SECTION 5  Pension for Surviving Spouse

Article II 5.01  Entitlement to Pension for Surviving Spouse

The following shall be entitled to a pension for surviving spouse:

a) the spouse of a deceased member whose marriage dates from at least one year prior to the
decease. This condition of duration of the marriage shall not apply if the decease resulted
from an occupational accident, or occupational illness, or if the survivor has at least one
dependent child at the time of decease;

b) the spouse of a deceased beneficiary whose marriage dates from at least five years prior to
the decease. This condition of duration of the marriage shall not apply if the entitlement was
pre-existent, or the deceased was the beneficiary of a disability pension, or if the survivor has
at least one dependent child at the time of decease;

c) subject to the provisions of Article II 5.02, the divorced former spouse of a deceased member
or beneficiary.

Article II 5.02  Entitlement to Pension for Divorced Former Spouse

The divorced former spouse shall be entitled to a pension for surviving spouse on the condition
that:

a) the marriage had lasted 10 years or more;
   AND

b) the deceased former spouse at the time of death was under an obligation to pay
   maintenance to the survivor;
   AND

c) the survivor is 45 years of age or more at the time of the death of the former spouse. This
   age limit shall not apply if the survivor has at least one dependent child at the time of
decease.

Article II 5.03  Duration of the Pension for Surviving Spouse

The pension for surviving spouse shall commence:

a) on the day following the day of the death of the member;

b) on the first day of the month following that of the death of the beneficiary.

It shall cease on the last day of the month of the death of its beneficiary, or on the day of the
latter's remarriage; in this latter case the beneficiary shall receive a sum equal to three times the
annual amount of the pension at the date of remarriage.
Article II 5.04  Amount of the Pension for the Surviving Spouse of a Member

Subject to the provisions of Article II 1.13 the pension for the surviving spouse of a member shall be equal to 1.1% of the final reference salary of the deceased member based on the years of membership he would have accumulated if he had remained a member up to the applicable retirement age, subject to the applicable maximum period of membership specified in Article II 2.02. The number of years counted shall be the applicable maximum period if the death resulted from an occupational accident or occupational illness, or from saving a person.

To the amount thus determined shall be added a fixed sum. This is given in Annex B for a pension calculated on the basis of the applicable maximum period of membership. This sum shall be reduced proportionately for a shorter period of membership and, where applicable, reduced in accordance with Article II 1.13.

Article II 5.05  Amount of the Pension for the Surviving Spouse of a Beneficiary

The pension for the surviving spouse of a beneficiary shall be equal to 55% of the pension of the deceased excluding allowances, without application of the factor specified in Article II 2.05 if the beneficiary was in receipt of an anticipated retirement pension.

To the amount thus determined shall be added a fixed sum. This is given in Annex B for a pension calculated on the basis of the applicable maximum period specified in Article II 2.02. In the event of a shorter period of membership, this sum shall be reduced proportionately and, where applicable, reduced in accordance with Article II 1.13.

Article II 5.06  Maximum Amount

Notwithstanding the provisions of Articles II 5.04 and II 5.05, the total amount of the pension for surviving spouse shall not exceed:

a) the final basic salary of the deceased member;

b) the total benefits received from the Fund by the deceased beneficiary;

c) the amount of the maintenance payment due from the deceased to the divorced former spouse at the time of death.
Article II 5.07  Reduction of Pension for Surviving Spouse

Where at the date of death the difference between the ages of the deceased and of the beneficiary of the pension exceeds the duration of the marriage by more than ten years, and where the deceased was the elder spouse, the pension shall be reduced, for each complete year of such excess, by:

a) 1% for the years from 11 to 19 inclusive;
b) 2% for the years from 20 to 24 inclusive;
c) 3% for the years from 25 to 29 inclusive;
d) 4% for the years from 30 to 34 inclusive;
e) 5% for the years from 35 upwards.

Article II 5.08  Non-entitlement to Pension for Surviving Spouse

Notwithstanding any other provision of these Rules, a marriage to a beneficiary of a retirement pension taking place on or after 1 August 2006 shall not give rise to entitlement to a surviving spouse's pension.

