

- (b) a person and that person's spouse or common-law partner and dependants who reside with him or her shall be considered to be subject to the legislation of Japan during a period in which that person is present or resides in the territory of Canada only if they are covered under the National Pension during that period.

That person's spouse or common-law partner and dependants who reside with him or her shall be considered to be subject to the *Canada Pension Plan* or to the comprehensive pension plan of a province of Canada during a period in which that person's spouse or common-law partner and dependants are present or reside in the territory of Canada only if that person's spouse or common-law partner and dependants make contributions pursuant to the plan concerned during that period by reason of employment or self-employment.

3. Where a person has completed a period of residence in Canada of at least one year under the *Old Age Security Act* or a period of coverage of at least one year under the *Canada Pension Plan*, but does not have sufficient periods of residence in Canada or periods of coverage to satisfy the requirements for entitlement to benefits under that Act or that Plan, the competent institution of Canada shall take into account, for the purpose of establishing entitlement to benefits under this Article in accordance with paragraphs 4 and 7 of this Article, periods of coverage under the legislation of Japan which do not coincide with periods of residence in Canada or periods of coverage under the legislation of Canada.

4. (a) For the purpose of establishing entitlement to benefits under the *Old Age Security Act* through the application of paragraph 3 of this Article, the competent institution of Canada shall:
- (i) consider, in accordance with the legislation of Canada, a calendar month beginning on or after January 1, 1952, which is a period of coverage under the legislation of Japan, and certified as such by the competent institutions of Japan, as a period of residence in Canada; and
 - (ii) take into account only periods of residence in Canada completed on or after January 1, 1952.