

**ADMINISTRATIVE ARRANGEMENT
FOR THE APPLICATION OF THE SOCIAL SECURITY AGREEMENT
BETWEEN THE FEDERATIVE REPUBLIC OF BRAZIL
AND THE REPUBLIC OF INDIA**

Pursuant to Article 23 of the Social Security Agreement between the Federative Republic of Brazil and the Republic of India, signed in New Delhi, on January 25, 2020, the Competent Authorities of the two countries establish, in mutual agreement, the following provisions:

**PART I
General Provisions**

Article 1
Definitions

1. For the application of this Administrative Arrangement:
 - a. The term "Agreement" refers to the Agreement on Social Security between the Federative Republic of Brazil and the Republic of India, signed in New Delhi;
 - b. The term "Arrangement" refers to this Administrative Arrangement.
2. The terms used in this Arrangement shall have the meaning assigned to them in Article 1 of the Agreement.

Article 2
Competent Authorities and Institutions

1. The Competent Authorities and Competent Institutions of both the Contracting Parties shall adopt, in mutual agreement, the common procedures and forms necessary for the implementation of the Agreement and this Arrangement.
2. For the application of the legislation mentioned in Article 2 of the Agreement, the designated Competent Institutions are:
 - a) For the Federative Republic of Brazil:
 - i. the National Institute of Social Security (INSS).
 - ii. the management unit, in relation to the Social Security Schemes for Civil Servants (RPPS)
 - b) For the Republic of India: the Employees' Provident Fund Organisation (EPFO) or such other Organisation(s) as would be previously notified to the Contracting Party.

Article 3
Liaison Bodies

1. Pursuant to Article 1, Paragraph 1, sub-paragraph 'd' of the Agreement, the designated Liaison Bodies are:

- a. For the Federative Republic of Brazil: the unit designated by the National Institute of Social Security (INSS), which shall be responsible for the execution of the activities related to the benefits provided for in the Agreement.
 - b. For the Republic of India: Head Office, Employees' Provident Fund Organisation in New Delhi.
2. Regarding the implementation of the Agreement, the Liaison Bodies designated in Paragraph 1 may communicate directly with each other, as well as with the persons concerned or their representatives.

PART II

Provisions regarding Applicable Legislation

Article 4 *Certificate of Coverage*

1. In the cases provided for in Article 11 of the Agreement, the Competent Institution of the Contracting Party whose legislation is applicable shall issue to the employee, at the request of the employer, a certificate attesting that the worker remains subject to the legislation of that Contracting Party. The certificate shall indicate the period of travel or temporary employment in the territory of the other Contracting Party.
2. The certificate referred to in Paragraph 1 shall be issued:
 - a. As regards the Federative Republic of Brazil: by the unit designated by the National Institute of Social Security (INSS).
 - b. As regards the Republic of India: by the Employees' Provident Fund Organisation (EPFO).
3. The period of travel or temporary work may be used in a fractional manner. Thus, a new certificate may be issued without the need to consult the Competent Authority of the other Contracting State, provided that the new period of travel is within the 36 months provided for in Article 11 of the Agreement.
4. The Competent Institution, which issued the certificate referred to in Paragraphs 1 and 3, shall provide a copy to the worker and the employer, being desirable that a copy be sent to the Competent Institution of the other Contracting Party. The workers shall keep the certificate during their stay in the territory of the other Contracting Party, and present it, if necessary, to the Competent Authority of that Contracting Party.
5. In the event of early termination of the period of travel or temporary activity initially planned, the worker or employer shall notify the Competent Institution of the Contracting Party which issued the certificate, so that it can notify the Competent Institution of the other Contracting Party.
6. In the case provided for in Paragraph 3 of Article 11 of the Agreement, the employer or worker shall request the Competent Institution of the Contracting Party that issued the initial certificate to extend the period initially authorized before its expiration. The Competent Institution of the requested Contracting Party shall consult the Competent Institution of the other Party in order to obtain agreement on the extension requested. The applicant shall be notified of the decision and, if the extension is authorized, a certificate relating to the new period shall be issued.

PART III
Provisions on Old Age, Disability and Survival
Benefits

Article 5
Totalization of Periods of Coverage

For the application of Article 14 of the Agreement, in cases where, for the acquisition, maintenance or recovery of entitlement to benefits, it is necessary to consider periods of coverage completed under the legislation of the other Contracting Party, the Competent Institution of the other Contracting Party shall certify, on a specific form negotiated between the Parties, the periods of coverage completed under the applicable legislation.

