

- (b) Nationals of a Party employed in a government service of that Party who are sent to the territory of the other Party shall, in respect of that employment, be subject only to the legislation of the first Party.
- (c) Where the person referred to in sub-paragraph (a) is subject to the legislation of the first Party, the employer in question shall observe the obligations which that legislation imposes on employers.

5. The competent authorities of the two Parties may, by common agreement, modify the application of the provisions of this Article with respect to any persons or categories of persons.

## ARTICLE VII

### Definition of Certain Periods of Residence with Respect to the Legislation of Canada

1. For the purpose of calculating the amount of benefits under the *Old Age Security Act*:
  - (a) if a person is subject to the *Canada Pension Plan* or to the comprehensive pension plan of a province of Canada during any period of presence or residence in the territory of the Netherlands, that period shall be considered as a period of residence in Canada for that person as well as for that person's spouse or common-law partner and dependants who reside with him or her and who are not subject to the legislation of the Netherlands by reason of employment or self-employment;
  - (b) if a person is obligatorily subject to the legislation of the Netherlands during any period of presence or residence in the territory of Canada, that period shall not be considered as a period of residence in Canada for that person and for that person's spouse or common-law partner and dependants who reside with him or her and who are not subject to the *Canada Pension Plan* or to the comprehensive pension plan of a province of Canada by reason of employment or self-employment.
  
2. In the application of paragraph 1:
  - (a) a person shall be considered to be subject to the *Canada Pension Plan* or to the comprehensive pension plan of a province of Canada during a period of presence or residence in the territory of the Netherlands only if that person makes contributions pursuant to the plan concerned during that period by reason of employment or self-employment; and
  - (b) a person shall be considered to be obligatorily subject to the legislation of the Netherlands during a period of presence or residence in the territory of Canada only if that person makes compulsory contributions pursuant to that legislation during that period by reason of employment or self-employment.