

- (b) the amount of the benefit due to the person in question by the Spanish institution shall be determined by reducing the amount obtained, using the method outlined in the preceding sub-paragraph, in proportion to the length of the periods actually completed under the legislation of Spain over the total of the periods completed under the legislation of the two Parties, within the limits of the maximum period referred to in sub-paragraph (a);
- (c) where the contribution base chosen by the person in question for the calculation of the benefit makes use of the periods during which he or she was insured under the legislation of Canada, the Spanish institution shall establish the aforementioned contribution base using the minimum one which is in force and compulsory in Spain during the said period for workers in the same occupational category or grouping;
- (d) a person subject to the legislation of Canada or entitled to a benefit under that legislation shall be deemed to be validly insured (*situación de alta o asimilado*) for purposes of entitlement to benefit under the legislation of Spain.

2. For the purpose of survivors' benefit and death benefit, any reference in Article 9 and paragraph 1 of this Article to an insured period shall be construed as applying to the person in respect of whom a benefit is being claimed.

ARTICLE 14

Where the family members of an employed person who is subject to the legislation of Spain are residing in the territory of Canada, they shall be deemed, for the payment of family benefits, to be residing in Spain.

ARTICLE 15

1. Where, under the legislation of Spain, the granting of certain benefits on special conditions is made contingent on the insured periods having been completed in a profession covered by a special scheme, or, where applicable, in a specified profession or occupation, the periods completed under the legislation of Canada shall be taken into account for the granting of these benefits only if they were completed in the same profession or, where applicable, in the same occupation.

2. If, considering the periods thus completed, the person in question does not fulfill the requirements for entitlement to these benefits on special conditions, these periods shall be taken into account for the granting of ordinary benefits, regardless of the specific nature of such periods.