

6. (a) Subject to the provisions of paragraph 5, persons employed by a transport enterprise that has its head office in the territory of one of the Contracting States who are assigned to the territory of the other Contracting State or who work there either on a short term basis or as itinerant personnel, shall be subject to the legislation of the Contracting State in the territory of which the enterprise has its head office.
- (b) If, however, the enterprise has a branch or permanent representation in the territory of the other Contracting State, persons employed by that branch or representation shall be subject to the legislation of the Contracting State in the territory of which it is located, except for those who are sent there on a temporary basis.

7. An employed person shall, in respect of the duties of a government employment performed in the territory of the other Contracting State, be subject to the legislation of the latter State only if he is a national thereof or if he ordinarily resides in its territory. In the latter case he may, however elect to be subject only to the legislation of the former Contracting State if he is a national thereof. This election may be made only once and must be made within the time limit specified in the Administrative Arrangement.

8. The competent authorities of the two Contracting States may, by common agreement, make exceptions to the provisions of this Article in the interests of certain persons or categories of persons.

#### PART IV

##### *Definition of Certain Periods of Residence with Respect to the Legislation of Canada*

#### ARTICLE 6

For the purpose of calculating benefits under the Old Age Security Act:

- (a) if a person, other than a member of the crew of a ship or aircraft, is subject to the Canada Pension Plan or to the comprehensive pension plan of a province of Canada during any period of residence in the territory of Belgium, that period shall be considered as a period of residence in Canada for that person as well as for his spouse and dependants who reside with him and who are not subject to the legislation of Belgium by reason of employment;
- (b) if a person, other than a member of the crew of a ship or aircraft, is subject to the legislation of Belgium during any period of residence in the territory of Canada, that period shall not be considered as a period of residence in Canada for that person or for his spouse or dependants who reside with him and who are not subject to the Canada Pension Plan or to the comprehensive pension plan of a province of Canada by reason of employment;