

Guide for Completing an Application and Supporting Forms for Canada Pension Plan Disability Benefits under the Agreement on Social Security between Canada and the Republic of Poland

If you:

- reside in Poland; and
- wish to apply for Canada Pension Plan Disability benefits,

you must complete an “Application for Canada Pension Plan Disability Benefits under the Agreement on Social Security between Canada and the Republic of Poland”*.

If you have been out of work for twelve months or more, be sure to submit your application as soon as possible. Any delay in submitting your application may mean that you will no longer qualify for a Disability benefit or that you may lose several months of benefit entitlement if your benefit is approved.

This guide has been prepared to help you fill out the application and supporting forms. Please read the guide carefully and follow the instructions which are given. In order to act on your claim as quickly as possible Service Canada *must* have all the information which is requested in the forms. The more accurately the forms are completed, the better we can serve you.

- * If you wish to apply for a Canadian Old Age Security pension or Canada Pension Plan Retirement, Survivor’s, Surviving Child’s or Death benefit you will have to complete a different form entitled “Application for Canadian Old Age, Retirement and Survivors Benefits under the Agreement on Social Security between Canada and the Republic of Poland”. This form is available on this website and from your nearest social security office.

Ce guide est également offert en français sous le titre
*Guide pour remplir une demande de prestations d’invalidité et les
formulaires pertinents du Régime de pensions du Canada en vertu de
l’Accord sur la sécurité sociale entre le Canada et la République de Pologne*

Eligibility conditions

To be eligible for a Canada Pension Plan Disability pension, you must:

- be under age 65;
- be disabled;
- have contributed to the Canada Pension Plan anytime since the start of the Plan in 1966;
- have contributed to the Canada Pension Plan or have creditable periods under the legislation of Poland during four of the six years immediately prior to your disablement, or three of the six years immediately prior to your disablement provided you have at least 25 years of coverage.

In order to be considered disabled under the Canada Pension Plan, you must have a physical or mental disability which is severe and prolonged. “Severe” means that you cannot regularly pursue any substantially gainful occupation. “Prolonged” means that your disability is likely to be long continued and of indefinite duration, or is likely to result in death.

Canada Pension Plan Disabled Contributor’s Child’s benefit

If you qualify for a Disability pension and if you have in your care a dependent child (including an adopted child), your child may qualify for a Disabled Contributor’s Child’s benefit if he or she is:

- under age 18; or
- age 18 or older, but under age 25, and in full-time attendance at school or university.

You can apply for this benefit for a child under age 18 who is in your care using the same form on which you apply for your own Disability pension. (See page 5 of this guide for further details.)

If your child is age 18 or older, he or she should submit a *separate* application for this benefit. The child will have to complete a form entitled “Application for Canada Pension Plan Child’s Benefits under the Agreement on Social Security between Canada and the Republic of Poland”. This form is available on this website and from your nearest social security office.

Completing the application and supporting forms

Application form

Correspondence from Service Canada concerning your application will be written in either English or French, whichever you prefer. At the top of the form in the space provided, please indicate the language in which you wish to receive such correspondence.

Section 1 – General information about the contributor

- If you are making an application on behalf of someone who is incapable of applying for a benefit for him or herself, you should provide information concerning the person on whose behalf you are applying. Please attach a statement briefly explaining the reason for which the applicant is incapable of applying for him or herself.

Question 1

Please give both your Polish Identification Number (PESEL)* and Canadian Social Insurance Number. If you do not have a Canadian Social Insurance Number, or if you do not know the number, the information you will give in questions 2 and 4 of the application form may be sufficient to identify you.

* In the absence of your Polish Identification Number (PESEL), please provide your Polish Tax Identification Number. In the absence of both these numbers, please provide your Polish Identification Card Number or Polish Passport Number.

Question 2

Give the name in full (given name or names and family name) as well as the family name at birth (if it is different). The family name at birth is required for correct identification if the name has been changed through marriage or for some other reason.

