

PART II—PROVISIONS DETERMINING THE LEGISLATION APPLICABLE

ARTICLE VI

1. Subject to the provisions of Articles VII, VIII and IX, a worker shall be subject only to the legislation of the Party in the territory of which he is employed.

2. Subject to the provisions of Articles VII, VIII and IX, when a worker is employed by the same employer in the territories of both Parties during the same period, he shall be subject only to the legislation of the Party in the territory of which he ordinarily resides.

ARTICLE VII

1. Where, after the entry into force of this Agreement, a worker other than a worker referred to in Article VIII, who is subject to the legislation of a Party and employed by an employer having his place of business in the territory of that Party, is assigned by that employer to work in the territory of the other Party, the legislation of the first Party shall continue to apply to him in respect of that work relationship for a period of up to 24 months.

2. (a) Where, before the entry into force of this Agreement, a worker other than a worker referred to in Article VIII, who had been subject to the legislation of one Party and employed by an employer having his place of business in the territory of that Party, was assigned by that employer to work in the territory of the other Party, he may, within six months from the entry into force of this Agreement, decide whether the legislation of the first or the second Party is to be applied to him in respect of that work relationship; and if he chooses to be covered under the legislation of the first Party, then the legislation of that Party shall apply to him for a period of up to 24 months. If he chooses to be covered under the legislation of the second Party, then the legislation of that Party shall apply to him. In either case his choice shall take effect from the day on which he gives notice thereof to the appropriate competent authority.

(b) If the worker in question does not make a choice pursuant to sub-paragraph (a) by the end of the six-month period provided for by that sub-paragraph:

(i) the legislation being applied to him at the entry into force of this Agreement shall continue to apply to him. If this legislation is that of the first Party mentioned in sub-paragraph (a) it shall apply for a period of up to 24 months from the entry into force of this Agreement;

(ii) if the legislation of neither Party, or of both Parties, was being applied to him, the legislation of the second Party mentioned in sub-paragraph (a) shall be applied.

3. The prior consent of the competent authorities of both Parties, or of the authorities whom they have delegated for that purpose, is required for any extension of the application of the legislation of the first Party mentioned in paragraph 1 or 2, when the assignment extends beyond 24 months.