TRINIDAD AND TOBAGO AND CANADA

SOCIAL SECURITY AGREEMENT

JULY 1, 1999
CONTENTS

4 Introduction

5 Trinidad and Tobago Benefits
   The National Insurance System of Trinidad and Tobago
   - Retirement Benefit
   - Invalidity Benefit
   - Survivors' Benefit
   - Death Benefit
   - Funeral Grant

9 Payment of Your Trinidad and Tobago Benefits

9 Taxation of Your Trinidad and Tobago Benefits

9 Temporary Postings in Trinidad and Tobago

11 Canadian Old Age Security Benefits
   Old Age Security Pension
   - If you live in Canada
   - If you live outside Canada
   How we calculate your Pension under the Agreement
   Guaranteed Income Supplement
   Spouse's Allowance
How we calculate your Guaranteed Income Supplement or your Spouse's Allowance under the Agreement

16 Canada Pension Plan Benefits
   Retirement Pension
   Disability Benefits
   Survivor Benefits
   - Surviving spouse's pension
   - Surviving child's benefit
   - Death benefit

   How we calculate your Canada Pension Plan benefits under the Agreement

20 Payment of your Canadian Benefits

20 Taxation of your Canadian Benefits

22 Applying for Benefits
Introduction

The Agreement on Social Security between the Republic of Trinidad and Tobago and Canada coordinates the pension programmes of the two countries. These programmes pay benefits when you retire or if you become disabled or die.

The Agreement has 3 basic objectives:-

1) It will ensure that you have continued coverage by the National Insurance System of Trinidad and Tobago if you are sent to work temporarily in Canada.

2) It can help you receive benefits based on the periods you have lived or worked in Trinidad and Tobago and Canada.

3) It will ensure you have continued coverage by Canadian social security programmes if you are sent to work temporarily in Trinidad and Tobago.

The Trinidad and Tobago benefits included in the Agreement are the Retirement, Invalidity, Survivors, Funeral Grant and Death benefits under the National Insurance System of Trinidad and Tobago.

The Canadian benefits included in the Agreement are those paid under the Old Age Security programme and the Canada Pension Plan.

This summary contains general information. Social security legislation and agreements are complex. The summary may not describe all the provisions that apply to your situation.
Trinidad and Tobago Benefits

The National Insurance System (NIS) which began on 10 April 1972 is an income security programme that covers most employed persons in Trinidad and Tobago.

To qualify for a Trinidad and Tobago Benefit, you normally must have contributed to that country's National Insurance System for a specified, minimum period, which varies according to the type of benefit.

The Trinidad and Tobago benefits included in the Agreement with Canada, are the Retirement, Invalidity, Survivors, Funeral Grant and Death benefits under the National Insurance System.

Retirement Benefit

You can receive a Retirement Benefit if you meet the following conditions:-

1) You must be age 65 or over, or
2) You must have already retired if between age 60 and 65 years, and
3) You must have made contributions under the National Insurance Act of Trinidad and Tobago.

The NIS Retirement Benefit may take the form of either a one-time lump sum grant or a monthly pension. Monthly retirement pensions are paid to persons who have made a minimum of 750 contributions to the National Insurance System of Trinidad and Tobago. A grant of 3 times the cash value of contri-
butions is paid to persons who have made less than 750 contributions to the Trinidad and Tobago National Insurance System.

Invalidity Benefit

You can receive an Invalidity Benefit if you meet the following conditions:

1) You must be between the ages of 16 and 60 years.

2) You must be certified by a medical practitioner in either Trinidad and Tobago or Canada as being incapable of work for not less than 12 months due to sickness caused otherwise than by Employment Injury.

3) You must have made a minimum of 150 contributions, 50 of which must have been during the 3 years immediately preceding the start of incapacity under the National Insurance Act of Trinidad and Tobago.

OR

1) You must have made 250 contributions in the seven 7 years immediately preceding the start of incapacity.

OR

1) You must have made 750 contributions or more.
Where the insured person satisfies all 3 contribution conditions, the one which provides the highest benefit will be applied.

If you were an invalid before 3 May 1999, you would have had to be in employment and be paid Sickness Benefit for 26 weeks before you qualified for Invalidity Benefit.

Survivors' Benefit

You can receive a Survivors' Benefit if you are the widow, disabled widower, child/step-child, orphan or dependent parent of a deceased insured who:

1) made a minimum of 50 contributions under the National Insurance Act of Trinidad and Tobago, or
2) was in receipt of an Invalidity Benefit or a Retirement Pension at the time of death.

