

8. Article 12 of the Agreement shall be deleted and the following Article substituted in its place:

"Article 12

When a person who has completed periods of coverage under the legislation of both Parties, or the survivor of such a person, claims a benefit, the competent Austrian institution shall determine, in accordance with Austrian legislation, whether the claimant is entitled to a benefit by adding together the periods of coverage, as provided in Article 11, and taking into account the following provisions:

- (a) Where Austrian legislation makes the award of certain benefits conditional upon the completion of periods of coverage in an occupation covered by special schemes or in a specified occupation or employment, only periods of coverage completed under a corresponding scheme or, failing that, in the same occupation or, where appropriate, in the same employment under the legislation of Canada shall be taken into account for the award of such benefits.
- (b) Where Austrian legislation provides that the period of payment of a pension shall prolong the reference period during which periods of coverage must be completed, periods during which a pension has been awarded under the legislation of Canada shall also prolong the aforesaid reference period.
- (c) Periods of coverage completed under the legislation of Canada shall be taken into account as follows:
 - (i) a calendar year which is a period of coverage under the *Canada Pension Plan* shall be accepted as twelve months of contributions under Austrian legislation;
 - (ii) a calendar month which contains at least fifteen days of coverage under the *Old Age Security Act* of Canada and which is not part of a period of coverage under the