

2. Benefits under the legislation of one Party shall be awarded to nationals of the other Party, ordinarily resident outside the territories of both Parties, under the same conditions and to the same extent as they are awarded to the nationals of the first Party who ordinarily reside outside the territories of the Parties.

3. Paragraph 1. of this Article shall not apply to the provisions of Austrian legislation concerning:

- (a) the participation of insured persons and employers in the administration of institutions and associations as well as adjudication in the field of social security;
- (b) the apportionment of insurance burdens resulting from agreements with third States;
- (c) the insurance of persons employed at a diplomatic mission or consular post of Austria in a third State or by a member of such a mission or post.

4. As regards Austrian legislation, the following periods shall, subject to the other conditions specified in that legislation, be accepted as periods of coverage for Canadian nationals who were Austrian nationals immediately before March 13, 1938:

- (a) with regard to the First World War, periods of war service in the armed forces of the Austro-Hungarian Monarchy or in the forces of any state allied to it as well as periods of captivity as a prisoner of war (civil internee) and the return therefrom, which are similarly treated;
- (b) with regard to the Second World War, periods of war service in the armed forces of the German Reich or in the forces of any state allied to it, periods of conscription in the forces or the labour service as well as periods of duty in the emergency services and air-raid services, and periods of captivity as a prisoner of war (civil internee) and the return therefrom, which are similarly treated.

5. As regards the legislation of Canada, paragraphs 1. and 2. of this Article shall apply without regard to nationality.

6. Paragraphs 1. and 5. of this Article shall not apply to extend the application of paragraph 2. of Article 7 and paragraph 1. of Article 8 to persons who are not nationals of the Party in question.

ARTICLE 5

1. Unless otherwise provided in this Agreement, the legislation of one Party which requires that entitlement to or the payment of cash benefits be dependent on ordinary residence in the territory of that Party shall not be applicable to

- (a) nationals of either Party or