

CHAPTER 4
OTHER PROVISIONS

ARTICLE 17
Determining Eligibility
for a Death Benefit

1. For the purposes of this Article, “legislation of Canada” means the legislation specified in Article 2(1)(a)(ii).

2. If a person has completed creditable periods under the legislation of both Contracting Parties, eligibility for a death benefit in respect of that person shall be determined according to the following rules:
 - (a) If a death benefit is payable in respect of that person under the legislation of Canada, without recourse to the totalizing provisions of Chapter 1, the competent organization of Canada shall pay that death benefit, and the competent organization of Uruguay shall not pay a death benefit.

 - (b) If the conditions of sub-paragraph (a) do not apply, the competent organizations of both Contracting Parties shall determine eligibility for death benefits under their respective legislation, applying, if required, the totalizing provisions of Chapter 1. If, as a result, eligibility is established only under the legislation of one Contracting Party, the competent organization of that Contracting Party shall pay a death benefit.

However, if, as a result of applying the first sentence of this sub-paragraph, eligibility is established under the legislation of both Contracting Parties, only the competent organization of the Contracting Party under whose legislation the person concerned last paid contributions shall pay a death benefit in respect of that person, and the competent organization of the other Contracting Party shall not pay a death benefit.