

6. For the purposes of paragraph 3, where one or the other, or both, of a person and his or her partner are entitled to receive a Canadian benefit, the total of the Canadian benefits payable to that person and his or her partner shall be apportioned equally between them and disregarded in the calculation of their respective incomes, and the amount so apportioned shall be deducted from the amount of Australian benefit that would otherwise be payable to each of them.

### ARTICLE 8

#### Recovery of Debts

1. Where:
- (a) the competent authority of Canada pays a benefit to a person in respect of a past period;
  - (b) for all or part of that period, the competent institution of Australia has paid to that person a benefit under the legislation of Australia; and
  - (c) the amount of the Australian benefit would have been varied had the Canadian benefit been paid during that period,
- then
- (d) the amount that would not have been paid by the competent institution of Australia had the Canadian benefit been paid on a periodical basis from the date to which the arrears of benefit referred to in subparagraph (a) were paid shall be a debt due by that person to Australia; and
  - (e) the competent institution of Australia may determine that the amount, or any part, of that debt may be deducted from future payments of a benefit to that person.
2. In paragraph 1, "benefit" means, in relation to Australia, a pension, benefit or allowance that is payable under the social security laws of Australia.