

exists under that legislation, the competent institution of Canada shall not be required to award benefits to that person in respect of those periods by virtue of this Agreement."

12. Paragraphs (2) to (4) of Article 16 of the Agreement shall be deleted and the following paragraphs substituted in their place:

"(2) If a person is entitled to the payment of a pension or a spouse's allowance solely through the application of the provisions of Article 11 or of paragraph (1) of Article 15, the competent institution of Canada shall calculate the amount of the pension or spouse's allowance payable to that person in conformity with the provisions of the *Old Age Security Act* governing the payment of a partial pension or a spouse's allowance, exclusively on the basis of the periods of residence in Canada which may be considered under that Act.

(3) Paragraph (2) of this Article shall also apply to a person who is entitled to the payment of a pension in Canada but who has not resided in Canada for the minimum period required by the *Old Age Security Act* for entitlement to the payment of a pension outside Canada.

(4) Notwithstanding any other provision of this Agreement:

(a) an Old Age Security pension shall be paid to a person who is outside Canada only if that person's periods of coverage, when added together as provided in Article 11 and paragraph (1) of Article 15, are at least equal to the minimum period of residence in Canada required by the *Old Age Security Act* for entitlement to the payment of a pension outside Canada;

(b) a spouse's allowance and a guaranteed income supplement shall be paid to a person who is outside Canada only to the extent permitted by the *Old Age Security Act*."