

(a) an employed person who works in the territory of one Party shall, in respect of that work, be subject only to the legislation of that Party; and

(b) a self-employed person who ordinarily resides in the territory of one Party and who works as such in the territory of the other Party or in the territories of both Parties shall, in respect of that work, be subject only to the legislation of the former Party.

2. An employed person who is covered under the legislation of one Party and who performs work in the territory of the other Party for his or her employer shall, in respect of that work, be subject only to the legislation of the former Party as though that work was performed in its territory and provided that such assignment does not exceed twenty-four months and the person concerned is not also employed in the territory of the other Party by a different employer located in that territory.

3. (a) Paragraph 2 shall apply to a person who is sent to work on an installation situated in the continental shelf area of a Party in connection with the exploration of the seabed and sub-soil of that area or the exploitation of its mineral resources, as though that installation were situated in the territory of that Party.

(b) For the purposes of this Article, the continental shelf area of a Party includes every area beyond the territorial seas of that Party that, in accordance with international law and the laws of that Party, is an area in respect of which that Party may exercise rights with respect to the seabed and sub-soil and their natural resources.

4. A person who is employed as a member of the crew of a ship or aircraft shall, in respect of that employment, be subject only to the legislation of the Party in the territory of which the employer's principal place of business is located.

5. (a) A person employed in the territory of one Party in a government service of the other Party shall, in respect of that employment, be subject to the legislation of the first Party only if he or she is a national thereof or ordinarily resides in its territory. In the latter case the person may, however, within six months after taking up the duties of the employment or within six months from the date of the entry into force of this Agreement, elect to be subject only to the legislation of the second Party in respect of the employment if he or she is a national of that Party. Article IV shall not apply to extend this right to elect to a person who is not a national of the second Party.

(b) Nationals of the Netherlands employed by the government of the Netherlands who are sent to the territory of Canada shall be subject to the legislation of the Netherlands.

(c) Where the person referred to in sub-paragraph (a) is subject to the legislation of the first Party, the employer in question shall observe the obligations which that legislation imposes on employers.

6. The competent authorities of the two Parties may, by common agreement, modify the application of the provisions of this Article with respect to any persons or categories of persons.

Article VII

For the purpose 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 the Netherlands, that period 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 the Netherlands by reason of employment;

(b) if a person is obligatorily subject to the legislation of the Netherlands during any period of residence in the territory of Canada, that period 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 by reason of employment.

Article VIII

1. For the purposes of the legislation of the Netherlands, a person who is subject to the Netherlands legislation in accordance with the