

**ADMINISTRATIVE ARRANGEMENT**

**BETWEEN**

**THE MINISTRY OF OVERSEAS INDIAN AFFAIRS**

**AND**

**THE DEPARTMENT OF HUMAN RESOURCES**

**AND SKILLS DEVELOPMENT**

**FOR THE IMPLEMENTATION**

**OF THE AGREEMENT ON SOCIAL SECURITY**

**BETWEEN THE REPUBLIC OF INDIA AND CANADA**

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THE MINISTRY OF OVERSEAS INDIAN AFFAIRS AND THE DEPARTMENT OF HUMAN RESOURCES AND SKILLS DEVELOPMENT, hereinafter referred to as the "competent authorities",

HAVE COME to the following understanding:

**1. Definitions**

- (a) In this Administrative Arrangement, "Agreement" means the *Agreement on Social Security between the Republic of India and Canada*, done at New Delhi on 6<sup>th</sup> November, 2012.
- (b) Any term, other than "competent authorities" will have the meaning assigned to it in the Agreement.

**2. Liaison Agencies**

Pursuant to Article 18 of the Agreement, the competent authorities designate the following organizations as their liaison agencies:

- (i) for India:  
The Employees' Provident Fund Organization,
- (ii) for Canada:
  - (A) the International Operations Division, Service Canada, Department of Human Resources and Skills Development for all matters except the application of Articles 6 to 10 of the Agreement and paragraph 3 of this Administrative Arrangement, and
  - (B) the Legislative Policy Directorate, Canada Revenue Agency: for the application of Articles 6 to 10 of the Agreement and paragraph 3 of this Administrative Arrangement.



## PROVISIONS CONCERNING APPLICABLE LEGISLATION

### 3. Coverage of Employed and Self-employed Persons

The competent authorities understand that:

- (i) In the cases set out in Articles 6, 7 and 10 of the Agreement, the competent institution whose legislation applies will, on request, issue a certificate of fixed duration certifying, in respect of the work in question, that the employed person and that person's employer or the self-employed person are subject to that legislation. The issuing authority will send a copy of the certificate to the employed person and their employer or to the self-employed person;
  - (A) Where the legislation of India applies, the Employees' Provident Fund Organization will issue a certificate of coverage and will send a copy of the certificate to the Legislative Policy Directorate, Canada Revenue Agency,
  - (B) Where the legislation of Canada applies, the Legislative Policy Directorate, Canada Revenue Agency will issue a certificate of coverage and will send a copy to the Employees' Provident Fund Organization;
- (ii) The liaison agencies will mutually confirm the consent referred to in Article 7 of the Agreement before the end of the current term of coverage;
- (iii) The liaison agencies will direct such requests and notices regarding consent:
  - (A) where the legislation of India applies, to the Employees' Provident Fund Organization,
  - (B) where the legislation of Canada applies, to the Legislative Policy Directorate, Canada Revenue Agency.



## PROVISIONS CONCERNING BENEFITS

### 4. Processing a Claim

The competent authorities understand that:

- (i) If a liaison agency receives a claim for a benefit under the legislation applied by the other liaison agency, it will promptly send the claim to the other liaison agency, confirming the date on which the claim was received;
- (ii) Along with the claim, the liaison agency will also transmit any documentation available to it which may be necessary for the other liaison agency to establish the claimant's eligibility for the benefit;
- (iii) The liaison agency will certify the individual's personal information contained in the claim and will confirm that the information is corroborated by documentary evidence; once the liaison agency transmits the certified form to the other liaison agency, it is exempt from sending the documentary evidence. The liaison agencies will mutually decide the type of information to which this applies;
- (iv) A liaison agency will, to the extent it is legally permitted, provide to the other liaison agency available medical information and documentation concerning the disability of a claimant or beneficiary;
- (v) In addition to the claim and documentation referred to in subparagraphs (i) and (ii), the first liaison agency will send to the other liaison agency a liaison form which indicates, in particular, the creditable periods under the legislation which it applies;
- (vi) The other liaison agency will subsequently determine the claimant's eligibility and will notify the first liaison agency of its decision to grant or deny the benefits.



**5. Medical Examinations**

The competent authorities understand that:

- (i) If a liaison agency requests a medical examination of a claimant or a beneficiary residing in the jurisdiction of the other liaison agency, the other liaison agency will make the necessary arrangements. The examination will be carried out in accordance with the rules applied by the liaison agency making the arrangements. The liaison agency which requests the medical examination will pay for the examination;
- (ii) On receipt of a detailed annual statement of the costs incurred, to be issued by 1 January of each year, each liaison agency will, by 31 March of the same year, reimburse the other liaison agency for the amounts due as a result of applying the provisions of subparagraph (i);
- (iii) A liaison agency may refuse to make arrangements for additional medical examinations if the other liaison agency does not comply with the provisions of subparagraph (ii).

**MISCELLANEOUS PROVISIONS**

**6. Exchange of Statistics**

The competent authorities or institutions will exchange statistics on an annual basis regarding the payments which each has made under the Agreement. These statistics will include data on the number of beneficiaries and the total amount of benefits paid, by type of benefit.

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**7. Forms and Detailed Procedures**

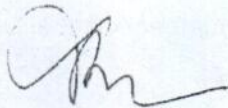
The competent authorities understand that:

- (i) The liaison agencies will mutually decide on the forms and procedures necessary to implement the Agreement and this Administrative Arrangement;
- (ii) A liaison agency may refuse to accept information from or provide information to the other liaison agency if that other liaison agency does not request or provide information using the liaison form which was mutually decided upon.

**8. Entry into Effect**

- (a) This Administrative Arrangement will take effect on the date of entry into force of the Agreement and will remain in effect while the Agreement remains in force.
- (b) The Competent Authorities may modify this Administrative Arrangement by mutual consent in writing.

SIGNED in duplicate at *New Delhi*, this *6<sup>th</sup>* day of *November 2012* in the English, Hindi and French languages, each version being equally valid.



FOR THE MINISTRY OF  
OVERSEAS INDIAN AFFAIRS



FOR THE DEPARTMENT  
OF HUMAN RESOURCES  
AND SKILLS DEVELOPMENT