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**Canada
and
Trinidad and Tobago**

Agreement on social security between the Government of Canada and the Government of the Republic of Trinidad and Tobago. Port of Spain, 9 April 1997

Entry into force: *1 July 1999, in accordance with article XXIV*

Authentic texts: *English and French*

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**Canada
et
Trinité-et-Tobago**

Accord sur la sécurité sociale entre le Gouvernement du Canada et le Gouvernement de la République de Trinité et Tobago. Port of Spain, 9 avril 1997

Entrée en vigueur : *1^{er} juillet 1999, conformément à l'article XXIV*

Textes authentiques : *anglais et français*

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**AGREEMENT ON SOCIAL SECURITY
BETWEEN
THE GOVERNMENT OF CANADA
AND
THE GOVERNMENT OF THE REPUBLIC OF
TRINIDAD AND TOBAGO**

THE GOVERNMENT OF CANADA

AND

THE GOVERNMENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO,

hereinafter referred to as "the Parties",

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
GENERAL PROVISIONS**

ARTICLE I

Definitions

1. For the purposes of this Agreement:

"benefit" means, as regards a Party, any cash benefit, pension or allowance for which provision is made in the legislation of that Party and includes any supplements or increases applicable to such a cash benefit, pension or allowance; however, for the purposes of Articles VIII, IX and X, "benefit" does not include a grant payable under the legislation of Trinidad and Tobago;

"competent authority" means, as regards Canada, the Minister or Ministers responsible for the application of the legislation of Canada; and, as regards Trinidad and Tobago, the Minister through whom general directions of the Government are given to the Board as provided in the legislation of Trinidad and Tobago;

"competent institution" means, as regards Canada, the competent authority; and, as regards Trinidad and Tobago, the Board of Management established under the *National Insurance Act (Chapter 32:01)*;

"creditable period" means, as regards a Party, a period of contributions, whether paid or credited, or a period of residence used to acquire the right to a benefit under the legislation of that Party; as regards Canada, it also means a period during which a disability pension is payable under the *Canada Pension Plan*;

"government employment" means, as regards Trinidad and Tobago, employment in the service of the Government of Trinidad and Tobago including local government authorities and the Tobago House of Assembly, or in the service of any Statutory Boards, State Corporations or Companies registered under the *Companies' Act* of Trinidad and Tobago being companies in which the Government of Trinidad and Tobago or an agency of the Government of Trinidad and Tobago holds not less than fifty-one percent (51%) of the voting shares; and, as regards Canada, service in the employment of the Government of Canada, a province of Canada or a Canadian municipality;

"legislation" means, as regards a Party, the laws and regulations specified in Article II(1) with respect to that Party;

"territory" means, as regards Canada, the territory of Canada; and, as regards Trinidad and Tobago, the territory of Trinidad and Tobago.

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 following legislation:
 - (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 Trinidad and Tobago:

the *National Insurance Act (Chapter 32:01)* and the regulations made thereunder, as they relate to:

 - (i) retirement benefit,
 - (ii) invalidity benefit,
 - (iii) survivors' benefit,
 - (iv) death benefit, and
 - (v) funeral grant.
2. With regard to Part II only, this Agreement shall apply to all aspects of the *National Insurance Act (Chapter 32:01)* of Trinidad and Tobago and the regulations made thereunder.
3. Subject to paragraph 4, this Agreement shall also apply to laws and regulations which amend, supplement, consolidate or supersede the legislation specified in paragraphs 1 and 2.
4. This Agreement shall apply to laws and regulations which extend the legislation of a Party to new categories of beneficiaries or to new benefits unless an objection on

the part of that Party has been communicated to the other Party not later than 3 months following the entry into force of such laws and regulations.

ARTICLE III

Persons to Whom the Agreement Applies

This Agreement shall apply to:

- (a) any person who is or has been subject to the legislation of one or both of the Parties;
- (b) any other person with respect to the rights he or she derives from a person described in subparagraph (a).

ARTICLE IV

Equality of Treatment

Any person described in Article III who is or has been subject to the legislation of a Party shall be subject to the obligations of the legislation of the other Party and shall be eligible for the benefits of that legislation under the same conditions as citizens of the latter Party.

ARTICLE V

Export of Benefits

1. Unless otherwise provided in this Agreement, benefits payable under the legislation of a Party to any person described in Article III, 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 person resides in the territory of the other Party, and they shall be paid in the territory of the other Party.