

No. 12492

**CANADA
and
INDIA**

**Agreement relating to the Canada Pension Plan (with
schedule). Signed at Ottawa on 1 December 1967**

*Authentic texts: English and French.
Registered by Canada on 3 May 1973.*

**CANADA
et
INDE**

**Accord relatif au Régime de pensions du Canada (avec an-
nexe). Signé à Ottawa le 1^{er} décembre 1967**

*Textes authentiques : anglais et français.
Enregistré par le Canada le 3 mai 1973.*

AGREEMENT¹ BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF INDIA RELATING TO THE CANADA PENSION PLAN

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 India;

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 India 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 India 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. As the Government of India wishes employment in Quebec, made pensionable pursuant to article V, to be subject to the provisions of the Quebec Pension Plan, it hereby agrees, with respect to persons employed in Quebec by the said Government, other than employment stated in the schedule attached hereto, and in accordance with the provisions of the Quebec 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 Quebec the said deductions and contributions,

¹ Came into force on 1 December 1967 by signature, with retroactive effect from 1 July 1967, in accordance with article VI (1).

- (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 Quebec Pension Plan.

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

Article VI. (1) This Agreement shall come into force and be effective on the first day of July, 1967 and subject to observance of the agreements and covenants 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 VII 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 VII. 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, being duly authorized by their respective Governments, have signed this Agreement.

DONE in two copies at Ottawa this first day of December, 1967, in the English and French languages, each version being equally authentic.

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

FAIT en double expédition à Ottawa le premier jour de décembre 1967, en langues anglaise et française, l'un et l'autre texte faisant également foi.

[Signed — Signé]

E. J. BENSON
For the Government of Canada
Pour le Gouvernement du Canada

[Signed — Signé]

JAYANTO NATH CHAUDHURI
For the Government of India
Pour le Gouvernement de l'Inde

SCHEDULE

Employment in Canada by the Government of India hereinafter listed, shall not be included in pensionable employment under this Agreement:

- (1) Employment in Canada by the Government of India 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

Tout emploi au Canada relevant du Gouvernement de l'Inde indiqué ci-dessous ne pourra être rangé parmi ceux qui ouvrent droit à une pension en vertu du présent Accord :

- 1) L'emploi au Canada pour le compte du Gouvernement de l'Inde d'un individu qui est exempt de l'impôt sur le revenu en application de l'article 62, 1 a et ab de la loi de l'impôt sur le revenu du Canada.