

duties on the date of the entry into force of the Convention, within six months after that date.

- (b) The government service by which the person referred to in subparagraph (a) is employed will respect the requirements prescribed for employers by the applicable legislation.

#### ARTICLE 4

When, for purposes of determining the right of a person to voluntary insurance, the competent institution of Spain must take into account insured periods completed under the Canada Pension Plan, as provided for in Article 8 of the Convention, the competent institution of Spain will obtain, through the liaison agencies, a statement indicating those insured periods from the competent institution of Canada.

### PART III

#### PROVISIONS CONCERNING BENEFITS

#### ARTICLE 5

1. For purposes of applying Article 9 3(b) of the Convention, if a calendar year which is an insured period under the Canada Pension Plan overlaps with a period which is an insured period under the legislation of Spain, the competent institution of Spain will take into account, in determining eligibility for a benefit, only that portion of the insured period under the Canada Pension Plan that does not overlap with the insured period under the legislation of Spain.

2. For purposes of applying Article 13 of the Convention, if an insured period under the legislation of Spain overlaps with an insured period under the legislation of Canada, the competent institution of Spain will take into account, in determining the prorated amount of a benefit, the entire period which is insured under the legislation of Spain.

#### ARTICLE 6

1. For the application of Part III of the Convention, when an institution of one Party receives a claim for a benefit under the legislation of the other Party, including a claim made in accordance with the provisions of paragraph 2 of Article 20 of the Convention, the institution of the first Party will provide the claimant with the application form required under the legislation of the latter Party for submission of the claim.

2. When the application form has been completed, the institution of the first Party will forward it without delay, through the liaison agencies, to the competent institution of the other Party. In addition to the completed application form, the institution of the first Party will send the institution of the other Party a liaison form