

ARTICLE 3

Paragraph 2 of Article 2 of the Agreement is amended by inserting the words “or supersede” immediately after the word “amend”.

ARTICLE 4

Article 12 of the Agreement is amended as follows:

(a) Sub-paragraph (a) is deleted and the following substituted in its place:

“(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 Italy, 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 Italy, who reside with that person in Italy, and who are not subject to the legislation of Italy by reason of employment or self-employment.”

(b) Sub-paragraph (b) is deleted and the following substituted in its place:

“(b) if a person is subject to the legislation of Italy 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.”

(c) The existing text of Article 12, as amended by sub-paragraphs (a) and (b) above, is redesignated as paragraph 1.

(d) The following new paragraph 2 is inserted immediately after paragraph 1:

“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 Italy or Canada only if that person makes 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 Italy during a period of presence or residence in Canada or Italy only if that person makes compulsory contributions pursuant to that legislation during that period by reason of employment or self-employment.”