

3. Except as provided in paragraphs 1 and 2, a person who resides in the territory of a Party and who is engaged therein in government employment for the other Party shall, in respect of that employment, be subject only to the legislation of the first Party.

ARTICLE 9

Exceptions

The competent authorities of the Parties or institutions designated by these authorities may, by common agreement, modify the application of the provisions of Articles 6 to 8 with respect to any person or categories of persons.

ARTICLE 10

Definition of Certain Periods of Residence with Respect to the Legislation of Canada

1. For the purpose of calculating the amount of benefits under the *Old Age Security Act*:

- (a) if a person is subject to the *Canada Pension Plan* or to the comprehensive pension plan of a province of Canada during any period of presence or residence in the territory of the Republic of Poland, that period shall be considered as a period of residence in Canada for that person; it shall also be considered to be a period of residence in Canada for that person's spouse or common-law partner and dependants who reside with him or her and who are not subject to the legislation of the Republic of Poland by reason of employment or self-employment;
- (b) if a person is subject to the legislation of the Republic of Poland during any period of presence or residence in the territory of Canada, that period shall not be considered as a period of residence in Canada for that person; it shall also not be considered as a period of residence in Canada for that person's spouse or common-law partner and dependants who reside with him or her and who are not subject to the *Canada Pension Plan* or to the comprehensive pension plan of a province of Canada by reason of employment or self-employment.