

**Article XI**  
***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 Republic of Chile, that period shall be considered as a period of residence in Canada for that person as well as for that person's spouse and dependants who reside with him or her and who are not subject to the legislation of the Republic of Chile by reason of employment or self-employment; and
  - (b) if a person is subject to the legislation of the Republic of Chile during any period of presence or residence in Canada, that period shall not be considered as a period of residence in Canada for that person and for that person's spouse 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 Republic of Chile 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 subject to the legislation of the Republic of Chile during a period of presence or residence in Canada only if that person makes compulsory contributions pursuant to that legislation during that period by reason of employment.

**PART III**  
**PROVISIONS CONCERNING BENEFITS**

**CHAPTER 1**  
**TOTALIZING**

**Article XII**  
***Periods under the Legislation of Canada  
and the Republic of Chile***

1. If a person is not entitled to a benefit because he or she has not accumulated sufficient creditable periods under the legislation of a Party, the entitlement of that person to that benefit shall be determined by totalizing creditable periods under the legislation of both Parties, as specified in paragraphs 2 through 4, provided that the periods do not overlap.
2. (a) For purposes of determining entitlement to a benefit under the *Old Age Security Act* of Canada, a creditable period under the legislation of the