Article 6
Processing of Benefit Applications

1. To qualify for the benefits provided for in Article 2 of the Agreement, the applicant shall submit a request to the Competent Institution of the Contracting Party of the territory in which they reside.
2. If the eligible coverage period has not been completed under the legislation of the Contracting Party of the territory in which the applicant resides, the Competent Institution shall send the request immediately to the Competent Institution of the other Contracting Party, either directly or through Liaison Bodies.
3. The Competent Institutions of the Contracting Parties shall send, immediately – directly or through the Liaison Bodies –, the applications and any other available document that may be necessary for the processing of the application through forms designed for this purpose, in Portuguese, English and Hindi. Each Competent Institution shall also send a form attesting the periods of coverage completed under their legislation as well as information on entitlement to benefits to the Competent Institution of the other Contracting Party.
4. In case of requests for benefits that require medical examinations, each Competent Institution will send the medical form, with the available medical data and exams attached, to the other Contracting Party.
5. The Competent Institution or Liaison Body of a Contracting Party that receives a claim for a benefit under the legislation of the other Contracting Party shall, without delay:
 - a. Stamp the claim with the date of receipt;
 - b. Verify the claimant's identity in accordance with the administrative practices of that Contracting party;

- c. Validate the authenticity of the personal details contained in the claim, according to the official records of that Contracting Party or on the basis of original documents supplied by the claimant;
 - d. Check for completeness and, if the claim is incomplete, arrange for outstanding details to be obtained; and
 - e. Whenever necessary, make certified copies of original documentation supporting the claim.
6. The Liaison Body of the Contracting Party receiving a claim for a benefit under the legislation shall, without delay:
 - a. Record receipt of the claim;
 - b. Fill a liaison form in respect of that claim indicating the certified periods of coverage under its legislation and the periods of coverage in the other Contracting Party as declared by the claimant; and
 - c. Send:
 - (i) in the case of a claim for Indian benefits, the original claim form and original or certified copies of documents necessary to establish the claim and the liaison form to the Indian Liaison Body; and
 - (ii) in the case of a claim for a Brazilian benefit, the original claim form, the certified copies of documents necessary to establish the claim and the liaison form to the Brazilian Liaison Body.
7. A Competent Institution or Liaison Body which determines a claim processed in accordance with Paragraph 5 of this Article shall, without delay, send the liaison form to the Liaison Body of the other Contracting Party, indicating:
 - a. The result of the determination;
 - b. Any other information, as mutually determined; and
 - c. Wherever relevant, the manner and the limit for an appeal according to the legislation of that Contracting Party.

Article 7
Notification of decisions

1. Each Competent Institution shall determine the rights of the applicant under the provisions of Part III of the Agreement and shall notify the interested party of the decision, indicating the means and deadlines for appeals, as well as send a copy to the Competent Institution of the other Contracting Party.
2. The Competent Institutions and Liaison Bodies will cooperate with a view to the timely processing of claims in accordance with this Arrangement.
3. The Competent Institutions and Liaison Bodies of both the Contracting Parties shall carry out, by mutual consent, any measures they deem necessary and appropriate to improve the operation of this Arrangement.

4. The Competent Institutions shall communicate to each other all measures taken and information necessary for the implementation of the Agreement and the Arrangement, or changes on their respective legislation that may affect the application thereof.

PART IV **Miscellaneous Provisions**

Article 8 *Exchange of Medical Information*

1. The Contracting Party where the medical examination, in accordance with the legislation of the Contracting Party, has been carried out shall send to the other Contracting Party all medical information and any documentation available concerning the disability condition of the applicant or the beneficiary.
2. The medical examination of applicants or recipients of the benefit of one of the Contracting Parties residing in the territory of the other Contracting Party shall be carried out by the appropriate institution/medical board of the place of residence of the applicants or recipients, at the request of the Competent Institution.
3. The services provided for in the two preceding paragraphs are free of charge.
4. If the Competent Institution deems it necessary, additional medical examinations may be requested. The costs of such additional examinations shall be reimbursed by the Competent Institution which requested them.
5. The costs of a medical examination and production of the report under Paragraph 4 of this Article shall be covered by the requesting Competent Institution.
6. Upon the presentation of a detailed statement of the costs incurred as a result of applying Paragraph 4 of this Article, the Competent Institution or Liaison Body of the first Contracting Party shall reimburse the due amounts to the Competent Institution of the other Contracting Party within 180 days.