Question 3

If the name on the Canadian social insurance card is different from the name given in question 2, please indicate in question 3 the full name *exactly* as it appears on the card. This will assist Service Canada to verify contributions to the Canada Pension Plan and to establish entitlement to Canada Pension Plan Disability benefits.

Question 4

Please indicate your date of birth and submit your birth certificate.

Question 5

Please indicate your current marital status.

Questions 6 and 7

Your current home address is required in answer to question 6. If you wish to receive correspondence concerning your application as well as benefit payments at a different address, please give this address in answer to question 7; otherwise, go to question 8.

Question 8

The information requested in this question is required to enable Service Canada to establish whether your application falls under the authority of the Canada or the Quebec Pension Plan¹.

If you have contributed to the Quebec Pension Plan as well as the Canada Pension Plan, it is the province of residence at the time of your departure from Canada which determines the Plan which applies to you. If you contributed to both Plans and you qualify for a Disability benefit, the applicable Plan will pay the entire benefit based on the total contributions to both Plans.

Question 9

If you have resided in a country other than Canada and Poland or made social security contributions in another country, you may be eligible for benefits under that country's social security system. As well, under the Social Security Agreement between Canada and the Republic of Poland, periods of contribution or residence in a third country may be used to help you qualify for the benefit(s) for which you are applying. A complete answer to question 9 is important, therefore, to ensure that you receive all the benefits to which you are entitled.

Question 10

Under the Canada Pension Plan, periods of nil or low earnings spent caring for young children may be disregarded in calculating a benefit; this will often increase the amount of the benefit. To take advantage of this provision, eligibility to Canadian Family Allowances or to the Child Tax Benefit must have existed after 1 January 1966 for children under age 7. If you or your spouse or common-law partner were eligible for Canadian Family Allowances or the Child Tax Benefit for such a child after 1 January 1966, please indicate this fact in response to question 10. If your answer is "Yes", we will send you a separate form on which you can provide all the specific information required to obtain this advantage.

¹ The Canada Pension Plan operates throughout Canada except in the province of Quebec where a similar program, the Quebec Pension Plan, is in force.

Section 2 – To be completed when applying for a Disabled Contributor’s Child’s benefit for a child under the age of 18

- A benefit on behalf of a child under the age of 18 is payable to you if he or she is your natural or legally adopted child, and he or she is in your custody and control. **However, if the child is in the custody and control of another person, that person should apply for the benefit on the child’s behalf.**

Question 11

Please list all of your children under the age of 18 on whose behalf you are applying for benefits, indicate their date of birth and submit a birth certificate for each child. You should also indicate if they are your natural or legally adopted children. If you answered “OTHER”, please explain the circumstances (i.e. are they the natural or adopted children of your spouse or common-law partner?).

Question 12

If you have children in the custody and control of another person, that person should apply for the benefit on the children’s behalf. Please list the children’s names and the person’s name and address. Service Canada will subsequently send an application form directly to that person.

Question 13

Please indicate whether an application has been made for, or if benefits have been received from either the Canada or the Quebec Pension Plan for the children listed in question 11. If your answer is “Yes”, please provide the Social Insurance Number under which benefits were applied for or received.

A child may receive up to two flat-rate benefits under the Canada Pension Plan if both parents were Canada Pension Plan contributors and are either deceased or are disabled and if all conditions of eligibility are met with respect to both benefits.

Section 3 – Declaration area

- Please sign the application form.

In signing the application, you attest to the truth of the information given in the application. You must notify Service Canada of any changes that might affect your or the contributor’s continuing eligibility for benefits. This includes: an improvement in your or the contributor’s medical condition, a return to full, part-time or trial period of work; attendance at school or university; trade or technical training; or any rehabilitation. You also authorize the competent institution of Poland to furnish to Service Canada information which may affect your or the contributor’s entitlement to the Canadian benefits for which you are applying.

- The declaration of witness is required *only* when the contributor or applicant signs by a mark.

Questionnaire

On the questionnaire you should supply information about your situation. By providing the details about your education, work history, benefits and medical information, you are ensuring that the Canada Pension Plan has all the necessary information when considering your application.

