

**ADMINISTRATIVE ARRANGEMENT
FOR THE IMPLEMENTATION OF
THE AGREEMENT ON SOCIAL SECURITY
BETWEEN
THE REPUBLIC OF INDIA
AND
THE KINGDOM OF THE NETHERLANDS**

Pursuant to Article 16 of the Agreement on Social Security between the Republic of India and the Kingdom of the Netherlands, signed at New Delhi on the 22nd of October 2009, the competent authorities:

for the Republic of India,
the Minister of Overseas Indian Affairs,

for the Kingdom of the Netherlands,
the Minister for Social Affairs and Employment

have agreed on the following provisions for the application of the Agreement:

PART I
General provisions

Article 1
Definitions

1. For the application of this Administrative Arrangement, "Agreement" means: the Agreement on Social Security between the Republic of India and the Kingdom of the Netherlands, signed at New Delhi on the 22nd of October 2009.

2. Any other term used in this Administrative Arrangement will have the same meaning given to it in the Agreement.

Article 2
Competent institutions and liaison bodies

1. Pursuant to Article 16, paragraph 2 of the Agreement, the following institutions are designated as:

A) Competent institution:

a) for the Republic of India:

- i) as regards old age and survivors' pension for employed persons: Employees' Provident Fund Organization;
- ii) as regards the Permanent Total Disability pension for employed persons: Employees' Provident Fund Organization, and
- iii) for the application of Part II of the Agreement: Employees' Provident Fund Organization.

b) for the Kingdom of the Netherlands:

- i) as regards old age and survivors' benefit: Sociale

- verzekeringsbank (Social Insurance Bank), Amstelveen; and
- ii) as regards disablement benefit: Uitvoeringsinstituut werknemersverzekeringen (Institute for Employee Benefit Schemes), Amsterdam; and
- iii) for the application of Part II of the Agreement: Sociale verzekeringsbank (Social Insurance Bank), Amstelveen.

B) Liaison bodies:

c) for the Republic of India:

- i) as regards old age and survivors' pension for employed persons: Employees' Provident Fund Organization;
- ii) as regards the Permanent Total Disability pension for employed persons: Employees' Provident Fund Organization; and
- iii) for the application of Part II of the Agreement: Employees' Provident Fund Organization.

d) for the Kingdom of the Netherlands:

- i) as regards old age and survivors' benefit: Sociale verzekeringsbank (Social Insurance Bank), Amstelveen; and
- ii) as regards disablement benefit: Uitvoeringsinstituut werknemersverzekeringen (Institute for Employee Benefit Schemes), Amsterdam; and
- iii) for the application of part II of the Agreement: Sociale verzekeringsbank, (Social Insurance Bank), Amstelveen.

2. For the application of the Agreement, the liaison bodies communicate directly with each other as well as with the persons concerned or their representatives.

PART II

Provisions concerning the applicable legislation

Article 3

Coverage of Employed and Self-employed Persons

- a) For the application of Article 6 (b) of the Agreement, the competent institution of the Contracting State whose legislation is being applied shall at the request of the employer declare that the person is subject to the legislation of that Contracting State.
- b) For the application of the Articles 7, 8 and 9 of the Agreement, the competent institution of the Contracting State whose legislation is being applied shall issue to the person concerned a certificate, showing that this person, and the members of the family who accompany this person, remain subject to the legislation and remains liable for contributions under that legislation. In the certificate, the period for which it remains valid will be indicated.
- c) When the person, referred to in sub-paragraph a), takes up an employment in the territory of the other Contracting State for a different employer located in that territory, this person must, without delay, inform the competent institution that has issued the certificate. The competent institution will

thereupon revoke the certificate and inform the institution of the other Contracting State.

d) Until revoked, a certificate issued under sub-paragraph a) will be accepted as evidence that the person concerned is not subject to the legislation of the other Contracting State in respect of the work or employment for which the certificate was issued.

2. The competent institution of the Contracting State that has issued a certificate under the first paragraph, under a), will send copies of it to the person concerned, to the person's employer and to the competent institution of the other Contracting State.

PART III

Provisions concerning benefits

Article 4

Applications, Appeals and Declarations

1. If a competent institution of a Contracting State receives an application for a benefit, an appeal or any other declaration under the legislation of the other Contracting State, that competent institution shall send the application, appeal or declaration without delay to the competent institution of the other Contracting State, indicating the date on which it has been received in the first Contracting State.

2. With respect to an application, mentioned in the first paragraph, the competent institution of the first Contracting State shall provide, upon request of the competent institution of the other Contracting State, this institution with any available information in its possession, which may be

... to the competent institution of the other Contracting State to establish the entitlement to the benefit.

4. When an application for a Benefit under the legislation of a Contracting State or any other declaration necessary for the payment of a benefit is submitted to the competent institution of the other Contracting State that competent institution checks, within the limits of its authority, whether the document attached to that application fulfils the formalities of the certifications issued by the relevant authority.

Article 5

Medical information concerning the Disability of an Applicant or Beneficiary

1. With reference to Article 13 of the Agreement, the competent institution of one Contracting State shall, upon the request of the competent institution of the other Contracting State, to the extent permitted by the legislation which it administers and by the other respective laws and regulations applicable in that Contracting State, provide available medical information in its possession concerning the disability of an applicant or beneficiary.

2. The competent institutions of the Contracting States shall make the necessary arrangements for the medical examination of the applicant or beneficiary.

Article 6

Payment of benefits

Except where Article 14 of the Agreement is applied, benefits shall be paid out directly to the beneficiaries.

PART IV
Miscellaneous provisions

Article 7
Forms and Procedures

1. The competent institutions of the Contracting States shall agree on the forms and other documents, as well as on the procedures, necessary for the implementation of the Agreement and this Administrative Arrangement.

2. The liaison bodies of the Contracting States where the applicant is residing, shall be of assistance regarding the application for a benefit under the legislation of the other Contracting State and shall, to the extent possible and without prior request, inform the liaison body of the other Contracting State of circumstances which may be of importance when deciding on a benefit, and of circumstances which may be of influence to the continuation of the right or the amount of a benefit.

Article 8
Implementation

The competent institutions of the Contracting States shall, by means of supplementary arrangement, establish measures for the application of the Agreement and this Administrative Arrangement.

Article 9
Exchange of Statistics

The liaison bodies of the Contracting States will exchange statistics on

an annual basis, and in a form to be agreed upon, regarding the payments which each has made under the Agreement and the certificates issued according to Articles 7, 8 and 9 of the Agreement. The statistics will include data on the number of beneficiaries, the total amount of benefits paid by type of benefit, the number of certificates issued and such other relevant information as necessary.

Article 10

Entry into Effect

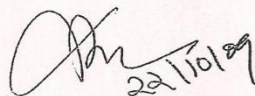
1. This Administrative Arrangement will take effect on the date of entry into force of the Agreement and will remain in effect while the Agreement remains in force.

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

IN WITNESS WHEREOF, the undersigned, being duly authorized thereto by their respective Governments, have signed this Administrative Arrangement.

DONE in duplicate at New Delhi on this 22nd day of October 2009, in the English language.

FOR THE COMPETENT AUTHORITY
OF THE REPUBLIC OF INDIA:


22/10/09

FOR THE COMPETENT
AUTHORITY OF THE KINGDOM OF
THE NETHERLANDS:

