

(2) If a person is entitled to a benefit on the basis of the periods credited under the legislation of either Party without recourse to the provisions of the succeeding paragraphs of this Article, the benefit shall be payable in the territory of either Party.

(3) If a person is not entitled to a benefit on the basis of the periods credited under the legislation of either Party, entitlement to the benefit shall be determined by totalizing the credited periods in accordance with the provisions of the succeeding paragraphs of this Article. For the purposes of the survivor's benefit, children's benefit and the death benefit only, any reference in this Article to a credited period shall be construed as applying to the person by virtue of whose contributions a benefit is being claimed.

(4) (a) For the purposes of determining the amount of a benefit payable by Canada under paragraph (5) of this Article, a year for which contributions were made under the legislation of Italy in at least 13 weeks shall be accepted as a year for which contributions have been made under the Canada Pension Plan, subject to provisions regarding minimum contributory periods under the Canada Pension Plan as may be contained in administrative arrangements.

(b) The provisions of Article XI (4) (b) (i), (ii) and (iii) shall apply for the purpose of determining the amount of benefit payable by Italy under paragraph (5).

(5) The provisions of Article XI (5) (a), (b) and (c) shall apply to this Article.

(6) Benefits payable by either Party by virtue of this Article shall be paid notwithstanding that the person entitled resides in the territory of the other Party.

(7) (a) If a person has made contributions in respect of a period less than 53 weeks under the legislation of Italy and the person has made contributions under the legislation of Canada in respect of at least 2 years, the period shall be accepted by Canada for the purposes of this Article, and paragraph (3) shall not apply to the legislation of Italy.

(b) If a person has made contributions in respect of only one year under the legislation of Canada and the person has been credited with at least 52 weeks under the legislation of Italy, the year shall be accepted by Italy for the purposes of this Article, and paragraph (3) shall not apply to the legislation of Canada.

VOLUNTARY CONTRIBUTIONS

ARTICLE XIV

For the purposes of determining eligibility to make voluntary contributions to the general compulsory insurance for disability, old age and survivor's benefits referred to in Article II (a), Italy, where necessary, shall take into account periods credited under the Canada Pension Plan in the manner set out in Article XI (4) (b) (ii).