Article 9 *Benefits Payments*

1. The benefits to be paid by the Competent Institution of one of the Contracting Parties shall be paid directly to the beneficiary residing in the territory of the other Contracting Party or, as the case may be, to the respective legal representative, within the periods specified in the legislation applied by the Competent Institution.
2. Benefits payable under the Agreement may be paid to the beneficiary residing in another country under the same conditions as the Competent Institution pays its beneficiaries.
3. Payment shall be made in accordance with Article 20 of the Agreement, without any deduction of administrative expenses that may occur for the payment of a benefit. However, bank charges on the beneficiary's account shall be paid by the beneficiary.

4. Beneficiaries are obliged to submit to the Competent Institution which pays the benefit, either directly or through the Liaison Bodies, every 12 months, a certificate of life issued in accordance with the legislation of the Contracting Parties.

Article 10
Banking Information

The beneficiaries and the Competent Institutions shall inform the Competent Institution, which makes the related payments, the relevant banking information according to international standards.

Article 11
Statistics

The Competent Institutions shall exchange annual statistics on the number of certificates of coverage issued under Paragraph 1 of Article 13 of the Agreement and on the benefits paid in the other Contracting Party and their respective values.

Article 12
Information Exchange

1. Persons entitled to benefits granted under the legislation of one of the Contracting Parties residing in the territory of the other Contracting Party shall communicate to the Competent Institution, either directly or through Liaison Bodies, any changes concerning their personal or family situation, their state of health, work capacity, income, and any other circumstance likely to influence their rights or obligations under the legislation mentioned in Article 2 and other provisions of the Agreement.
2. The Competent Institutions shall exchange, directly or through Liaison Bodies, all available information as described in the previous paragraph.
3. Information and documents should be transferred between the competent institutions or liaison bodies preferably by electronic means. In such a case, they shall be considered equivalent to information and documents in paper form and shall not require additional authorization.
4. Information and document transmitted in such manner shall constitute evidence in the social security proceedings performed under the material scope of this Agreement.
5. The electronic transfer of information pertains to the transfer in individual cases, as well as the mass transfer of information pertaining to more than one person included in the scope of the Agreement.

Article 13
Confidentiality of Personal Data

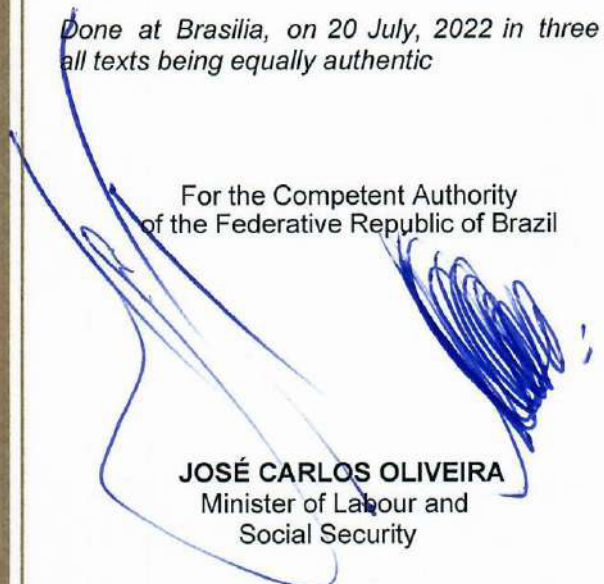
All information referred to in this Arrangement may only be used within the scope of the Agreement and in accordance with the legislation on confidentiality of personal data of the concerned Contracting

Article 14
Entry into Force and Duration

This Arrangement shall enter into force on the same date as the Agreement and shall have the same duration.

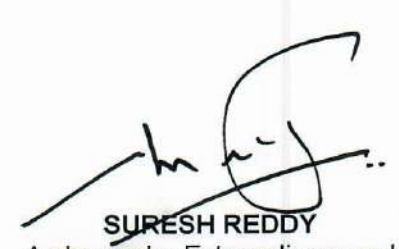
Done at Brasilia, on 20 July, 2022 in three originals in English, Hindi and Portuguese, all texts being equally authentic

For the Competent Authority
of the Federative Republic of Brazil



JOSÉ CARLOS OLIVEIRA
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For the Competent Authority
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SURESH REDDY
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