

Agreement on Social Security between Canada and the Kingdom of the Netherlands

The Government of Canada and the Government of the Kingdom of the Netherlands,

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,
 - (a) "Government of Canada" means the Government in its capacity as representative of Her Majesty the Queen in right of Canada and represented by the Minister of National Health and Welfare;
 - (b) "national" means, as regards Canada, a Canadian citizen; and, as regards the Netherlands, a person of Netherlands nationality;
 - (c) "territory" means, as regards Canada, the territory of Canada; and, as regards the Netherlands, the territory of the Kingdom in Europe;
 - (d) "legislation" means the legislation specified in Article II;
 - (e) "competent authority" means the Minister or Ministers responsible for the administration of the legislation specified in Article II;
 - (f) "competent institution" means, as regards Canada, the competent authority; and, as regards the Netherlands, the institution charged with the implementation of the legislation specified in Article II, which is competent under the applicable legislation;
 - (g) "creditable period" means a period of contributions, insurance, employment or residence used to acquire the right to a benefit under the legislation of either Party;
 - (h) "benefit" means any cash benefit, pension or allowance for which provision is made in the legislation of either Party and includes any supplements or increases applicable to such a cash benefit, pension or allowance;
 - (i) "employed person" means a person who is employed by an employer as well as any person who is deemed equivalent to an employed person by the applicable legislation;
 - (j) "self-employed person" means a person who is gainfully occupied for his or her own account.
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
 - (a) with respect to Canada, to:
 - (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 the Netherlands, to the national legislation on:
 - (i) invalidity insurance,
 - (ii) old age insurance,
 - (iii) widow's and orphan's insurance,
 - (iv) sickness insurance (cash benefits and benefits in kind),
 - (v) unemployment insurance, and
 - (vi) children's allowances.
2. Except as otherwise provided in paragraph 3, this Agreement