

**No. 48822**

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**Ireland  
and  
Japan**

**Agreement between the Government of Ireland and the Government of Japan on social security. Dublin, 29 October 2009**

**Entry into force:** *1 December 2010 by notification, in accordance with article 25*

**Authentic texts:** *English and Japanese*

**Registration with the Secretariat of the United Nations:** *Ireland, 5 August 2011*

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**Irlande  
et  
Japon**

**Accord entre le Gouvernement de l'Irlande et le Gouvernement du Japon relatif à la sécurité sociale. Dublin, 29 octobre 2009**

**Entrée en vigueur :** *1<sup>er</sup> décembre 2010 par notification, conformément à l'article 25*

**Textes authentiques :** *anglais et japonais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Irlande, 5 août 2011*

[ ENGLISH TEXT – TEXTE ANGLAIS ]\*

AGREEMENT BETWEEN  
THE GOVERNMENT OF IRELAND AND THE GOVERNMENT OF JAPAN  
ON SOCIAL SECURITY

The Government of Ireland and the Government of Japan,  
Being desirous of regulating their mutual relations in the field of social security,  
Have agreed as follows:

PART I  
GENERAL PROVISIONS

Article I  
Definitions

1. For the purpose of this Agreement,
  - (a) "a Contracting State" and "the other Contracting State" mean Ireland or Japan, as the context requires;
  - (b) "national" means,
    - as regards Ireland,  
a citizen of Ireland,
    - as regards Japan,  
a Japanese national within the meaning of the law on nationality of Japan;
  - (c) "legislation" means,
    - as regards Ireland,  
the laws and regulations specified in paragraph 1 of Article 2,
    - as regards Japan,  
the laws and regulations of Japan concerning the Japanese pension systems specified in paragraph 2 of Article 2;
  - (d) "competent authority" means,
    - as regards Ireland,  
the Minister for Social and Family Affairs,
    - as regards Japan,  
any of the Governmental organisations competent for the Japanese pension systems specified in paragraph 2 of Article 2;
  - (e) "competent institution" means,
    - as regards Ireland,  
the Department of Social and Family Affairs,
    - as regards Japan,  
any of the insurance institutions, or any association thereof, responsible for the implementation of the Japanese pension systems specified in paragraph 2 of Article 2;
  - (f) "period of coverage" means a period of contribution under the legislation of a Contracting State and any other period taken into account under that legislation for establishing entitlement to benefits.

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\* Published as submitted.

However, a period which shall be taken into account for the purpose of establishing entitlement to benefits under the legislation of a Contracting State pursuant to other agreements on social security comparable with this Agreement or the Regulations on Social Security for migrant workers of the European Union shall not be included;

- (g) "benefit" means a pension or any other cash benefit under the legislation of a Contracting State.

2. For the purpose of this Agreement, any term not defined in this Agreement shall have the meaning assigned to it under the applicable legislation.

3. The headings of Parts, Chapters and Articles of this Agreement are inserted for convenience of reference only and shall not affect the interpretation of this Agreement.

## Article 2 Scope of this Agreement

This Agreement shall apply,

1. as regards Ireland, to

- (a) the Social Welfare Acts and regulations made under those Acts as they relate to:
- (i) state pension (contributory);
  - (ii) state pension (transition);
  - (iii) widow's and widower's (contributory) pension;
  - (iv) invalidity pension;
  - (v) guardian's payment (contributory);
  - (vi) bereavement grant; and
  - (vii) the liability for payment of employment and self-employment contributions; and
- (b) future legislation which amends, supplements, consolidates or supersedes the legislation specified in subparagraph (a) of this paragraph. However, this Agreement shall not apply to future legislation which creates other types of benefits or new categories of beneficiaries.
2. as regards Japan, to the following Japanese pension systems:
- (a) the National Pension (except the National Pension Fund);
  - (b) the Employees' Pension Insurance (except the Employees' Pension Fund);
  - (c) the Mutual Aid Pension for National Public Officials;

(d) the Mutual Aid Pension for Local Public Officials and Personnel of Similar Status (except the pension system for members of local assemblies); and

(e) the Mutual Aid Pension for Private School Personnel;

(the Japanese pension systems specified in (b) to (e) shall hereinafter be referred to as the "Japanese pension systems for employees");

however, for the purpose of this Agreement, the National Pension shall not include the Old Age Welfare Pension or any other pensions which are granted on a transitional or complementary basis for the purpose of welfare and which are payable wholly or mainly out of national budgetary resources.

### Article 3 Persons Covered

This Agreement shall apply to a person who is or has been subject to the legislation of a Contracting State, as well as family members or survivors who derive rights from such person.

### Article 4 Equality of Treatment

Unless otherwise provided in this Agreement, the persons specified in Article 3 who ordinarily reside in the territory of a Contracting State shall receive equal treatment with nationals of that Contracting State in the application of the legislation of that Contracting State.

However, the foregoing shall not affect the provisions on complementary periods for Japanese nationals on the basis of ordinary residence outside the territory of Japan under the legislation of Japan.

### Article 5 Payment of Benefits Abroad

1. Unless otherwise provided in this Agreement, any provision of the legislation of a Contracting State which restricts entitlement to or payment of benefits solely because the person ordinarily resides outside or is absent from the territory of that Contracting State shall not be applicable to persons who ordinarily reside in the territory of the other Contracting State.

However, the foregoing shall not affect the provisions of the legislation of Japan which require a person who is aged 60 or over but under 65 on the date of the first medical examination or of death to reside ordinarily in the territory of Japan for the acquisition of entitlement to the Disability Basic Pension or the Survivors' Basic Pension.

2. Benefits under the legislation of a Contracting State shall be paid to nationals of the other Contracting State who ordinarily reside in the territory of a third country, under the same conditions as if they were nationals of the first Contracting State.

## PART II PROVISIONS CONCERNING THE APPLICABLE LEGISLATION

### Article 6 General Provisions

Unless otherwise provided in this Agreement, a person who works as an employee or a self-employed person in the territory of a Contracting State shall, with respect to that employment or self-employment, be subject only to the legislation of that Contracting State.