

PART V

TRANSITIONAL AND FINAL PROVISIONS

ARTICLE 31

**Consideration of Previous Events and
Periods and Transitional Provisions**

1. Any period prior to the date of entry into force of this Agreement which is creditable under the legislation of either Party shall be taken into account for the purpose of determining the right to a benefit under this Agreement.
2. Subject to paragraph 4, no provision of this Agreement shall confer any right to receive payment of a benefit for a period before the date of entry into force of the Agreement.
3. Subject to paragraph 2, a benefit, other than a lump sum payment, shall be paid under this Agreement in respect of events which occurred before the date of entry into force of the Agreement.
4. Claims for benefits under consideration on the date of coming into force of this Agreement, and claims for such benefits received after that date where entitlement would exist prior to that date through the application of the Agreement on Social Security between Canada and Italy signed in Toronto on 17 November 1977, shall be determined according to that Agreement in regard to rights established up to the date of coming into force of this Agreement, and according to this Agreement in respect to rights arising from this Agreement.

ARTICLE 32

**Termination of the Agreement of 17 November 1977
and Recalculation of Benefits**

1. With the coming into force of this Agreement, the Agreement on Social Security between Canada and Italy, signed in Toronto on 17 November 1977, shall be terminated.
2. (a) Benefits awarded through the application of the Agreement referred to in paragraph 1 may be recalculated by the competent institutions, either directly or on request by the beneficiary, taking into account the provisions of this Agreement.
(b) If a request for recalculation is submitted to a competent institution within 24 months of the date of coming into force of this Agreement, the recalculation shall have effect from that date, without the provisions of the legislation of a Party regarding the expiration or prescription of entitlement being applied to the individual.