

ARTICLE 4

Equality of Treatment and Export of Benefits

1. Unless otherwise provided in this Agreement, in the application of the legislation of a Contracting State, any person described in Article 3 shall receive equal treatment with the nationals of that Contracting State in regards to rights and obligations under that legislation, including eligibility for and the payment of benefits.
2. Unless otherwise provided in this Agreement, any provision in the legislation of a Contracting State which
 - (a) restricts a person's entitlement to cash benefits under that legislation, or,
 - (b) reduces, modifies, suspends, cancels or confiscates the benefit payable to that person under that legislation

solely because the person concerned resides outside or is absent from that Contracting State shall not be applicable to a person who resides in the other Contracting State.

PART II

PROVISIONS ON COVERAGE

ARTICLE 5

Determining the Applicable Legislation

1. Except as otherwise provided in this Article, a person employed in a Contracting State shall, with respect to that employment, be subject only to the legislation of that Contracting State.
2. Where a person in the service of an employer having a place of business in a Contracting State is sent by that employer to the other Contracting State for a period that is not expected to exceed five years, the person shall, in respect of that employment, be subject only to the legislation of the first Contracting State as if the person were employed in that Contracting State. For the purposes of applying this paragraph, an employer and an affiliated or subsidiary company of the employer, as defined under the national statutes of the Contracting State from which the person was sent, shall be considered as one and the same.
3. Paragraph 2 shall apply where a person who has been sent by that person's employer from a Contracting State to a third State is subsequently sent by that employer from the third State to the other Contracting State.
4. A person who ordinarily resides in a Contracting State and who is engaged in self-employment in the other Contracting State or in both Contracting States shall, in respect of that employment, be subject only to the legislation of the first Contracting State.