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ADMINISTRATIVE ARRANGEMENT CONCERNING  
THE IMPLEMENTATION OF  
THE AGREEMENT BETWEEN  
THE REPUBLIC OF INDIA AND  
THE KINGDOM OF BELGIUM  
ON SOCIAL SECURITY

In application of Article 19 of the Agreement between the Kingdom of Belgium and the Republic of India on social security, the competent authorities of India and Belgium have agreed as follows:

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## Part I

### General Provisions

#### Article 1

1. For the implementation of this agreement:
  - a) the term " Agreement" means the Agreement on social security between the Kingdom of Belgium and the Republic of India signed on the 3<sup>rd</sup> of November, 2006;
  - b) the term "Arrangement" means the Administrative Arrangement concerning the implementation of the Agreement on social security between the Kingdom of Belgium and the Republic of India.
2. The terms used in this Arrangement shall have the same meaning that is assigned to them in Article 1 of the Agreement.

#### Article 2

The liaison agencies referred to in Article 19, a) of the Agreement shall be:

- (a) As regards Belgium:
  - 1 Old-age, survivors
    - i) National Pension Office, Brussels
    - ii) National Social Insurance Institute for the Self-Employed, Brussels
  2. Invalidity
    - a) General Invalidity:  
National Sickness and Invalidity Insurance Institute, Brussels
    - b) Invalidity of mariners:  
Relief and Welfare Fund for Mariners, Antwerp
- (b) As regards India:  
  
Old-age, survivors and permanent total disability for the employed persons

Employees' Provident Fund Organization, New Delhi

### Article 3

The competent agencies referred to in Article 19, a) of the Agreement shall be:

- (a) As regards Belgium:
  - 1. Old-age, survivors
    - i) National Pension Office, Brussels
    - ii) National Social Insurance Institute for the Self-Employed, Brussels
  - 2. Invalidity
    - a) General Invalidity:  
National Sickness and Invalidity Insurance Institute, Brussels, along with the insurance agency the employed or the self-employed person is or has been affiliated to
    - b) Invalidity of mariners:  
Relief and Welfare Fund for Mariners, Antwerp
- (b) As regards India:

Old-age, survivors and permanent total disability for the employed persons

Employees' Provident Fund Organization, New Delhi

### Part II

#### Provisions concerning the applicable legislation

### Article 4

- 1. In the cases specified in the Articles 7 to 10 of the Agreement, the competent agency or competent authority designated in paragraph 2 of this Article, whose legislation remains applicable, will deliver at the request of the employer, a certificate stating that he or she remains subject to its legislation and indicating until which date.
- 2. The certificate described in paragraph 1 of this Article will be delivered:
  - as regards Belgium:
    - i) to apply Article 7 b) of the Agreement, as regards the persons working on an aircraft in international traffic, by the National Social Security Office, Brussels;

- ii) to apply Article 7 c) of the Agreement, as regards persons working on board a sea-going vessel, by the Relief and Welfare Fund for Mariners, Antwerp;
- iii) to apply paragraphs 1 and 2 of Article 8 and paragraph 1 of Article 9 of the Agreement, by the National Social Security Office, Brussels;
- iv) to apply Article 10 of the Agreement, by the Federal Public Service Social Security, Directorate General Strategy & Research, Brussels;

as regards India :

- i) to apply Article 7 b) , Article 7 c), paragraph 1 and 2 of Article 8 and paragraph 1 of Article 9 of the Agreement, by the Employees' Provident Fund Organization, New Delhi;
  - ii) to apply Article 10 of the Agreement, by the Ministry of Overseas Indian Affairs, New Delhi.
3. The original certificate described in paragraph 1 of this Article will be given to the employee who has to keep it with him or her during the entire period of posting in order to prove his or her situation of coverage in the receiving country.
  4. A copy of the certificate delivered pursuant to paragraph 1 by the competent agency of India is sent to the National Social Security Office, Brussels. A copy of the certificate delivered by the competent agency of Belgium is sent to the Employees' Provident Fund Organization, New Delhi.
  5. Both the competent authorities or the competent agencies mentioned in paragraph 2 of this Article, as the case may be, may, by mutual consent, agree to nullify the delivered certificate.

