

PART III

PROVISIONS CONCERNING BENEFITS

CHAPTER 1

TOTALIZING

ARTICLE 11

Periods under the Legislation of the Republic of Latvia and Canada

1. Unless otherwise provided in this Agreement, if a person is not eligible for a benefit because he or she has not accumulated sufficient creditable periods under the legislation of a Party, the eligibility of that person for that benefit shall be determined by totalizing these periods and those specified in paragraphs 2 through 5, provided the periods do not overlap.
2.
 - (a) For purposes of determining eligibility for a benefit under the *Old Age Security Act* of Canada, a creditable period under the legislation of the Republic of Latvia shall be considered as a period of residence in Canada.
 - (b) For purposes of determining eligibility for a benefit under the *Canada Pension Plan*, a calendar year which is a creditable period under the legislation of the Republic of Latvia shall be considered as a year which is creditable under the *Canada Pension Plan*.
3. For purposes of determining eligibility for an old age pension under the *Act on State Pensions* of the Republic of Latvia:
 - (a) a calendar year which is a creditable period under the *Canada Pension Plan* shall be considered as a year which is creditable under the legislation of the Republic of Latvia;
 - (b) a period which is creditable under the *Old Age Security Act* of Canada and which is not part of a creditable period under the *Canada Pension Plan* shall be considered as a creditable period under the legislation of the Republic of Latvia.
4. For purposes of determining eligibility for a disability or survivor's pension under the *Act on State Pensions* of the Republic of Latvia, a calendar year which is a creditable period under the *Canada Pension Plan* shall be considered as a year which is creditable under the legislation of the Republic of Latvia.
5. For purposes of determining eligibility for a state social security benefit under the *Act on State Social Benefits* of the Republic of Latvia, a calendar year of residence in Canada shall be considered as a creditable period under the legislation of the Republic of Latvia, provided that:
 - (a) in the case of a benefit for old age or disability, the person concerned has resided in the Republic of Latvia for the 12 continuous months immediately before claiming the benefit; and
 - (b) in the case of a benefit for a survivor, the deceased breadwinner has resided in the Republic of Latvia for the 12 continuous months immediately before his or her death.