however, for the purpose of this Agreement, Article 4 (except paragraph 1), Article 5, Articles 13 to 17, Articles 20 to 22, Article 26 (except paragraph 8), paragraph 2 of Article 28 shall not apply to the Japanese systems specified in subparagraph (b) of this paragraph; and

(c) to the Japanese employment insurance system concerning the unemployment benefits;

however, for the purpose of this Agreement, Article 4 (except paragraph 1), Articles 5, 6, paragraph 4 of Article 7, paragraph 2 of Article 9, Article 11, Articles 13 to 17, Articles 20 to 22, Article 26 (except paragraph 8) and paragraph 2 of Article 28 shall not apply to the Japanese system specified in subparagraph (c) of this paragraph.

3. This Agreement shall also apply to all amendments to the legislations of both Contracting States insofar as they do not modify substantially the scope of the systems regulated or implemented by those prior to such amendments.

4. As regards Austria, the legislation within the meaning of paragraph 1 of this Article shall not include treaties or other international agreements concluded between Austria and a third State, except insofar as they contain provisions relating to the apportionment of insurance burdens.

Article 3
Persons Covered

This Agreement shall apply to:

(a) persons who are or have been subject to the legislation of one or both of the Contracting States; and

(b) other persons who derive rights from the persons described in subparagraph (a) of this Article.

Article 4
Equality of Treatment

1. Unless otherwise provided in this Agreement, persons who are or have been subject to the legislation of one Contracting State, as well as other persons who derive rights from such persons, who ordinarily reside in the territory of the other Contracting State, shall receive equal treatment with nationals of that other Contracting State in the application of the legislation of that other Contracting State.

2. As regards Japan, the foregoing shall not affect the provisions on complementary periods for Japanese nationals on the basis of ordinary residence outside the territory of Japan under the Japanese legislation.

3. Paragraph 1 of this Article shall not apply to the provisions of Austrian legislation concerning:

(a) the participation of insured persons and employers in the administration of institutions and associations as well as adjudication in the field of social security;

(b) the apportionment of insurance burdens resulting from agreements with third States; and

(c) the crediting of periods of war service and periods considered as equivalent, except for Japanese nationals who were Austrian nationals immediately before March 13, 1938.

Article 5
Payment of Benefits to Beneficiaries Abroad

1. Unless otherwise provided in this Agreement, any provision of the legislation of one Contracting State which restricts entitlement to or payment of benefits solely because the person ordinarily resides outside or is absent from the territory of that Contracting State shall not be applicable to persons who ordinarily reside in the territory of the other Contracting State.