Death Benefit

You can receive a Death Benefit if you are the widow, disabled widower, child, orphan or dependent parent of a deceased insured person who:

1) died as a result of an injury or disease contracted in the course of and arising out of his/her employment, or
2) had been eligible for a contribution to be paid on his/her behalf by his/her employer in the week of death by injury or prescribed disease.
Funeral Grant

You can receive a Funeral Grant if you paid the funeral expenses of the deceased insured who:-

1) made a minimum of 25 contributions under the National Insurance Act of Trinidad and Tobago, or
2) had been in receipt of an Employment Injury Benefit, or
3) had been eligible to be paid the Employment Injury Benefit but for the fact of his/her death.

The Agreement may help you receive Trinidad and Tobago benefits even if you have not contributed to the National Insurance System of Trinidad and Tobago for the minimum required period. As long as you have contributed to the System for at least 1 year after 10 April 1972, the National Insurance Board (NIB) of Trinidad and Tobago will use your periods of contributions to the Canada Pension Plan to help complete the minimum required period. Your periods of residence in Canada after 10 April 1972 may also be used to help you qualify for a Trinidad and Tobago Retirement Benefit.

This process does not apply, however, if you wish to qualify for a Trinidad and Tobago Invalidity Benefit.

If you want more information on Trinidad and Tobago benefits please contact the NIB at

**e-mail:** nib@wow.net
Payment of Your Trinidad and Tobago Benefits

Your Trinidad and Tobago benefits will be paid directly to you by the National Insurance Board of Trinidad and Tobago, whether you live in Trinidad and Tobago, Canada or elsewhere. Payments will be made in the currency of the country in which you reside.

Taxation of Your Trinidad and Tobago Benefits

National Insurance benefits are exempt from taxes under existing Trinidad and Tobago legislation.

Temporary Postings in Trinidad and Tobago

Many Canadians go abroad, as part of their work, on temporary postings in another country. These postings might be to the same company, or to a related company (for example, an affiliate or subsidiary in another country).

The Agreement on Social Security between Trinidad and Tobago and Canada ensures that you can continue to contribute to the Canada Pension Plan if your employer sends you to Trinidad and Tobago to work temporarily. In this way, your Canada Pension Plan protection will not be interrupted. The Agreement also ensures that you will not have to contribute to the National Insurance System of Trinidad and
Trinidad & Tobago and Canada
Social Security Agreement

Tobago while you are working in Trinidad and Tobago. For this provision of the Agreement to apply to you, you must be working in Canada and contributing to the Canada Pension Plan before your posting to Trinidad and Tobago. The posting must be part of your work duties. It cannot be an entirely new job in Trinidad and Tobago which has no relation to your job in Canada. Finally, the posting cannot be expected to last more than 5 years.

To benefit from the provisions of the Agreement regarding temporary postings, you and your employer have to obtain a certificate of coverage. You can get such a certificate from Revenue Canada.

For more information, or for an application for a certificate of coverage, you or your employer should contact:-

Revenue Collections
Ottawa Tax Services Office
Revenue Canada
Ottawa, Ontario K1A 0L9
CANADA

Tel: +1-613-598-2408
[collect calls are accepted]

Fax: +1-613-238-7125
Canadian Old Age Security Benefits

Canada’s Old Age Security programme provides 3 benefits:-
- The Old Age Security Pension,
- The Guaranteed Income Supplement, and
- The Spouse’s Allowance.

Old Age Security Pension

You can receive an Old Age Security pension if you meet 3 conditions:-
1) You must be age 65 or more,
2) You must fulfill the residence requirements described below, and
3) You must be a Canadian citizen or a legal resident of Canada. (If you no longer live in Canada, you must have been a Canadian citizen or a legal resident when you left Canada.)

There are 2 different residence requirements for an Old Age Security pension. One is for persons who live in Canada. The other is for persons who live outside Canada or who are away from Canada for more than 6 months.

If you live in Canada....

Normally, to receive an Old Age Security pension in Canada, you must have lived in this country for at least 10 years after you reached age 18.

The Agreement may help you receive an Old Age Security pension even if you have not lived in Canada for 10 years.
As long as you have lived in Canada for at least 1 year after you reached age 18, we will use your periods of contributions to the National Insurance System of Trinidad and Tobago after 10 April 1972 and after reaching age 18, to help you complete the 10-year condition.

For example, suppose you have lived in Canada for 4 years after reaching age 18. Under the Agreement you may receive an Old Age Security pension in Canada if you have contributed to the National Insurance System of Trinidad and Tobago for 6 years or more after 10 April 1972 and after the same age.

If you live outside Canada, or if you are away from Canada for more than 6 months...

Normally, to receive an Old Age Security pension outside Canada, you must have lived in this country for at least 20 years after you reached age 18. You must meet this 20-year condition if you live outside Canada when you apply for your pension. You must also meet this condition if you are already receiving a pension in Canada and you leave for more than 6 months.