### **Part III**

#### **Provisions concerning old-age, survivors, invalidity and permanent total disability**

#### **Article 5**

1. The liaison agency of the State of residence that receives an application for benefits on account of the other contracting State, either directly from the applicant or from the competent agency, shall submit it without delay to the liaison agency of the other State, using the forms prescribed. The application can not be refused by the competent agency of the other contracting State when it was done in the form and within the period determined by the legislation of the State of residence.

2. Furthermore, it shall submit all documents available that could be required so that the competent agency of the other contracting State is able to determine the applicant's entitlement to the concerned benefit.
3. Data concerning the civil state as required by the application form shall be duly authenticated by the liaison agency, which shall confirm that the data are corroborated by original documents.
4. Furthermore, the liaison agency shall submit to the liaison agency of the other contracting State a form specifying the completed insurance periods pursuant to the legislation of the first State.

After having received the form, the liaison agency of the other contracting State shall add all information regarding the completed insurance periods pursuant to the legislation it applies, and shall return it to the liaison agency of the first State without delay.

5. The competent agency of a contracting State shall determine the applicant's entitlement, and if necessary, of the spouse, and shall notify its decision to the applicant and send a copy of the decision to the liaison agency of the other contracting State. The decision must, moreover, indicate the manner and time limit for appeal according to its legislation.
6. When the Indian liaison agency knows that a beneficiary of Belgian invalidity, old age or survivor's benefit, who stays in India, or the spouse, has not entirely stopped all professional activities or has effectively engaged in such activities, it shall inform the Belgian liaison agency without delay.

Furthermore, the Indian liaison agency shall submit all information available concerning the nature of the work performed and the amount of profits or resources the person concerned or the spouse benefits or has benefited from.

The information mentioned in this paragraph will, after the benefit has been granted, be submitted each time there is a change in the situation.

7. The liaison agency of India will inform the Belgian liaison agency each time there is a change in the amount of the benefit or other incomes of the beneficiary and/or the beneficiary's spouse .
8. The liaison agency of both contracting States will inform each other upon the death of a mutual beneficiary and/or of the beneficiary's spouse.

## Article 6

1. The liaison agency of one of the contracting States shall, when requested, submit to the liaison agency of the other State any medical information and documentation concerning the applicant's or the beneficiary's incapacity
2. When a beneficiary of an invalidity or permanent total disability benefit stays or resides in the territory of a contracting State other than the State where the agency responsible for payment is located, the administrative and medical control is performed on the request of the latter agency, by the competent agency of the place where the beneficiary stays or resides, pursuant to the terms listed in the legislation applied by the latter competent agency. The agency responsible for payment, however, reserves the option to proceed to an examination of the beneficiary by a practitioner of its choice.
3. The costs of the control are reimbursed by the competent agency to the agency of the State where the beneficiary resides or stays. These costs are established by the benefit paying agency based on its tariff and are reimbursed by the agency responsible for payment after a detailed expense claim has been presented. Medical information and documentation relevant to the invalidity or permanent total disability of the applicant or beneficiary and in the possession of the agency of the State where the beneficiary resides or stays will be furnished without costs.

## Article 7

The competent agency shall directly pay the benefits to the beneficiaries.

## Article 8

The liaison agencies of the two contracting States shall exchange statistics on the number of certificates issued under Article 4 of this Arrangement and on the payments made under each contracting State's legislation to beneficiaries in the territory of the other contracting State. These statistics shall be furnished annually in a form to be agreed upon by the respective agencies.

## Article 9

The liaison agencies referred to in Article 2 shall agree upon the joint procedures and forms necessary and appropriate for the implementation of the Agreement and this Administrative Arrangement with the consent of the competent authorities.

## Article 10

1. This Administrative Arrangement shall enter into force at the same time as the Agreement enters into force and shall remain in force as long as the Agreement remains in force.

2. The competent authorities may notify each other, in writing, of changes in the names of the liaison agencies and competent agencies without the need to modify the Administrative Arrangement.

Done at New Delhi on 15th December, 2008, in duplicate in the English language.

(Shri G. Gurucharan, Joint Secretary to the Government of India, Ministry of Overseas Indian Affairs)	(H.E. Jean M. DEBOUTTE, Ambassador of Belgium to India)
For the Competent Authority of the Republic of India	For the competent Authority of the Kingdom of Belgium