

- (3) The benefit actually payable to the interested person by the competent institution or authority of each State shall be established by prorating the amount of the benefit calculated in sub-paragraph II B(2) on the basis of the ratio of the insurance or assimilated periods completed under its own legislation to the total of the insurance or assimilated periods completed in the two States, totalized in accordance with the above rules.

- III. When entitlement is acquired under the legislation of one of the two Contracting States taking into account only the periods completed under that legislation, the competent institution or authority of that State shall determine the amount of the benefit as set out in sub-paragraph I. The competent institution or authority of the other State shall proceed with the determination and payment of the benefit for which it is responsible under the conditions set out in sub-paragraph II.

*Minimum Duration of Insurance for the Application
of this Section*

ARTICLE 13

1. When totalization is required, if the total duration of insurance periods completed under the legislation of one Contracting State is less than one year, the institution or authority of that State need not grant benefits in respect of such periods unless, by virtue of these periods alone, entitlement to a benefit is acquired under that legislation. In this event, the amount of the benefit shall be determined definitively, taking into consideration such periods alone.

2. Nevertheless, such periods may be taken into account to establish eligibility, by totalization, with respect to the legislation of the other Contracting State.

Cases of Successive Application of Legislation

ARTICLE 14

1. When the interested person does not fulfill, at a given time, the requirements of the legislation of both Contracting States, but fulfills the requirements of only one of them, or fulfills the requirements of both States, but has taken the opportunity provided by the legislation of one of the States to defer the determination and payment of his benefit entitlements, the amount of the benefits payable under the legislation in respect of which entitlements are determined shall be calculated in accordance with the provisions of Article XII, sub-paragraph I or III as applicable.

2. When the requirements of the legislation of the other Contracting State are fulfilled or when the insured person requests the determination and payment of the entitlements which he deferred with respect to the legislation of one of the Contracting States, the determination of the benefits payable under the legislation shall be carried out in accordance with Article XII, without the need to revise the entitlements already determined and payable under the legislation of the first State.