

No. 12495

**CANADA
and
SOUTH AFRICA**

**Agreement relating to the Canada Pension Plan (with
schedule). Signed at Ottawa on 21 November 1968**

Authentic texts: English, French and Afrikaans.

Registered by Canada on 3 May 1973.

**CANADA
et
AFRIQUE DU SUD**

**Accord relatif au Régime de pensions du Canada (avec an-
nexe). Signé à Ottawa le 21 novembre 1968**

Textes authentiques : anglais, français et afrikaans.

Enregistré par le Canada le 3 mai 1973.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE GOVERNMENT OF CANADA RELATING TO THE CANADA PENSION PLAN

The Government of the Republic of South Africa and the Government of Canada,

Considering that employment in Canada by the government of a country other than Canada is excepted employment under paragraph (j) of subsection (2) of Section 6 of the Canada Pension Plan;

And that, under paragraph (f) of subsection (1) of Section 7 of the Canada Pension Plan, the Governor in Council may make regulations for including in pensionable employment in Canada by the government of a country other than Canada pursuant to an agreement with such employing government;

Desiring to negotiate an agreement for including in pensionable employment in Canada by the Government of the Republic of South Africa;

Have accordingly appointed duly authorized plenipotentiaries for this purpose, and have agreed as follows:

Article I. The provisions of the Canada Pension Plan and the Regulations made thereunder and in force from time to time shall form part of this Agreement.

Article II. The Government of the Republic of South Africa agrees that employment in Canada by the said Government, other than employment stated in the schedule attached hereto, shall be included in pensionable employment under the Canada Pension Plan and the Regulations made thereunder and in force from time to time.

Article III. The Government of the Republic of South Africa agrees, with respect to persons employed in Canada by the said Government, other than employment stated in the schedule attached hereto, and in accordance with the provisions of the Canada Pension Plan and the Regulations made thereunder and in force from time to time:

- (1) to make deductions from their contributory salary and wages,
- (2) to pay contributions as an employer of such persons,
- (3) to remit to Canada the said deductions and contributions,
- (4) to make returns in the form provided therefor, and,
- (5) without restricting the generality of the foregoing, to furnish information with respect to such persons as may be relevant for the administration and operation of the Canada Pension Plan.

Article IV. Canada agrees to include in pensionable employment by Regulation under the Canada Pension Plan employment in Canada by the Government of the Republic of South Africa, other than employment stated in the schedule attached hereto, during the currency of this Agreement.

Article V. (1) This Agreement shall come into force and be effective on the 1st day of January, 1966, and subject to observance of the agreements and cove-

¹ Came into force on 21 November 1968 by signature, with retroactive effect from 1 January 1966, in accordance with article V (1)

nants herein and subject to compliance with the Canada Pension Plan and the Regulations made thereunder and in force from time to time, shall remain in force until terminated in accordance with article VI hereof.

(2) Subject to the Canada Pension Plan and the Regulations made thereunder and in force from time to time, this Agreement may be amended at any time by mutual consent.

Article VI. Either party may terminate this Agreement on the thirty-first (31st) day of December of any year by giving notice in writing to the other party on or before the thirtieth (30th) day of the immediately preceding June.

IN WITNESS WHEREOF the undersigned, duly authorized by their respective Governments, have signed this Agreement.

DONE this 21st. day of November in the year nineteen hundred and sixty-eight in duplicate at Ottawa in the English, French and Afrikaans languages, all texts being equally authentic.

EN FOI DE QUOI, les soussignés, dûment autorisés à cet effet par leurs Gouvernements respectifs, ont signé le présent Accord.

FAIT ce vingt et unième jour de novembre de l'année mille neuf cent soixante-huit en double exemplaire à Ottawa en anglais, en français et en afrikaans, tous les textes faisant également foi.

TEN BEWYSE waarvan die ondergetekendes, behoorlik deur hulle onderskeie Regerings daartoe gemagtig, hierdie ooreenkoms onderteken het.

GEDOEN, in duplo, in die Engelse, Franse en Afrikaanse tale, waarvan al die tekste ewe outentiek is, te Ottawa op hede die 21ste dag van November in die jaar Eenduisend Negehonderd agt-en-sestig.

[Signed — Signé]

ERIC KIERANS
For the Government of Canada
Pour le Gouvernement du Canada
Namens die Regering van Kanada

[Signed — Signé]

B. J. VAN DER WALT
For the Government of the Republic of South Africa
Pour le Gouvernement de la République sud-africaine
Namens die Regering van die Republiek van Suid-Afrika

SCHEDULE

Employment in Canada by the Government of the Republic of South Africa hereinafter listed shall not be included in pensionable employment under this Agreement:

Employment in Canada by the Government of the Republic of South Africa of a person who is exempted from income tax by virtue of Section 62 (1) (a) and (ab) of the Income Tax Act of Canada.

ANNEXE

Catégorie d'emploi au Canada à laquelle ne s'applique pas le Régime de pensions du Canada aux termes du présent Accord :

Emplois au Canada, au service du Gouvernement de la République sud-africaine, de personnes qui sont exonérées de l'impôt sur le revenu en vertu des alinéas *a* et *ab* du paragraphe 1 de l'article 62 de la loi canadienne de l'impôt sur le revenu.

BYLAE

Ondervermelde werk in Kanada deur die Regering van die Republiek van Suid-Afrika verskaf, word nie ingesluit by pensioengewende werk ingevolge hierdie ooreenkoms nie:

Werk in Kanada deur die Regering van die Republiek van Suid-Afrika verskaf aan 'n persoon wat kragtens artikel 62 (1) (a) en (ab) van die Kanadese Inkomstebelastingwet vrygestel is van inkomstebelasting.
