

permanently resides in the receiving State may elect to be insured under the legislation of the sending State provided he or she is a national of that State.

### Article 9

The competent authority of one of the States may, by agreement with the competent authority of the other State, make exceptions to the provisions of this Part.

### Article 10

For the purpose of determining eligibility for benefits and of calculating benefits under the *Old Age Security Act* of Canada,

- 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 residence in the territory of Switzerland, that period of residence shall be considered as a period of residence in Canada for that person as well as for that person's spouse and dependants who reside with him or her and who are not subject to the legislation of Switzerland;
- b) if a person is subject to the legislation of Switzerland by reason of employment during any period of residence in the territory of Canada, that period of residence shall not be considered as a period of residence in Canada for that person and for that person's spouse and dependants who reside with him or her and who are not subject to the *Canada Pension Plan* or to the comprehensive pension plan of a province of Canada.