

ARTICLE X

1. Subject to paragraph 2, where, under the terms of this Part, a person other than a person referred to in Article IX is subject to the legislation of Canada, including the comprehensive pension plan of a province, during any period of residence in the territory of Portugal, that period of residence shall, in respect of that person, his spouse and dependants who reside with him and do not occupy employment during that period, be treated as a period of residence in Canada for the purposes of the Old Age Security Act.

2. Any period during which a spouse or a dependent person referred to in paragraph 1 is subject, by reason of employment, to the legislation of Portugal, shall not be treated as a period of residence in Canada for the purposes of the Old Age Security Act.

3. Subject to paragraphs 4 and 5, where, under the terms of this Part, a person other than a person referred to in Article IX is subject to the legislation of Portugal during any period of residence in the territory of Canada, that period in respect of that person, his spouse and dependants who reside with him and are not employed during that period shall not be treated as residence in Canada for the purposes of the Old Age Security Act.

4. Periods during which the spouse or dependant referred to in paragraph 3 is contributing to the Canada Pension Plan or to the comprehensive pension plan of a province of Canada as a result of employment shall be treated as periods of residence in Canada for the purposes of the Old Age Security Act.

5. If a person referred to in paragraph 3 also becomes subject to the Canada Pension Plan or a comprehensive pension plan of a province of Canada, by virtue of occupying simultaneously more than one employment, such period of employment shall not be treated as a period of residence for the purposes of the Old Age Security Act.

ARTICLE XI

Notwithstanding Articles VI, VII, VIII and IX, the competent authorities may make such arrangements as they may deem necessary in the interests of particular persons or categories of persons, according to the spirit and fundamental principles of this Agreement.

PART III—PROVISIONS CONCERNING BENEFITS

CHAPTER 1

OLD AGE BENEFIT

ARTICLE XII

1. (a) If a person is entitled to an old age benefit under the legislation of Portugal, without recourse to the following provisions of this Article, the benefit payable under the legislation of Portugal shall be payable in the territory of Canada.