

PART III
PROVISIONS CONCERNING BENEFITS

CHAPTER 1
TOTALIZING

ARTICLE 12

**Periods under the Legislation
of Canada and Romania**

1. If a person is not eligible for a benefit because he or she has not accumulated sufficient creditable periods under the legislation of a Party, the eligibility of that person for that benefit shall be determined by totalizing these periods and those specified in paragraphs 2 through 4, provided that the periods do not overlap.
2. For the purpose of determining eligibility for a benefit:
 - (a) under the *Old Age Security Act* of Canada, a creditable period under the legislation of Romania shall be considered as a period of residence in Canada;
 - (b) under the *Canada Pension Plan*, a calendar year including at least three months which are creditable periods under the legislation of Romania shall be considered as a year which is creditable under the *Canada Pension Plan*.
3. For the purpose of determining eligibility for an old age benefit under the legislation of Romania:
 - (a) a calendar year which is a creditable period under the *Canada Pension Plan* shall be considered as 12 months which are creditable under the legislation of Romania;