

(2) In the case of the person described in paragraph (1) who resided in the territory of the second Contracting State before the beginning of the employment and who continues to reside there, the legislation of the latter Contracting State shall not apply to him in respect of that employment if he is a national of the first Contracting State and within six months from the beginning of the employment, he elects to have the legislation of that Contracting State apply to him. The election shall be made by giving notice to the employer. The legislation shall apply from the date of the notice.

#### ARTICLE 10

(1) At the request of the employee and his employer, the competent authorities of the Contracting States, or the agencies which they have designated for that purpose, may, by common agreement, permit exceptions in the application of Articles 6 to 9, provided that the person affected will be subject to the legislation of one or the other of the Contracting States.

(2) Paragraph (1) shall also apply in respect of persons who are not employees but who are nevertheless subject to the legislation described in Article 6(2).

#### ARTICLE 11

For the purposes of the Old Age Security Act of Canada:

- (a) if a person, other than a member of the crew of a seagoing ship, 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 the Federal Republic of Germany, 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 German legislation regarding mandatory pension coverage;
- (b) if a person, other than a member of the crew of a seagoing ship, is subject to the German legislation regarding mandatory pension coverage 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 or self-employment;
- (c) if the person referred to in the preceding subparagraph becomes subject to the Canada Pension Plan or to the comprehensive pension plan of a province of Canada, by virtue of occupying simultaneously more than one employment or self-employment, that period shall not be considered as a period of residence in Canada.