

*Canada Pension Plan* shall be accepted as a month of coverage under Austrian legislation."

9. Article 13 of the Agreement shall be deleted and the following Article substituted in its place:

### **"Article 13**

- (1) Where entitlement to a benefit exists under Austrian legislation without the application of Article 11, the competent Austrian institution shall determine the amount of the benefit in accordance with Austrian legislation on the basis of periods of coverage completed exclusively under that legislation.
- (2) Where entitlement to a benefit exists under Austrian legislation only with the application of Article 11, the competent Austrian institution shall determine the amount of the benefit in accordance with Austrian legislation on the basis of periods of coverage completed exclusively under that legislation and taking into account the following provisions:
  - (a) Benefits or parts of benefits, the amount of which does not depend on the duration of periods of coverage completed, shall be calculated in proportion to the ratio between the duration of the periods of coverage to be taken into account for the calculation under Austrian legislation and the period of 30 years, but shall not exceed the full amount.
  - (b) Where periods after the contingency arises are to be taken into account for the calculation of invalidity or survivors' benefits, such periods shall be taken into account only in proportion to the ratio between the duration of the periods of coverage to be taken into account for the calculation under Austrian legislation and two-thirds of the number of full calendar months between the date on which the person concerned reached the age