

ARTICLE 9

Exceptions

The Parties may, by mutual consent, modify the application of Articles 6 to 8 in the interest of any person or categories of persons.

ARTICLE 10

Coverage and Residence under the Legislation of Canada

1. For the purposes of calculating a benefit under the *Old Age Security Act*:
 - (a) If a person is subject to the *Canada Pension Plan* or to the comprehensive pension plan of a province of Canada during any period of presence or residence in Peru, that period shall be considered as a period of residence in Canada for that person; it shall also be considered to be a period of residence in Canada for that person's spouse or common-law partner and dependants who reside with that person and who are not subject to the legislation of Peru by reason of employment or self-employment;
 - (b) If a person is subject to the legislation of Peru during any period of detachment in Canada, that period for that person, and for that person's spouse or common-law partner and dependants who reside with him or her, shall be determined according to the provisions of Canadian legislation.
2. In the application of paragraph 1:
 - (a) A person shall be considered to be subject to the *Canada Pension Plan* or to the comprehensive pension plan of a province of Canada during a period of presence or residence in Peru only if that person makes contributions pursuant to the plan concerned during that period by reason of employment or self-employment;
 - (b) A person shall be considered to be subject to the legislation of Peru during a period of presence or residence in Canada only if that person makes contributions pursuant to that legislation during that period by reason of employment or self-employment.