The Agreement may help you receive an Old Age Security pension outside Canada even if you have not lived in Canada for 20 years. As long as you have lived in Canada for at least 1 year after you reached 18, we will use your periods of contributions to the National Insurance System of Trinidad and Tobago after 10 April 1972 and after age 18, to help you complete the 20-year condition.
For example, suppose you have lived in Canada for 15 years after reaching age 18. Under the Agreement, you may receive an Old Age Security pension outside Canada if you have contributed to the National Insurance System of Trinidad and Tobago for 5 years or more after 10 April 1972 and after the same age.

How We Calculate Your Pension Under The Agreement

The amount of your Old Age Security pension will depend on how long you have lived in Canada after you reached age 18.

It normally takes 40 years of residence to receive a full pension. If you have lived in Canada less than 40 years, you will receive a partial pension. The partial pension will equal 1/40th of a full pension for each year you lived in Canada after age 18.

If your income is high, the amount of pension you receive may be less, or you may not receive any pension at all.

Once you start to receive a partial Old Age Security pension, additional residence in Canada after that date does not increase the amount of your pension.

Guaranteed Income Supplement

You can receive a Guaranteed Income Supplement if you have little or no income other than the Old Age
Security pension. To receive a Supplement, you must live in Canada and receive an Old Age Security pension. If you leave Canada, you can continue to receive the Guaranteed Income Supplement for the next 6 months. If you stay away longer, you will stop receiving it. You may re-apply for the Supplement if you return to Canada.

Spouse's Allowance

You can receive a Spouse's Allowance if you are between 60 and 64 and your spouse receives a Guaranteed Income Supplement. You can also receive a Spouse's Allowance if you are a widow or widower age 60 to 64 and have little or no income. In either case, you must live in Canada. Normally, to receive a Spouse's Allowance, you must have lived in Canada for at least 10 years after you reached age 18.

The Agreement may help you receive a Spouse's Allowance even if you have not lived in Canada for 10 years. As long as you have lived in Canada for at least 1 year after you reached age 18, we will use your periods of contributions to the National Insurance System of Trinidad and Tobago after 10 April 1972 and after the same age, to help you complete the 10-year condition.

If you leave Canada, you can continue to receive the Spouse's Allowance for the next 6 months. If you stay away longer, you will stop receiving it. You may re-apply for the Allowance if you return to Canada.
When you reach age 65, your Spouse’s Allowance will stop, and you will start to receive an Old Age Security pension.

How we Calculate your Guaranteed Income Supplement OR your Spouse’s Allowance under the Agreement

The amount of your Guaranteed Income Supplement and Spouse’s Allowance depends on 2 things:

1) The length of time you have lived in Canada after you reached age 18.

2) Your income. (If you have a spouse, the amount of your benefit will depend on the combined income of you and your spouse.)

Unlike the Old Age Security pension, additional residence in Canada after you start to receive your Guaranteed Income Supplement or Spouse’s Allowance may increase the amount of your benefit.

If you are a sponsored immigrant, you may not be eligible for a Guaranteed Income Supplement or a Spouse’s Allowance.
Canada Pension Plan Benefits

Under the Canada Pension Plan, you can receive benefits when you retire, or if you become disabled. The Plan will also pay benefits to your survivors after you die.

To qualify for these benefits, you must have contributed to the Plan. You must also meet the other requirements described below.

The Canada Pension Plan began in 1966. It covers almost all persons who are age 18 to 70 and working in Canada, except in Quebec. A similar plan, the Quebec Pension Plan, applies to persons working in Quebec.

You can receive Canada Pension Plan benefits anywhere in the world. It makes no difference if you live in Canada or in another country.

Retirement Pension

You can receive a retirement pension if you have reached retirement age. You must also have contributed to the Plan in at least 1 year during your working life.

The normal retirement age is 65. If you have reached this age, you may receive a retirement pension even if you are still working. You may also receive a retirement pension if you are age 60 to 64. In this case, however, you must either have stopped working or your earnings from work must be relatively low.
If your retirement pension starts before you are age 65, it is reduced by 0.5 percent for each month between the month the pension begins and the month of your 65th birthday. For example, if you start your pension 6 months early, it is reduced by 3 percent (6 x 0.5). The reduction is permanent.

On the other hand, if your pension starts after you reach age 65, it is increased by 0.5 percent for each month of postponement up to age 70.

Disability Benefits

To receive a disability pension, you must be under age 65 and disabled. You must also have contributed to the Canada Pension Plan in 4 of the 6 calendar years immediately before you became disabled.

You are considered disabled if you have a physical or mental disability that is both severe and prolonged. "Severe" means your condition prevents you from working regularly at any job. "Prolonged" means your condition is long-term or is likely to result in your death.

The Agreement cannot help you qualify for a disability benefit and a disabled contributor child’s benefit.

