of completing their assignment,
4. the right under Article 3 (5) within three months of becoming participants in the Pension Fund or within three months after the completion of three years of continuous service with the UNIDO.

#### **Article 5**

Throughout the duration of the insurance in the selected branches under Article 2 (1) the official shall be responsible for the payment of the entire contributions in accordance with the provisions of the ASVG and the AIVG.

### **PART III**

#### **Effects of becoming a participant in or separating from the Pension Fund**

#### **Article 6**

- (1) When an official becomes a participant in the Pension Fund, the contributions that he/she has paid to the Austrian pension insurance scheme for insurance periods to be taken into account,

shall, upon his/her application, be refunded to him/her increased by the adjustment factor under the ASVG applicable for the year of payment of the contributions. Such application shall be made, within eighteen months from the date on which the official becomes a participant in the Pension Fund, to the competent pension insurance institution.

- (2) The date for determining the insurance periods to be taken into account and for determining the competent pension insurance institution shall be the day the official became a participant in the Pension Fund, if it is the first day of a month, otherwise the first day of the following month.
- (3) The contributions to be refunded shall be due six months after the pension insurance institution has received the application. In the event of a delay in payment, interest shall be payable on the amount involved on the basis of the ASVG adjustment factor for the year in which the application is received by the pension insurance institution.
- (4) On refund of the contributions, all claims and entitlements under the Austrian pension insurance scheme in respect of the insurance periods for which contributions have been refunded shall lapse; also, any claims to periodic benefits shall automatically lapse, but the pension and any additional allowances shall still be due for the month following receipt by the insurance institution of the application provided for in paragraph (1).

#### Article 7

- (1) If upon the date on which his/her appointment with the UNIDO terminates an official or his/her survivors are not entitled to periodic benefits from the Pension Fund, the said official or his/her survivors eligible for a benefit under the Austrian pension insurance scheme may, within eighteen months after the date on which his/her appointment terminates, transfer the amount provided for in paragraph (2) to the *Pensionsversicherungsanstalt*. Within the same period the official or his/her survivors eligible for a benefit under the Austrian pension insurance scheme may also repay to the pension insurance institution concerned the contributions refunded to the official under Article 6.
- (2) For every month of service with the UNIDO during which the former official participated in the Pension Fund and which is not already taken into account as a contributory month under the Austrian pension insurance scheme, the amount to be transferred shall be 20.25% of the monthly pensionable remuneration to which the official was entitled in the month preceding the date on which the appointment terminates; nevertheless that part of the remuneration which exceeds thirty times the maximum daily contributory basis under the Austrian pension insurance scheme in effect at the time when the appointment terminates shall not be taken into account. The amount of the contributions to be repaid under paragraph (1), second sentence, shall be increased by application of the adjustment factor valid at the time when the appointment terminates for the year in which the contributions were refunded.
- (3) The percentage referred to in paragraph (2) shall be adjusted by the same amount as the percentage applicable for contributions in the Austrian pension insurance scheme for employees.
- (4) The full months taken into account in establishing the amount transferred shall be considered as contributory months of compulsory insurance in the Austrian pension insurance scheme.