

Article XI

Definition of Certain Periods of Residence with Respect to the Legislation of Canada

1. For the purpose of calculating the amount of benefits under the *Old Age Security Act*:
 - (a) if a person is subject to the *Canada Pension Plan* or to the comprehensive pension plan of a province of Canada during any period of presence or residence in Sweden, that period shall be considered as a period of residence in Canada for that person as well as for that person's spouse or common-law partner and dependants who accompany that person to Sweden, who reside with that person in Sweden, and who are not subject to the legislation of Sweden by reason of employment or self-employment;
 - (b) if a person is subject to the legislation of Sweden during any period of presence or residence in Canada, that period shall not be considered as a period of residence in Canada for that person nor for that person's spouse or common-law partner and dependants who accompany that person to Canada, who reside with that person in Canada, and who are not subject to the *Canada Pension Plan* or to the comprehensive pension plan of a province of Canada by reason of employment or self-employment.
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 Sweden or Canada only if that person must make 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 Sweden during a period of presence or residence in Canada or Sweden only if that person or that person's employer must make contributions pursuant to Swedish legislation during that period by reason of employment or self-employment.