

- (b) a person shall be considered to be subject to the legislation of Korea during a period of presence or residence in Canada only if that person makes compulsory contributions under that legislation during that period by reason of employment or self-employment.

PART III

PROVISIONS ON BENEFITS

CHAPTER 1

BENEFITS UNDER THE LEGISLATION OF KOREA

ARTICLE 7

Totalizing and Benefits

1. If a person is not eligible for old-age, survivors or disability benefits under the legislation of Korea based on periods of coverage credited exclusively under the legislation of Korea, the agency of Korea shall take into account the person's periods of coverage credited under the *Canada Pension Plan*, insofar as they do not coincide, for the purpose of establishing the person's entitlement to benefits under the legislation of Korea. The preceding sentence shall not apply for purposes of establishing entitlement to old age, survivors or disability benefits unless the person has completed at least twelve months of coverage under the legislation of Korea.
2. To obtain a disability benefit or survivors benefit, the requirement of the legislation of Korea that a person be covered when the insured event occurs shall be considered to have been met if the person is insured for a benefit under the *Canada Pension Plan* during a period in which the insured event occurs according to the legislation of Korea.
3. In determining eligibility for benefits under this Article, the agency of Korea shall credit twelve months of coverage for every year of contributions under the *Canada Pension Plan* certified as creditable by the agency of Canada.
4. Where periods of coverage under the *Canada Pension Plan* are taken into account to establish eligibility for benefits under the legislation of Korea in accordance with this Article, the benefit due shall be determined as follows:
 - (a) The agency of Korea shall first compute a Basic Pension Amount equal to the amount that would have been payable to the person if all the periods of coverage credited under the legislation of both Contracting States had been completed under the legislation of Korea. To determine the Basic Pension Amount, the agency of Korea shall take into account the person's average standard monthly income while covered under the legislation of Korea.