Article II 5.09  Procurement of an Entitlement to Pension for Surviving Spouse

Where, pursuant to Article II 5.08, there is no entitlement to a surviving spouse's pension, the beneficiary may acquire an entitlement to a surviving spouse's pension for his spouse by submitting a request within 180 days of the date of marriage. The corresponding premium for the surviving spouse's pension shall be deducted from his retirement pension, under conditions defined by the Chief Executive Officer in the light of the Actuary's calculations.
SECTION 6 Orphans’ Pensions

Article II 6.01 Entitlement to Pension of Single Orphans

A dependent child shall be entitled to an orphan's pension, upon the death of a parent who is a beneficiary or member, even if, in the case of a member, the dependent child was not shown in the contract of the deceased.

Article II 6.02 Entitlement to Pension of Double Orphans

A dependent child shall be entitled to a double orphan's pension upon the death of a parent who is a member or beneficiary and whose spouse is no longer alive. Except in the case where the pension for surviving spouse ceases on remarriage (Article II 5.03), a single orphan shall be treated as a double orphan if the surviving parent is not a beneficiary of the Fund and is unable to provide adequate maintenance for the child.

Article II 6.03 Amount of Pension for Single Orphans

The amount of the single orphan's pension shall be equal to the following percentages of the final reference salary of the deceased parent:

a) 24% for 1 orphan;
b) 34% total for 2 orphans;
c) 40% total for 3 orphans;
d) 45% total for 4 orphans;
e) 50% total for 5 or more orphans.

The total of the pensions of the surviving spouse and of the orphan(s) may not exceed the final reference salary of the deceased member or the total pension and allowances of the deceased beneficiary. Accordingly, pensions shall be deemed reduced proportionally, when necessary, to conform to this provision.
Article II 6.04  Amount of Pension for Double Orphans

The amount of the double orphan's pension shall be equal to:

a) 38.5% FRS* for 1 orphan;

b) 38.5% FRS* + 2 CA** total for 2 orphans;

c) 38.5% FRS* + 4 CA** total for 3 orphans;

d) 38.5% FRS* + 6 CA** total for 4 orphans;

e) 38.5% FRS* + 7 CA** total for 5 orphans;

and so on, increasing by 1 CA** per orphan from the sixth orphan onwards.

*  FR S = Final Reference Salary of the deceased parent
** CA = dependent Child's Allowance, as given in Annex B

Article II 6.05

Where both deceased parents were either member(s) or beneficiary(-ies) the double orphan's pension(s) shall be calculated on the aggregate of the parents' final reference salaries.

Article II 6.06  Allocation of Orphans' Pensions

Orphans' pensions shall be deemed to be divided equally between the beneficiary orphans.

Article II 6.07  Duration of the Orphan's Pension

The orphan's pension shall commence:

a) on the day following the death of the parent, where the parent was a member;

b) on the first day of the month following the death of the parent, where the parent was a beneficiary.

It shall cease at the end of the month in which the orphan no longer fulfils the qualifying conditions for 'dependent child'. The pensions of any other orphans, and if applicable that of the surviving parent, shall then be recalculated.

Article II 6.08  Non-concurrence of Benefits

The orphan's pension for a handicapped child within the meaning of the Staff Rules and Regulations shall not be cumulative with benefits paid by a pension scheme for similar cases.
Article II 6.09  Non-entitlement to Pension for Orphans

Notwithstanding any other provision of these Rules, and without prejudice to any entitlement to an orphan's pension arising from the death of the other parent, an orphan's pension shall not be payable to:

a) the biological child of a beneficiary of a retirement pension if the child is born on or after 1st June 2007, unless the aforementioned beneficiary was not yet a beneficiary of a retirement pension at the time the child was conceived;

b) a child adopted by the beneficiary of a retirement pension on or after 1st August 2006;

c) the child of the surviving spouse or of the divorced former spouse of a beneficiary of a retirement pension, where the marriage meets the conditions laid down in Article II 5.08.
### ANNEX B

#### FIXED SUMS AND ALLOWANCES

| 1. Amount of the fixed sum for the surviving spouse of a member or of a beneficiary (Article II 5.04): | 564 CHF per month. |
| 2. Amount of the family allowance (Article II 7.02): | 690 CHF per month. |
| 3. Amount of the dependent child's allowance (Article II 7.02): | 491 CHF per month. |