

No. 12348

CANADA
and
FEDERAL REPUBLIC OF GERMANY

Agreement concerning the pension insurance of persons of non-German nationality locally employed at official missions and posts of the Federal Republic of Germany in Canada (with annex). Signed at Ottawa on 19 December 1969

Authentic texts: English, French and German.

Registered by Canada on 28 March 1973.

CANADA
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE

Accord concernant l'assurance-pension des personnes de nationalité non allemande engagées sur place pour travailler aux missions et postes officiels de la République fédérale d'Allemagne au Canada (avec annexe). Signé à Ottawa le 19 décembre 1969

Textes authentiques: anglais, français et allemand.

Enregistré par le Canada le 28 mars 1973.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF CANADA
AND THE GOVERNMENT OF THE FEDERAL REPUBLIC
OF GERMANY CONCERNING THE PENSION INSUR-
ANCE OF PERSONS OF NON-GERMAN NATIONALITY
LOCALLY EMPLOYED AT OFFICIAL MISSIONS AND
POSTS OF THE FEDERAL REPUBLIC OF GERMANY IN
CANADA

The Government of Canada and the Government of the Federal Republic of Germany,

CONSIDERING that, according to paragraph (j) of subsection (2) of Section 6 of the Canada Pension Plan, persons employed in Canada by the Government of a country other than Canada are excepted from pensionable employment under the Canada Pension Plan, and that, according to paragraph (f) of subsection (1) of Section 7 of the Canada Pension Plan, the Governor in Council may make regulations to include in pensionable employment under the Canada Pension Plan persons employed by a Government other than the Government of Canada, provided that a relevant Agreement has been concluded with the Government concerned;

DESIRING to include in pensionable employment under the Canada Pension Plan persons of non-German nationality employed at official missions and posts of the Federal Republic of Germany in Canada, provided that the said employees are not subject under German legislation to compulsory insurance in a legally presented pension scheme, 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 Federal Republic of Germany agrees that the employment of persons at its official missions and posts in Canada shall be

¹ Came into force on 19 December 1969 by signature, with retroactive effect from 1 January 1966, in accordance with article IX.

included in pensionable employment under the Canada Pension Plan and the Regulations made thereunder and in force from time to time; the employment listed in the annex to the present Agreement shall be excepted from such pensionable employment.

Article III

The Government of the Federal Republic of Germany undertakes in accordance with the provisions of the Canada Pension Plan and in respect of the employees included in pensionable employment pursuant to the present Agreement under the Canada Pension Plan,

- (1) to make deductions from their contributory salaries and wages,
- (2) to pay contributions as the employer of such employees,
- (3) to remit to the Government of Canada the said deductions and contributions,
- (4) to forward proof thereof, and
- (5) in addition to the foregoing general obligations, to furnish such information in respect of the said employees as may be relevant for the administration and operation of the Canada Pension Plan, provided that the provisions of such information is not contrary to German regulations.

Article IV

The Government of the Federal Republic of Germany agrees that the employment of persons at its official missions and posts in Quebec shall be included in pensionable employment under the Quebec Pension Plan and the Regulations made thereunder and in force from time to time; the employment listed in the annex to the present Agreement shall be excepted from such pensionable employment.

Article V

The Government of the Federal Republic of Germany undertakes, in accordance with the provisions of the Quebec Pension Plan and in respect of its employees included in pensionable employment pursuant to article 4 :

- (1) to make deductions from their contributory salaries and wages,
- (2) to pay contributions as the employer of such employees,
- (3) to remit to the Government of Quebec the said deductions and contributions,
- (4) to forward proof thereof, and

- (5) in addition to the foregoing general obligations to furnish such information in respect of the said employees as may be relevant for the administration and operation of the Quebec Pension Plan, provided that the provision of such information is not contrary to German regulations.

Article VI

The Government of Canada agrees to include by Regulation under the Canada Pension Plan, the employment of persons at official missions and posts of the Federal Republic of Germany in Canada as pensionable employment for the duration of the present Agreement; the employment listed in the annex to the present Agreement shall be excepted from such pensionable employment. The said annex shall constitute an integral part of the present Agreement.

Article VII

The present Agreement may be amended at any time by mutual agreement.

Article VIII

The present Agreement shall also apply to Land Berlin provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of Canada within three months of the entry into force of the present Agreement.

Article IX

The present Agreement shall enter into force on the day of signature thereof and shall be effective as from 1 January 1966. Either Contracting Party may terminate the present Agreement on 31 December of any year by giving notice in writing to the other Contracting Party not later than 30 June of the same year.

IN WITNESS WHEREOF, the undersigned, duly authorized for this purpose by their respective governments, have signed the present Agreement and have affixed thereto their seals.

DONE in two copies at Ottawa in the English, French and German languages, each version being equally authentic, this nineteenth day of December, 1969.

EN FOI DE QUOI, les soussignés, dûment autorisés à cet effet par leurs gouvernements respectifs, ont signé le présent Accord et y ont apposé leurs sceaux.

FAIT en deux exemplaires à Ottawa, en langues anglaise, française et allemande, chaque version faisant également foi, ce dix-neuvième jour de décembre, 1969.

ZU URKUND DESSEN haben die Unterzeichneten hierzu von ihren Regierungen gehörig befugten Vertreter dieses Übereinkommen unterschrieben und ihr Siegel beigedrückt.

GESCHEHEN zu Ottawa am neunzehnten Dezember 1969 in zwei Urschriften, jede in englischer, französischer und deutscher Sprache, wobei jeder Wortlaut gleichermaßen verbindlich ist.

For Canada :
Pour le Canada :
Für Kanada :

[Signed — Signé]
JEAN-PIERRE COTE

For the Federal Republic of Germany :
Pour la République fédérale d'Allemagne :
Für die Bundesrepublik Deutschland :

[Signed — Signé]
DR. JOACHIM-FRIEDRICH RITTER

ANNEX

The following employment in Canada by the Federal Republic of Germany at its official missions and posts shall not be included in pensionable employment under the present Agreement :

Employment in Canada by the Federal Republic of Germany at its official missions and posts of a person

- (i) who is a German national, or
 - (ii) who contributes to a pension plan of the Federal Republic of Germany because of bilateral and multilateral agreements and all supranational regulations.
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