PART III

PROVISIONS CONCERNING BENEFITS

CHAPTER 1

TOTALIZING OF PERIODS

ARTICLE 9

1. If a person is not entitled to a benefit on the basis of the insured periods completed under the legislation of one Party, eligibility for that benefit shall be determined by totalizing these periods and those stipulated in paragraphs 2 and 3 of this Article, provided that the periods do not overlap.

2.   (a) For purposes of determining eligibility for a benefit under the Old Age Security Act of Canada, a period of residence in the territory of Spain, after the age at which periods of residence in Canada are creditable for purposes of that Act, shall be considered as a period of residence in the territory of Canada.

   (b) For purposes of determining eligibility for a benefit under the Canada Pension Plan, a calendar year including at least ninety days which are insured under the legislation of Spain shall be considered as a year for which contributions have been made under the Canada Pension Plan.

3. For purposes of determining eligibility for a benefit under the legislation of Spain,

   (a) a period ending on or before December 31, 1965 which is an insured period under the Old Age Security Act of Canada shall be considered as a period of contributions under the legislation of Spain;

   (b) a calender year commencing on or after January 1, 1966 which is an insured period under the Canada Pension Plan shall be considered as one year of contributions under the legislation of Spain;

   (c) a period commencing on or after January 1, 1966 which is an insured period under the Old Age Security Act of Canada and which is not part or an insured period under the Canada Pension Plan shall be considered as a period of contributions under the legislation of Spain.

ARTICLE 10

1. If the total duration of the insured periods completed under the legislation of one Party is less than one year and if, taking into account only those periods, no right to a benefit exists under that legislation, the competent institution of that Party shall