

**PART III
PROVISIONS CONCERNING BENEFITS**

**CHAPTER 1
TOTALIZING**

ARTICLE 11

Periods under the Legislation of Canada and the Czech Republic

1. If a person is not eligible for a benefit because he or she has not accumulated sufficient creditable periods under the legislation of a Party, the eligibility of that person for that benefit shall be determined by totalizing these periods and those specified in paragraphs 2 through 4, provided that the periods do not overlap.
2.
 - (a) For purposes of determining eligibility for a benefit under the *Old Age Security Act* of Canada, a creditable period under the legislation of the Czech Republic shall be considered as a period of residence in Canada.
 - (b) For purposes of determining eligibility for a benefit under the *Canada Pension Plan*, a calendar year including at least 90 days which are creditable periods under the legislation of the Czech Republic shall be considered as a year which is creditable under the *Canada Pension Plan*.
3. For purposes of determining eligibility for an old age benefit under the legislation of the Czech Republic:
 - (a) a calendar year which is a creditable period under the *Canada Pension Plan* shall be considered as a creditable period under the legislation of the Czech Republic;
 - (b) a period which is creditable under the *Old Age Security Act* of Canada and which is not part of a creditable period under the *Canada Pension Plan* shall be considered as a creditable period under the legislation of the Czech Republic.
4. For purposes of determining eligibility for an invalidity or survivor's benefit under the legislation of the Czech Republic, a calendar year which is a creditable period under the *Canada Pension Plan* shall be considered as a creditable period under the legislation of the Czech Republic.

ARTICLE 12

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 the Parties, totalized as provided in Article 11, the eligibility of that person for that benefit shall be determined by totalizing these periods and creditable periods accumulated under the legislation of a third State with which both Parties are bound by social security instruments which provide for the totalizing of periods.