If you are receiving a disability pension and have a dependent child, the Canada Pension Plan may pay an additional benefit for your child. The child must be under age 18, or between 18 and 25 and in full-time attendance at school or university.
Survivor Benefits

If you have contributed to the Canada Pension Plan, your spouse and dependent children may receive survivor benefits after you die. There are 3 such benefits:-

1) The Surviving Spouse’s Pension,
2) The Surviving Child’s Benefit, and
3) The Death Benefit.

For your survivors to receive any of these benefits, you must have contributed to the Plan for a minimum period. The minimum period varies between 3 and 10 years, depending on your age when you die.

The Agreement may help your survivors receive benefits even if you have not contributed to the Canada Pension Plan for the minimum required period. As long as you have contributed to the Plan in at least 1 year at any time during your working life, we will use your periods of contributions to the National Insurance System of Trinidad and Tobago after 10 April 1972 and after you reached age 18, to help complete the minimum required period.

Surviving Spouse’s Pension

To receive a pension, your surviving spouse must be age 35 or more at the time of your death, or must be caring for your child, or must be disabled.

The term “surviving spouse” means a person of the opposite sex with whom you are in a legal or common-law marriage at the time of your death. A common-law spouse is a person of the opposite sex with whom
you have been living in a conjugal relationship for at least 1 year.

Widows and widowers are both eligible for a surviving spouse’s pension. Even if your surviving spouse later re-marries, he or she will continue to receive the pension.

**Surviving Child’s Benefit**

Your dependent children may receive a surviving child’s benefit in the event of your death. The child must be under age 18, or between 18 and 25 and in full-time attendance at school or university.

**Death Benefit**

Your estate may also receive a death benefit when you die. This is a one-time-only payment.

**How we Calculate Your Canada Pension Plan Benefits Under the Agreement**

Some Canada Pension Plan benefits are based entirely on the earnings on which you or your deceased spouse paid contributions to the Plan. Other benefits are flat-rate. Still other benefits are a combination of the two.
Payment of Your Canadian Benefits

You will receive your Old Age Security and Canada Pension Plan benefits monthly. Payments will always be in Canadian dollars.

If you live in Canada or the United States, you can receive your benefits by cheque or direct deposit to your bank account. The choice is yours. If you live in another country, you will receive your benefits by cheque.

Taxation of Your Canadian Benefits

The Old Age Security pension and Canada Pension Plan benefits are taxable under Canada’s Income Tax Act. If you live in Canada, you must declare these benefits on your annual tax return.

If you live outside Canada, part of your benefit may be withheld for Canadian income tax. The rate of withholding will depend on the country in which you live. In most countries, including Trinidad and Tobago, the rate of withholding is 25 percent. However, there are some countries in which the rate is less. This depends on Canada’s tax treaties with those countries.

If you live outside Canada, you may qualify for a reduction in the rate of withholding. This will depend on your income. To find out if you qualify for a reduction, you must apply to Revenue Canada by completing form NR-5.
Trinidad & Tobago and Canada
Social Security Agreement

For more information on the taxation of your Canadian benefits or a copy of form NR-5, you should contact Revenue Canada.

From Canada or the United States, please call
1-800-267-5177

From other countries, you can call
+1-613-952-3741

or write to the following address:

International Tax Service Office
Revenue Canada
Ottawa, Ontario K1A 1A8
CANADA

Fax: +1-613-941-2505
Applying For Benefits

If you live in Trinidad and Tobago...

If you currently reside in Trinidad and Tobago and you have any questions, or you want to apply for a Trinidad and Tobago or Canadian benefit under the Agreement, or if you are being posted to Canada and want to apply for a certificate of coverage, you or your employer should call:

Tel: 1-868-662-6919

You can also write to:

Local Office Operations
The National Insurance Board
Eastern Main Road
Tunapuna
Republic of Trinidad and Tobago
WEST INDIES

Fax: 1-868-662-5671

e-mail: nib@wow.net

If you live in Canada....

If you live in Canada and want to apply for Trinidad and Tobago or Canadian benefits, contact Human Resources Development Canada.

If you speak English, please call
If you speak French, please call

1-800-277-9915

If you have a hearing or speech impairment and use a TDD/TTY device, you can call

1-800-255-4786

Please have your Canadian social insurance number ready.

You can also write to us at the following address:

International Operations
Income Security Programmes
Human Resources Development Canada
Ottawa, Ontario K1A 0L4
CANADA

e-mail: ibfa.piae@hrdc-drhc.gc.ca

Tel: +1-613-957-1954
Fax: +1-613-952-8901

We will send you an application form. You will need to complete the form and return it to us.

Only the National Insurance Board of Trinidad and Tobago can determine your entitlement to Trinidad and Tobago benefits or answer specific questions relating to their benefits. If you think that you may qualify for a Trinidad and Tobago benefit, you should apply.