

CHAPTER 3

SURVIVOR'S BENEFIT, INVALIDITY BENEFIT, CHILDREN'S BENEFIT
AND DEATH BENEFIT

ARTICLE XIV

1. The provisions of this Article shall apply to survivor's benefit, invalidity benefit, children's benefit and death benefit to the extent that the nature of the benefit may require.
2. If a person is entitled to a benefit on the basis of the periods credited under the legislation of one Party without recourse to the provisions of the succeeding paragraphs of this Article, the benefit shall be payable in the territory of the other Party.
3. If a person is not credited solely on the basis of the periods credited under the legislation of one of the Parties, entitlement to the benefit shall be determined by totalizing the credited periods in accordance with the provisions of the succeeding paragraphs of this Article. For the purposes of survivor's benefits, children's benefits and death benefits only, any reference in this Article to a credited period shall be construed as applying to the person by virtue of whose contributions a benefit is being claimed.
4. (a) For the purposes of establishing entitlement to a benefit payable by Canada under paragraph 5 of this Article, a year in respect of which contributions were made under the legislation of Portugal for at least 3 months shall be accepted as a year for which contributions have been made under the Canada Pension Plan.
(b) The provisions of Article XII 4 (b) (i), (ii) and (iii) shall apply for the purpose of establishing entitlement to any benefit payable by Portugal under paragraph 5 of this Article.
5. (a) The provisions of Article XII 5 and 7 shall apply to this Article except, in relation to Canada, for calculation of the amount of the flat rate benefit payable under the Canada Pension Plan.
(b) The amount of the flat rate benefit under the Canada Pension Plan is the amount obtained by multiplying:
 - (i) the amount of the flat rate benefit determined under the provisions of the Canada Pension Planby
 - (ii) the ratio that the periods of contributions to the Canada Pension Plan represent in relation to the total of the periods of contributions to the Canada Pension Plan and of only those periods credited under the legislation of Portugal required to satisfy the minimum requirements for entitlement under the Canada Pension Plan.