

- (b) The agency of Korea shall calculate the partial benefit to be paid in accordance with the legislation of Korea based on the Basic Pension Amount calculated according to the preceding subparagraph, in proportion to the ratio between the duration of the periods of coverage taken into consideration under its own legislation and the total duration of the periods of coverage taken into consideration under the legislation of both Contracting States.
5. Entitlement to a benefit from Korea which results from paragraph 1 shall terminate with the acquisition of sufficient periods of coverage under the legislation of Korea to establish entitlement to an equal or higher benefit without the need to invoke the provision of paragraph 1.

CHAPTER 2

BENEFITS UNDER THE LEGISLATION OF CANADA

ARTICLE 8

Totalizing

1. (a) If a person is not entitled to the payment of a benefit because the person has not accumulated sufficient periods of coverage under the legislation of Canada, the entitlement of that person to the payment of that benefit shall, subject to subparagraph 1(b), be determined by totalizing these periods and those specified in paragraph 2, provided that the periods do not overlap.
- (b) In the application of subparagraph 1(a) to the *Old Age Security Act*,
- (i) the agency of Canada shall be required to totalize periods to determine a person's entitlement to a benefit only if that person has completed at least twelve months of residence in Canada as defined in that Act, without reference to subparagraph 2(a) of this Article but subject to the provisions of subparagraph (b)(ii) of this paragraph; and
- (ii) only periods of residence in Canada completed on or after 1 January 1988, including periods deemed as such under Article 6, shall be taken into account.
2. (a) For purposes of determining entitlement to the payment of a benefit under the *Old Age Security Act*, a month which is a period of coverage under the legislation of Korea and which is completed after the age at which periods of residence in Canada are credited for purposes of that Act shall be considered as a month of residence in Canada.
- (b) For purposes of determining entitlement to the payment of a benefit under the *Canada Pension Plan*, a calendar year which includes at least three months of coverage credited under the legislation of Korea shall be considered as a year of contributions under the *Canada Pension Plan*.