

(5) The arbitral tribunal shall, on the basis of the treaties existing between the parties and of general international law, reach its decisions by a majority of votes. Such decisions shall be binding. Each Contracting Party shall bear the cost of its own member and of its representatives in the arbitral proceedings; the cost of the chairman and the remaining costs shall be borne in equal parts by both Contracting Parties. The arbitral tribunal may make a different regulation concerning costs. In all other respects, the arbitral tribunal shall determine its own procedure.

PART IV

TRANSITIONAL AND FINAL PROVISIONS

ARTICLE 14

(1) The present Convention shall not establish any claim to payment of benefits for any period before its coming into force.

(2) In the implementation of the present Convention, consideration shall be given to the relevant facts obtaining under the terms of the legislation of the Contracting Parties before the coming into force of the present Convention.

(3) The provisions of the present Convention shall apply notwithstanding the legal validity of decisions made prior to the coming into force of the present Convention.

(4) Pensions assessed before the coming into force of the present Convention can be reassessed *ex officio* or upon application with due regard being paid to the provisions of the present Convention. If such reassessment on application or reassessment *ex officio* were to result in no pension or a smaller pension than that last paid for any period prior to the coming into force of the present Convention, the same amount of pension as paid hitherto shall continue to be paid.

ARTICLE 15

The attached Final Protocol is part of the present Convention.

ARTICLE 16

The present Convention shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of Canada within three months of the coming into force of the present Convention.

ARTICLE 17

(1) The present Convention shall be subject to ratification. The instruments of ratification shall be exchanged in Bonn as soon as possible.

(2) The present Convention 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.