

2. In the application of paragraph 1:

- (a) a person shall be considered to be subject to the *Canada Pension Plan* or to the comprehensive pension plan of a province of Canada during a period of presence or residence in the Republic of Estonia or Canada only if that person makes contributions pursuant to the plan concerned during that period by reason of employment or self-employment;
- (b) a person shall be considered to be subject to the legislation of the Republic of Estonia during a period of presence or residence in Canada or the Republic of Estonia only if compulsory contributions are paid on behalf of that person pursuant to that legislation during that period by reason of employment or self-employment.

ARTICLE XI

Definition of Certain Periods of Residence with Respect to the Legislation of the Republic of Estonia

For the purpose of determining eligibility for a national pension under the legislation of the Republic of Estonia:

- (a) if a person is subject to the legislation of the Republic of Estonia during any period of residence in Canada, that period shall be considered as a period of residence in the Republic of Estonia for that person as well as for that person's accompanying spouse who resides with him or her and who is not subject to the legislation of Canada by reason of employment or self-employment;
- (b) if a person is subject to the legislation of Canada during any period of residence in the Republic of Estonia, that period shall not be considered as a period of residence in the Republic of Estonia for that person as well as for that person's accompanying spouse who resides with him or her and who is not subject to the legislation of the Republic of Estonia by reason of employment or self-employment.