

PART IV

Transitional and Final Provisions

ARTICLE 24

(1) This Agreement shall not establish any entitlement to benefits for any period prior to its entry into force.

(2) In the implementation of this Agreement, consideration shall be given to the relevant facts obtaining under the terms of the legislation of the Contracting States before the entry into force of this Agreement.

(3) The provisions of this Agreement shall apply irrespective of the legal force of decisions made before the entry into force of this Agreement.

(4) Cash benefits awarded before the entry into force of this Agreement, where applicable by virtue of the Convention of March 30, 1971, may be recalculated ex officio in accordance with the provisions of this Agreement. If such recalculation, whether on application or ex officio, results in no entitlement or in entitlement in a lesser amount than that last paid for any period prior to the entry into force of this Agreement, the same amount of cash benefits as previously paid shall continue to be paid, paragraph (3) notwithstanding.

ARTICLE 25

The attached Final Protocol is part of this Agreement.

ARTICLE 26

The Government of the Federal Republic of Germany and a province of Canada may conclude understandings concerning any social security matter within provincial jurisdiction in Canada insofar as those understandings are not inconsistent with the provisions of this Agreement.

ARTICLE 27

This Agreement shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of Canada within three months of the date of entry into force of this Agreement.

ARTICLE 28

(1) This Agreement shall be subject to ratification. The instruments of ratification shall be exchanged in Ottawa as soon as possible.

(2) This Agreement shall enter into force on the first day of the second month following the final day of the month in which the instruments of ratification are exchanged.