Article 11
Accompanying Spouse and Children

As regards the accompanying spouse or children of a person who works in the territory of Japan and who is subject to the legislation of Ireland in accordance with Article 7 or paragraph 2 of Article 9 or Article 10,

(a) in cases in which the accompanying spouse or children are persons other than Japanese nationals, the legislation of Japan shall not apply to them. However, when the accompanying spouse or children so request, the foregoing shall not apply; and

(b) in cases in which the accompanying spouse or children are Japanese nationals, the exemption from the legislation of Japan shall be determined in accordance with the legislation of Japan.

Article 12
Compulsory Coverage

Articles 6 to 8, paragraph 2 of Article 9 and Article 11 shall apply only to compulsory coverage under the legislation of each Contracting State.

PART III
PROVISIONS CONCERNING BENEFITS

Chapter 1
Provisions concerning Irish Benefits

Article 13
Totalising and Benefits

1. Where a person has completed at least 52 contribution weeks of coverage since his or her entry into insurance under the legislation of Ireland but does not satisfy the contribution conditions for entitlement to benefit, the competent institution of Ireland shall take into account for the purpose of establishing entitlement to benefit under this Article periods of coverage completed under the legislation of Japan insofar as they do not coincide with periods of coverage under the legislation of Ireland as if such periods were completed under the legislation of Ireland and shall totalise such periods with periods of coverage completed under the legislation of Ireland. The competent institution of Ireland shall determine entitlement to benefit on the basis of the totalised periods in accordance with the relevant statutory contribution conditions under the legislation of Ireland.

2. The competent institution of Ireland shall calculate the amounts of Irish benefit payable, other than bereavement grant and guardian's payment (contributory), in accordance with the following formula:

(a) the amount of the theoretical benefit, exclusive of any additional amount or supplement or any increase other than an increase for a qualified adult, which would be payable if all the periods of coverage completed under the legislation of both Contracting States had been completed under its own legislation shall be calculated; and

(b) the proportion of such theoretical benefit which bears the same relation to the whole as the total of the periods of coverage completed by such person under the legislation of Ireland bears to the total of all periods of coverage which the person has completed under the legislation of both Contracting States shall then be calculated.

The proportionate amount thus calculated plus any additional amount or supplement or any increase other than an increase for a qualified adult shall be the amount of benefit payable to that person by the competent institution of Ireland.

3. In the case of bereavement grant and guardian's payment (contributory), the amount of benefit payable shall be determined in accordance with the relevant statutory contribution conditions under the legislation of Ireland.

4. For the purposes of determining the eligibility of a person for a benefit under paragraph 1 of this Article, 1 month of coverage under the legislation of Japan will be treated as equivalent to 4.33 weeks of contribution under the legislation of Ireland. A fraction of a week which results from such calculation will be rounded up to the next whole number, provided that the total number of contribution weeks of coverage in any one contribution year shall not exceed 52.