

No. 53337*

**Canada
and
Turkey**

Agreement on social security between the Government of Canada and the Government of the Republic of Turkey. Ankara, 19 June 1998

Entry into force: *1 January 2005, in accordance with article XXIV*

Authentic texts: *English, French and Turkish*

Registration with the Secretariat of the United Nations: *Canada, 22 January 2016*

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**Canada
et
Turquie**

Accord sur la sécurité sociale entre le Gouvernement du Canada et le Gouvernement de la République de Turquie. Ankara, 19 juin 1998

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Enregistrement auprès du Secrétariat des Nations Unies : *Canada, 22 janvier 2016*

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

THE GOVERNMENT OF CANADA

AND

THE GOVERNMENT OF THE REPUBLIC OF TURKEY,

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. In the application 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;

"competent authority" means, as regards Canada, the Minister or Ministers responsible for the application of the legislation of Canada; and, as regards Turkey, the Ministry of Labour and Social Security, and other Ministries concerned;

"competent institution" means, as regards Canada, the competent authority; and, as regards Turkey, the institution or institutions responsible for the implementation of the legislation specified in Article II(1)(b);

"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 Turkey, a period of contributions under the legislation of Turkey or a period recognized as a period of contributions;

"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 Turkey, the territory of the Republic of Turkey.

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 Turkey:

to the extent that they apply to insurance schemes for industrial accidents, occupational diseases, invalidity, old age and survivors:

- (i) the *Social Insurance Act, No. 506 (506 Sayılı Sosyal Sigortalar Kanunu)*;
- (ii) the *Pension Fund Act, No. 5434 (5434 Sayılı T.C. Emekli Sandığı Kanunu)*;
- (iii) the *BAG-KUR Act, No. 1479 (1479 Sayılı BAG-KUR Kanunu)*;
- (iv) *Act No. 2925* concerning agricultural workers and *Act No. 2926* concerning the self-employed in the field of agriculture;
- (v) the legislative regulations concerning the above-mentioned Acts;
and
- (vi) the legislation concerning the special funds subject to provisional Article 20 of the *Social Insurance Act, No. 506*

2. Subject to paragraph 3, this Agreement shall also apply to laws and regulations which amend, supplement, consolidate or supersede the legislation specified in paragraph 1.

3. 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 within 3 months following the entry into force of such laws and regulations.

Article III

Personal Scope of Application

This Agreement shall apply to any person who is or who has been subject to the legislation of Canada or Turkey, and to the dependants and survivors of such a person within the meaning of the applicable legislation of either Party.

Article IV

Equality of Treatment

Every person described in Article III shall be accorded equality of treatment regarding rights and obligations under the legislation of both Parties.

Article V

Export of Benefits

Unless otherwise provided in this Agreement:

- (a) 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 these benefits shall be paid in the territory of the other Party;