

4. The provisions of this Article shall apply equally towards the maintenance and towards the recovery of entitlement to a benefit.

5. In cases of overlapping periods, only the insurance period corresponding to a period of professional activity shall be taken into account.

6. For purposes of determining entitlement to benefits, a period which is recognized as equivalent to an insurance period under the laws of both Contracting States shall be taken into account solely by the Contracting State where the person last worked prior to the period in question.

#### ARTICLE 8

1. Notwithstanding the provisions of Article 7, if the total duration of insurance periods completed under the legislation of one Contracting State is less than one year and if, by virtue of these periods alone, there is no entitlement to a benefit under that legislation, the institution of that State need not grant benefits in respect of such periods.

2. Such periods shall be taken into account by the competent institutions of the other contracting State in applying the provisions of Articles 9, 10 and 11.

#### CHAPTER II

##### *Benefits Payable by Canada*

#### ARTICLE 9

##### *Benefits Payable Under the Old Age Security Act*

1. (a) If a person is entitled to payment of a pension in Canada under the Old Age Security Act, without recourse to the provisions of this Article, but has not accumulated sufficient periods of residence in Canada to qualify for payment of the pension abroad under that Act, a partial pension shall be payable to him outside the territory of Canada if the periods of residence in the territories of the two Contracting States, when totalized as provided in Article 7, are at least equal to the minimum period of residence in Canada required by the Old Age Security Act for payment of a pension abroad.

(b) The amount of the pension payable shall, in this case, be calculated in conformity with the provisions of the Old Age Security Act governing the payment of a partial pension, exclusively on the basis of the periods creditable under that legislation.

2. (a) If a person is not entitled to an Old Age Security pension or a spouse's allowance solely on the basis of periods of residence in Canada, a partial pension or a spouse's allowance shall be payable to him if the periods of residence in the territories of the two Contracting States, when totalized as provided in Article 7, are at least equal to the minimum period of residence in Canada required by the Old Age Security Act for payment of a pension or a spouse's allowance.