

Paragraph (1) of Article 3, who are ordinarily resident in the territory of the Federal Republic of Germany.

- (b) In the case of a person who is ordinarily resident in the territory of Canada, lump-sum settlement of a pension claim under the German Accident Insurance Scheme can be made only upon application by the beneficiary.

6. Re Article 4 of the Convention:

- (a) The German legislation regarding benefits based on insurance periods accumulated other than under Federal Law will not be affected.
- (b) The German legislation regarding benefits in respect of occupational accidents (including occupational diseases) for which, at the time when the accident occurred, the injured party was not insured under Federal Law, will not be affected.

7. Re Article 7 and Article 11:

The obligation of Canada pursuant to Paragraph (1) of Article 7 and pursuant to Paragraph (2) of Article 11 exists only to the extent that Canadian Law so enables from time to time.

8. Re Article 11 of the Convention:

It shall be within the competence of the liaison agency for the Wage Earners' Pension Insurance established by virtue of Paragraph (2) of Article 10 to determine cash benefits, with the exception of those benefits which are granted within the framework of the measures referred to in Paragraph (2) of Article 4; and the said agency shall also be competent—with the exception of refund of contributions—in cases where the beneficiary is ordinarily resident in the territory of Canada or if, as a Canadian national, the beneficiary is ordinarily resident outside the territory of either of the Contracting Parties. The said liaison agency is also competent to make refund of contributions where

- (a) the beneficiary is a Canadian national on the day of application, or
- (b) the beneficiary is ordinarily resident in the territory of Canada.

The competence of the special agencies in the territory of the Federal Republic of Germany will not be affected.

9. In the implementation of the Convention, German legislation, to the extent that it contains more favourable provisions for persons who have suffered because of their political attitude or for reasons of their race, religion or ideology, will not be affected.