However, the foregoing shall not affect the provisions of the Japanese legislation which require a person who is aged 60 or over but under 65 on the date of the first medical examination or of death to reside ordinarily in the territory of Japan for the acquisition of entitlement to the Disability Basic Pension or the Survivors' Basic Pension.

2. Benefits under the legislation of a Contracting State shall be paid to the persons specified in Article 3, who ordinarily reside in the territory of a third State, under the same conditions as a national of that Contracting State.

3. Paragraphs 1 and 2 of this Article shall not apply to the compensatory supplement and single payments to maintain purchasing power under the Austrian legislation.

PART II
PROVISIONS CONCERNING THE APPLICABLE LEGISLATION

Article 6
General Provisions

1. Unless otherwise provided in this Agreement, a person who works as an employee or a self-employed person in the territory of a Contracting State shall, with respect to that employment or self-employment, be subject only to the legislation of that Contracting State.

2. When a person is subject to the Austrian legislation under this Part of this Agreement, an insurance under the Japanese legislation shall not be taken into account for the access to the compulsory insurance under the Austrian legislation.

Article 7
Special Provisions

1. Where an employee who is covered under the legislation of a Contracting State and employed in the territory of that Contracting State by an employer with a place of business in that territory is sent by that employer from that territory to work in the territory of the other Contracting State and:

(i) does not conclude an employment contract in the territory of that other Contracting State; or

(ii) concludes an employment contract with an employer with a place of business in the territory of that other Contracting State, but is under the direction of the employer with a place of business in the territory of the first Contracting State, that employee shall, with respect to that work, provided that the period of such detachment is not expected to exceed five years,

(a) be subject only to the legislation of the first Contracting State, as regards the Austrian system specified in paragraph 1(a) of Article 2 and the Japanese system specified in paragraph 2(a) of Article 2, as if that employee were working in the territory of the first Contracting State,

(b) be subject only to the legislation of the first Contracting State, as regards the Austrian system specified in paragraph 1(d) of Article 2 and the Japanese system specified in paragraph 2(c) of Article 2, as if that employee were working in the territory of the first Contracting State,

(c) be subject to the legislation of both Contracting States, as regards the Austrian systems specified in paragraph 1(b) and (c) of Article 2 and the Japanese systems specified in paragraph 2(b) of Article 2.

2. If the detachment referred to in paragraph 1 of this Article continues beyond five years, at the request of an employee and an employer, the competent authorities of the two Contracting States or the competent institutions designated by those competent authorities may agree that the employee remains subject to the legislation as specified in paragraph 1 of this Article.