

- (b) a month which is a creditable period under the *Old Age Security Act* of Canada and which does not overlap with a creditable period under the *Canada Pension Plan* shall be considered as a month which is creditable under the legislation of Romania.

For the purpose of determining eligibility for an invalidity, survivor's or death benefit under the legislation of Romania, a calendar year which is a creditable period under the *Canada Pension Plan* shall be considered as 12 months which are creditable under the legislation of Romania.

### ARTICLE 13

#### Periods under the Legislation of a Third State

If a person is not eligible for a benefit on the basis of the creditable periods under the legislation of either Party, totalized as provided in Article 12, the eligibility of that person for that benefit shall be determined by totalizing these periods and periods completed under the legislation of a third State with which both Parties are bound by social security instruments which provide for the totalizing of periods. Only periods which can be considered under the totalizing provisions of the relevant instrument with that third State shall be taken into account.

### ARTICLE 14

#### Minimum Period to be Totalized

Notwithstanding any other provision of this Agreement, if the total duration of the creditable periods accumulated under the legislation of a Party is less than one year and if, taking into account only those periods, no right to a benefit exists under the legislation of that Party, the competent institution of that Party shall not be required to pay a benefit in respect of those periods by virtue of this Agreement. These creditable periods shall, however, be taken into consideration by the competent institution of the other Party to determine eligibility for the benefits of that Party through the application of Chapter 1.