3. Where a person who is covered under the legislation of a Contracting State and who ordinarily works as a self-employed person in the territory of that Contracting State, works temporarily as a self-employed person only in the territory of the other Contracting State, that person shall be subject only to the legislation of the first Contracting State as if that person were working in the territory of the first Contracting State, provided that the period of the self-employed activity in the territory of the other Contracting State is not expected to exceed five years.

4. Paragraphs 1 and 3 of this Article shall not apply to a person who is employed in the territory of Japan by an employer with a place of business in that territory or who ordinarily works as a self-employed person in the territory of Japan, if that person is not covered under the legislation of Japan concerning the Japanese pension systems specified in paragraph 1(a) of Article 2.

Article 8
Employees on Board a Sea-Going Vessel or on an Aircraft

1. Where a person works as an employee on board a sea-going vessel flying the flag of either Contracting State and would otherwise be subject to the legislation of both Contracting States, that person shall be subject only to the legislation of the Contracting State in whose territory that person ordinarily resides.

2. Where a person works as an employee on an aircraft in international traffic and would otherwise be subject to the legislation of both Contracting States, that person shall be subject only to the legislation of the Contracting State in whose territory the employer is located.

Article 9
Members of Diplomatic Missions, Members of Consular Posts and Civil Servants

1. This Agreement shall not affect the provisions of the Vienna Convention on Diplomatic Relations of April 18, 1961, or the Vienna Convention on Consular Relations of April 24, 1963.

2. Subject to paragraph 1 of this Article, where any civil servant of a Contracting State or any person treated as such in the legislation of that Contracting State is sent to work in the territory of the other Contracting State, that person shall be subject only to the legislation of the first Contracting State as if that person were working in the territory of the first Contracting State.

Article 10
Exceptions to Articles 6 to 9

At the request of an employee and an employer or a self-employed person, the competent authorities of both Contracting States or the competent institutions designated by those competent authorities may agree to grant an exception to Articles 6 to 9 in the interest of particular persons or categories of persons, provided that such persons or categories of persons shall be subject to the legislation of one of the Contracting States.

Article 11
Spouse and Children

While a person works in the territory of Japan and is subject only to the legislation of Luxembourg in accordance with Article 7, paragraph 2 of Article 9 or Article 10, the spouse or children coming with that person shall be exempted from the legislation of Japan concerning the Japanese systems specified in paragraph 1(a)(i), (b)(iii) and (b)(vii) of Article 2, provided that the requirements specified in the legislation of Japan concerning the enforcement of the agreements on social security are fulfilled. However, when those spouse or children so request, the foregoing shall not apply.

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
Common Provision

Article 13
Totalization

Where a person does not have sufficient periods of coverage to fulfill the requirement for entitlement to benefits under the legislation of a Contracting State, the competent institution of that Contracting State shall take into account, for the purpose of establishing entitlement to those benefits, the periods of coverage completed under the legislation of the other Contracting State insofar as they do not coincide with the periods of coverage completed under the legislation of the first Contracting State.