Consent for Service Canada to Obtain Personal Information/Form to be returned with your application

This form authorizes the Canada Pension Plan to obtain medical, vocational and educational information about you. You must complete, sign and date this form.

Consent for Service Canada to Obtain Personal Information/Form to be given to your physician

This form allows your medical doctor to release information to the Canada Pension Plan. This completed form must be given to your doctor when you ask him or her to complete your medical report.

Medical Report

The Medical Report must be completed by the medical doctor who is most familiar with your disabling medical condition.

- Print your name, address and telephone number in the space provided on the front of this form. Print your Social Insurance Number at the top of each page.
- Ask the doctor to complete the rest of the form and return it to you.

Once the completed medical report is returned to you, place it in an envelope along with the completed application and supporting documents, and take or mail it to your nearest social security office.

Additional information

Documents needed

The following documents are required with your application:

- your birth certificate;
- a birth certificate for each child in your custody and control whom you have listed in Question 11;
- any medical reports, hospital discharge summaries, or other information about your disability that you feel may be helpful to the Canada Pension Plan administration in assessing your disability.

You may submit the original or a photocopy that is certified as true for any of the documents required. All original documents will be returned to you promptly. If you submit the photocopies of documents, they must be certified by: an accountant, chiropractor, Commissioner of Oaths, dentist, doctor, employee of a federal or provincial government department or one of its agencies, funeral director, Justice of the Peace, lawyer, magistrate, manager of a financial institution, member of parliament or of a provincial legislature or their staff, minister of religion, municipal clerk, notary, official of a country with which Canada has a social security agreement, official of an embassy, consulate or high commission, pharmacist, police officer, postmaster, professional engineer, social worker or teacher.

The person who certifies the photocopy must indicate his or her official position, telephone number, the date the document is being certified, must print and sign his or her name and add the following sentence on the document: “This photocopy conforms to the original document, which has not been altered in any way”.

Payment of Disability benefits

Disability benefits are payable from the fourth month after you are deemed to have become disabled. You may receive up to a maximum of 12 months of retroactive payments.

If you are still receiving a Disability pension when you turn 65, the pension is replaced by a Retirement pension, payable effective the month after your 65th birthday. (An application is not required; the pension is converted automatically. You will be advised in writing of your Retirement pension rate.)

Once your pension and any Child’s benefit become payable, the amount will be adjusted each January. The adjustment will reflect changes in the cost of living as determined by the Consumer Price Index in Canada.

Division of Canada Pension Plan pension credits

If a marriage ends in divorce or annulment on or after 1 January 1987, the Canada Pension Plan pension credits earned by both spouses during their life together are divided equally between them. This division is mandatory as soon as the Minister of Human Resources and Social Development receives the information necessary to take this action. If the divorce or annulment took place before 1 January 1987, different conditions apply and the division of pension credits is not mandatory. As well, if a legal marriage ends in separation after 1 January 1987 and if the separation has lasted one year, either spouse may apply for a division of pension credits. There is no time limit for making application for a division of pension credits following separation, except in the event of the death of one of the separated spouses. Furthermore, former partners in a common-law relationship may apply for a division of pension credits within four years after they have separated, if they have been living apart for one year.

If you think that you are eligible for a division of Canada Pension Plan pension credits and if you wish to apply, please attach a brief written statement to this effect to your application form. Service Canada will subsequently send you a special form to obtain the additional information needed to determine whether a division of pension credits is possible.

Protection of personal information

The information requested on the application form will be used to determine your entitlement to a Disability benefit under the *Canada Pension Plan*. Under this legislation, information about you may be provided only to the agencies specifically entitled to receive it. In addition, the *Privacy Act* (Canada) prohibits the disclosure of your records without your consent except in specified circumstances (such as to comply with a warrant or subpoena or to enforce a law).

The information about you relating to your application for Canada Pension Plan Disability benefits will be retained in Personal Information Bank HRSDC PPU 175. You have a right to request access to any information about you which is in federal government files. To help you obtain this information, the government has published an Index of Personal Information. The index and information request forms may be obtained from Canadian embassies, high commissions and consulates.