

**No. 48932**

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**Japan  
and  
Canada**

**Agreement between Japan and Canada on social security. Tokyo, 15 February 2006**

**Entry into force:** *1 March 2008 by notification, in accordance with article 19*

**Authentic texts:** *English, French and Japanese*

**Registration with the Secretariat of the United Nations:** *Japan, 30 August 2011*

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**Japon  
et  
Canada**

**Accord de sécurité sociale entre le Japon et le Canada. Tokyo, 15 février 2006**

**Entrée en vigueur :** *1<sup>er</sup> mars 2008 par notification, conformément à l'article 19*

**Textes authentiques :** *anglais, français et japonais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Japon, 30 août 2011*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

Agreement  
between Japan and Canada  
on Social Security

JAPAN and CANADA,

BEING DESIROUS of regulating the relationship between  
them in the field of social security,

HAVE AGREED AS FOLLOWS:

Article 1  
Objectives

1. The objectives of this Agreement are to achieve the appropriate application of the relevant social security schemes in place in Japan and in Canada and to establish, where appropriate, entitlement to benefits, in order to facilitate the mobility of persons between the two countries.

2. Both Parties are committed to maximizing the effect of these objectives.

Article 2  
Definitions

1. For the purpose of this Agreement:

(a) "territory" means:

as regards Japan,  
the territory of Japan;

as regards Canada,  
the territory of Canada;

(b) "national" means:

as regards Japan,  
a Japanese national within the meaning of the law  
on nationality of Japan;

as regards Canada,  
a Canadian citizen within the meaning of the  
Citizenship Act;

(c) "legislation" means:

as regards Japan,  
the laws and regulations of Japan concerning the  
Japanese pension systems specified in  
subparagraph 1(a) of Article 3;

however, the laws and regulations of Japan  
promulgated for the implementation of other  
agreements on social security comparable with  
this Agreement shall not be included;

as regards Canada,  
the acts and regulations of Canada specified in  
subparagraph 1(b) of Article 3;

(d) "competent authority" means:

as regards Japan,  
any of the Governmental organizations competent  
for the Japanese pension systems specified in  
subparagraph 1(a) of Article 3;

as regards Canada,  
the Minister or Ministers responsible for the  
application of the acts and regulations of Canada  
specified in subparagraph 1(b) of Article 3;

(e) "competent institution" means:

as regards Japan,  
any of the insurance institutions, or any  
association thereof, responsible for the  
implementation of the Japanese pension systems  
specified in subparagraph 1(a) of Article 3;

as regards Canada,  
the competent authority;

(f) "period of coverage" means:

as regards Japan,  
a period of contribution under the legislation of  
Japan and any other period taken into account  
under that legislation for establishing  
entitlement to benefits;

as regards Canada,  
a period of contribution used to acquire the  
right to a benefit under the *Canada Pension Plan*  
and a period during which a disability pension is  
payable under that Plan;

- (g) "period of residence in Canada" means:
  - as regards Canada,
  - a period used to acquire the right to a benefit under the *Old Age Security Act*;
- (h) "benefit" means a pension or any other cash benefit under the legislation of either Party.

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

### Article 3 Scope of Application

1. This Agreement shall apply:

- (a) as regards Japan:
  - to the following Japanese pension systems:
  - (i) the National Pension (except the National Pension Fund);
  - (ii) the Employees' Pension Insurance (except the Employees' Pension Fund);
  - (iii) the Mutual Aid Pension for National Public Officials;
  - (iv) the Mutual Aid Pension for Local Public Officials and Personnel of Similar Status (except the pension system for members of local assemblies); and
  - (v) the Mutual Aid Pension for Private School Personnel;

(the Japanese pension systems specified in (ii) to (v) 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;

(b) as regards Canada:

to the following acts and regulations of Canada:

- (i) the *Old Age Security Act*, and the regulations made thereunder; and
- (ii) the *Canada Pension Plan*, and the regulations made thereunder.

2. As regards Canada, this Agreement shall also apply to acts and regulations which amend, supplement, consolidate or supersede the acts and regulations specified in subparagraph 1(b) of this Article.

Article 4  
Equality of Treatment  
and Payment of Benefits Abroad

1. Persons who are or have been subject to the legislation of one Party, as well as other persons who derive rights from such persons, who ordinarily reside in the territory of the other Party, shall receive equal treatment with nationals of that other Party in the application of the legislation of that other Party. 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.

2. Any provision of the legislation of one Party which restricts entitlement to or payment of benefits solely because the person ordinarily resides outside or is absent from the territory of that Party shall not be applicable to persons who ordinarily reside in the territory of the other Party. However, the foregoing shall not affect:

- (a) 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;