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**Canada
and
Barbados**

Agreement on social security between Canada and Barbados. Bridgetown, 11 February 1985

Entry into force: *1 January 1986, in accordance with article XXI*

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**Canada
et
Barbade**

Accord sur la sécurité sociale entre le Canada et la Barbade. Bridgetown, 11 février 1985

Entrée en vigueur : *1^{er} janvier 1986, conformément à l'article XXI*

Textes authentiques : *anglais et français*

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[ENGLISH TEXT - TEXTE ANGLAIS]

AGREEMENT ON SOCIAL SECURITY
BETWEEN
CANADA AND BARBADOS

The Government of Canada and the Government of Barbados,

Resolved to co-operate in the field of social security,

Have decided to conclude an agreement for this purpose, and,

Have agreed as follows:

PART I

DEFINITIONS AND GENERAL PROVISIONS

Article 1

DEFINITIONS

1. For the purposes of this Agreement,
 - (a) "territory" means, as regards Canada, the territory of Canada; and, as regards Barbados, the territory of Barbados;
 - (b) "legislation" means the laws and regulations specified in Article II;
 - (c) "competent authority" means, as regards Canada, the Minister or Ministers responsible for the administration of the legislation of Canada; and, as regards Barbados, the Minister responsible for National Insurance and Social Security;
 - (d) "competent institution" means, as regards a Party, the competent authority of that Party;
 - (e) "creditable period" means, as regards Canada, a period of contributions or residence used to acquire the right to a benefit under the legislation of Canada, and includes a period during which a disability pension is payable under the Canada Pension Plan; and, as regards Barbados, the number of contributions, paid or credited, used to acquire the right to a benefit under the legislation of Barbados, or, as the context may require, the periods to which those contributions relate;
 - (f) "benefit" means, as regards Canada, any cash benefit, pension or allowance for which provision is made in the legislation of Canada and includes any supplements or increases applicable to such a cash benefit, pension or allowance; and, as regards Barbados, old age contributory pension,

invalidity pension, survivors' pension and funeral grant for which provision is made in the legislation of Barbados and includes any supplements or increases applicable to such pensions or grants.

2. Any term not defined in this Article has the meaning assigned to it in the applicable legislation.

Article II

LEGISLATION TO WHICH THE AGREEMENT APPLIES

1. This Agreement shall apply to the legislation listed hereunder, their present and future complements, consolidations and amendments:

(a) with respect to Canada:

- i) the Old Age Security Act and the regulations made thereunder;

and

- ii) the Canada Pension Plan and the regulations made thereunder;

(b) with respect to Barbados:

the National Insurance and Social Security Act and the subsidiary legislation made thereunder, as they relate to:

- i) old age contributory pension,
ii) invalidity pension,
iii) survivors' pension, and
iv) funeral grant.

2. With regard to Part II only, this Agreement shall apply to all aspects of the legislation of Barbados referred to in sub-paragraph 1.(b) of this Article.

3. This Agreement shall apply to laws or regulations which extend the existing legislation to other categories of beneficiaries only if no objection on the part of either Party has been communicated to the other Party within three months of notification of such laws or regulations.

Article III

PERSONS TO WHOM THE AGREEMENT APPLIES AND EQUALITY OF TREATMENT

1. This Agreement shall apply to persons who are or who have been subject to the legislation of both Canada

and Barbados referred to in Article II, and to their dependants and survivors, as specified by the applicable legislation of either Party.

2. Subject to the other provisions of this Agreement, a person described in paragraph 1 of this Article, regardless of nationality, shall be subject to the obligations of the legislation of a Party and shall be eligible for the benefits of that legislation under the same conditions as the citizens of that Party.

Article IV

EXPORT OF BENEFITS

1. Unless otherwise provided in this Agreement, benefits acquired by a person described in paragraph 1 of Article III under the legislation of one Party, including benefits acquired by virtue of this Agreement, shall not be subject to any reduction, modification, suspension, cancellation or confiscation by reason only of the fact that the beneficiary resides in the territory of the other Party, and they shall be payable in the territory of the other Party.

2. Benefits payable under this Agreement by one Party in the territory of the other Party shall also be payable in the territory of a third State.

PART II

PROVISIONS CONCERNING THE APPLICABLE LEGISLATION

Article V

1. Subject to the following provisions of this Article,

- (a) an employed person who works in the territory of one Party shall, in respect of that work, be subject only to the legislation of that Party, and
- (b) a self-employed person who ordinarily resides in the territory of one Party and who works for his own account in the territory of the other Party or in the territories of both Parties shall, in respect of that work, be subject only to the legislation of the former Party.

2. An employed person who is covered under the legislation of one Party and who performs services in the territory of the other Party for the same employer shall, in respect of those services, be subject only to the legislation of the former Party as though those services were performed in its territory. In the case of an assignment, this coverage may not be maintained for more than 24 months without the prior consent of the competent authorities of both Parties.

3. A person who, but for this Article, would be subject to the Canada Pension Plan as well as to the legislation of Barbados in respect of employment as a member of the crew of a ship or aircraft shall, in respect of that employment, be subject only to the legislation of Barbados if he is a resident of Barbados and only to the Canada Pension Plan in any other case.

4. An employed person shall, in respect of the duties of a government employment performed in the territory of the other Party, be subject to the legislation of the latter Party only if he is a citizen thereof or if he ordinarily resides in its territory.

5. The competent authorities of the two Parties may, by common agreement, modify the application of the preceding provisions of this Article with respect to any persons or categories of persons.

Article VI

DEFINITION OF CERTAIN PERIODS OF RESIDENCE WITH RESPECT TO THE LEGISLATION OF CANADA

For the purpose of calculating benefits under the Old Age Security Act:

- i) if a person is subject to the Canada Pension Plan or to the comprehensive pension plan of a province of Canada during any period of residence in the territory of Barbados, that period shall be accepted as a period of residence in Canada for that person as well as for his spouse and dependants who reside with him and who are not subject to the legislation of Barbados by reason of employment;
- ii) if a person is subject to the legislation of Barbados during any period of residence in the territory of Canada, that period shall not be accepted as a period of residence in Canada for that person and for his spouse and dependants who reside with him and who are not subject to the Canada Pension Plan or to the comprehensive pension plan of a province of Canada by reason of employment;
- iii) if a person referred to in sub-paragraph ii) of this Article also becomes subject to the Canada Pension Plan or to the comprehensive pension plan of a province of Canada, by virtue of occupying simultaneously more than one employment, that period shall not be counted as a period of residence in Canada.