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**Canada  
and  
Slovakia**

**Agreement on social security between Canada and the Slovak Republic. Bratislava, 21 May 2001**

**Entry into force:** *1 January 2003, in accordance with article 27*

**Authentic texts:** *English, French and Slovak*

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

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**Canada  
et  
Slovaquie**

**Accord sur la sécurité sociale entre le Canada et la République slovaque. Bratislava, 21 mai 2001**

**Entrée en vigueur :** *1<sup>er</sup> janvier 2003, conformément à l'article 27*

**Textes authentiques :** *anglais, français et slovaque*

**Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies :** *Canada, 22 janvier 2016*

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[ ENGLISH TEXT – TEXTE ANGLAIS ]

**AGREEMENT ON SOCIAL SECURITY**

**BETWEEN**

**CANADA**

**AND**

**THE SLOVAK REPUBLIC**

**CANADA AND THE SLOVAK REPUBLIC**, hereinafter referred to as “the Contracting 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 1**

**Definitions**

1. For the purposes of this Agreement:
  - (a) “benefit” means, as regards a Contracting Party, any cash benefit for which provision is made in the legislation of that Contracting Party and includes any supplements or increases applicable to such a cash benefit;
  - (b) “competent authority” means, as regards Canada, the Minister or Ministers responsible for the application of the legislation of Canada; and, as regards the Slovak Republic, the Ministry of Labour, Social Affairs and Family of the Slovak Republic;
  - (c) “competent institution” means, as regards Canada, the competent authority; and, as regards the Slovak Republic, the institution responsible for applying the legislation of the Slovak Republic;
  - (d) “creditable period” means, as regards a Contracting Party, a period of contributions, employment or residence used to acquire the right to a benefit under the legislation of that Contracting Party; also, as regards Canada, it means a period during which a disability pension is payable under the *Canada Pension Plan*; and, as regards the Slovak Republic, an equivalent period under the legislation of the Slovak Republic;

- (e) “legislation” means, as regards a Contracting Party, the laws, regulations and other legal provisions specified in Article 2 with respect to that Contracting Party.
2. Any term not defined in this Article has the meaning assigned to it in the applicable legislation.

## **ARTICLE 2**

### **Material Scope of the Agreement**

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,
    - (ii) the *Canada Pension Plan* and the regulations made thereunder;
  - (b) with respect to the Slovak Republic:

the legislation regarding:

    - (i) old age pensions,
    - (ii) invalidity pensions and partial invalidity pensions, and
    - (iii) pensions for widows, widowers and orphans.
2. Subject to paragraph 3, this Agreement shall also apply to laws, regulations and other legal provisions which amend, supplement, consolidate or supersede the legislation specified in paragraph 1.
3. This Agreement shall further apply to laws, regulations and other legal provisions which extend the legislation of a Contracting Party to new categories of beneficiaries or to new benefits unless an objection on the part of that Contracting Party has been communicated to the other Contracting Party not later than 3 months following the entry into force of such laws, regulations or other legal provisions.

## **ARTICLE 3**

### **Personal Scope of the Agreement**

This Agreement shall apply to:

- (a) any person who is or who has been subject to the legislation of one or both of the Contracting Parties;
- (b) other persons who derive rights from persons described in sub-paragraph (a).

**ARTICLE 4**

**Equality of Treatment**

Any person described in Article 3 to whom the legislation of a Contracting Party applies shall have the same rights and obligations under that legislation as the citizens of that Contracting Party.

**ARTICLE 5**

**Export of Benefits**

1. Unless otherwise provided in this Agreement, benefits payable under the legislation of a Contracting Party to any person described in Article 3, 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 is in the territory of the other Contracting Party, and these benefits shall be paid when that person is in the territory of the other Contracting Party.
2. Benefits payable under this Agreement to a person described in Article 3 shall be paid even when that person is in the territory of a third State.

**PART II**  
**PROVISIONS CONCERNING THE APPLICABLE LEGISLATION**

**ARTICLE 6**

**Employed and Self-employed Persons**

Subject to Articles 7 and 8, or unless otherwise agreed by the competent authorities of the Contracting Parties or their delegated institutions in accordance with Article 9:

- (a) an employed person who works in the territory of a Contracting Party shall, in respect of that work, be subject only to the legislation of that Contracting Party;
- (b) a self-employed person who, but for this Agreement, would be subject to the legislation of both Contracting Parties in respect of that self-employment shall, in respect thereof, be subject:
  - (i) only to the legislation of Canada if he or she ordinarily resides in Canada (within the meaning given to the term “ordinarily resides” in the laws of Canada), and
  - (ii) only to the legislation of the Slovak Republic if he or she permanently resides in the Slovak Republic (within the meaning given to the term “permanently resides” in the laws of the Slovak Republic).

If a person both ordinarily resides in Canada and permanently resides in the Slovak Republic, the competent authorities of the Contracting Parties or their delegated institutions shall, by common agreement, determine to which legislation he or she will be subject.

**ARTICLE 7**

**Detachments**

If a person who is subject to the legislation of a Contracting Party and who is employed by an employer having a place of business in the territory of that Contracting Party is sent, in the course of that employment, to work in the territory of the other Contracting Party, that person shall, in respect of that work, be subject only to the legislation of the first Contracting Party as though that work was performed in its territory. The preceding sentence shall not apply to a detachment of more than 60 months without the prior consent of the competent authorities of both Contracting Parties or their delegated institutions.