

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

The competent authorities,

Pursuant to paragraph 1 of Article 16 of the Agreement on Social Security between the Czech Republic and the Republic of India, signed at *Prague* on 8, *June* 2010, (hereinafter referred to as the "Agreement"),

Have agreed as follows:

**PART I**  
**GENERAL PROVISIONS**

**Article 1**  
**Definitions**

The terms in this Administrative Arrangement (hereinafter referred to as the "Arrangement") shall be used in the same meaning as in the Agreement.

**Article 2**  
**Liaison Agencies**

1. Pursuant to paragraph 2 of Article 16 of the Agreement, the liaison agencies are established as follows:

- in the Czech Republic,

the Czech Social Security Administration;

- in India,

the Employees' Provident Fund Organisation.

2. The liaison agencies facilitate the communication between the agencies of the Contracting States and are entrusted with the duties defined in this Arrangement. They assist one another in application of the Agreement.

**Article 3**  
**Forms and Detailed Procedures**

1. Subject to this Arrangement, the liaison agencies of both Contracting States will agree jointly on the forms and detailed procedures necessary to implement the Agreement.

2. The agencies or liaison agencies of both Contracting States may refuse to accept a claim for a benefit or any other request or certificate if it is not submitted on the agreed form.

**PART II**  
**PROVISIONS ON COVERAGE**

**Article 4**  
**Certificate on Coverage and Exemptions**

1. In cases referred to in Part II of the Agreement, the certificate of fixed duration indicating that the person is, in respect of the work referred, subject to the legislation of the Contracting State, shall be issued on the request of an employee or an employer on an agreed form:

- in the Czech Republic,  
by the Czech Social Security Administration;
- in India,  
by the Employees' Provident Fund Organisation.

The issued certificate is sent to a person, who is concerned with the application, and in cases referred to in Articles 8 – 10 of the Agreement, a counterpart of the certificate is sent to the above-mentioned agency of the other Contracting State.

2. (a) The following agencies are designated for agreement on exceptions under Article 10 from the provisions of Articles 7 to 9 of the Agreement:

- in the Czech Republic,  
the Czech Social Security Administration;
- in India,  
the Employees' Provident Fund Organisation.

(b) An employee and his employer submit the joint request on exception in written form to the designated agency of the Contracting State whose legislation has to be applied pursuant to the request.

The request on exception to application of the legislation of the Contracting State of employment of detached workers referred to in Article 8 of the Agreement, who have been already employed in this Contracting State and whose period of posting expires, shall be submitted before the end of the running term of posting.

(c) The agreement of designated agencies of the Contracting States on exception shall be attested by a certificate issued and transferred in accordance with paragraph 1 of this Article.

**PART III**  
**PROVISIONS ON BENEFITS**  
**Article 5**  
**Conversion of Periods of Coverage**

Where necessary, the conversion for the purposes of totalization of periods of coverage within the meaning of paragraph 1 of Article 11 of the Agreement shall be carried out according to the following rules:

- (a) 365 (366) days acquired under the Czech legislation shall be equivalent to 12 months under the Indian legislation and every calendar month in which period of coverage of one day at least has been completed shall be equivalent to one month. The total period of coverage completed within one calendar year shall not exceed 12 months.
- (b) 12 months acquired under the Indian legislation shall be equivalent to 365 (366) days under the Czech legislation, one month shall be equivalent to number of days of a relevant calendar month; if specification of the calendar month has not possible – to 30 days. The total period of coverage completed within one calendar year shall not exceed 365 (366) days.

**Article 6**  
**Processing a Claim**

1. Where the agency of one Contracting State receives a claim of a person, who has completed periods of coverage under the legislation of the other or both Contracting States, this agency shall send the claim through the liaison agency to the agency of the other Contracting State, indicating the date on which the claim has been received.

Along with the claim, it will also transmit to the agency of the other Contracting State:

- any available documentation that may be necessary for the agency of the other Contracting State to establish the claimant's eligibility for the benefit,
- form which will indicate, in particular, the periods of coverage completed under the legislation of the first Contracting State,
- and, eventually, a copy of its own decision on benefit if it has been taken on.

2. The agency of the other Contracting State subsequently determines the claimant's eligibility and notifies through the liaison agency its decision to the agency of the first Contracting State.

Along with its decision, it will also transmit, if necessary or upon the request, to the agency of the first Contracting State:

- any available documentation that may be necessary for the agency of the first Contracting State to establish the claimant's eligibility for the benefit,

- form which will indicate, in particular, the periods of coverage completed under the legislation which it applies.

3. The agency of the Contracting State with which a claim for benefits has been filed shall verify the information pertaining to the claimant and his family members. The type of information to be verified shall be agreed upon by the liaison agencies of the two Contracting States.

### **Article 7** **Medical Examinations**

1. The agency of a Contracting State will provide, upon request, to the agency of the other Contracting State such medical information and documentation as are available concerning the disability of a claimant or a beneficiary. The request for the information and documentation, and their transmittal, will be made through the liaison agencies of the Contracting States.

2. If the agency of a Contracting State requires that a claimant or a beneficiary who resides in the territory of the other Contracting State undergo a medical examination, the agency of the latter Contracting State, at the request of the liaison agency of the first Contracting State, will make arrangements for carrying out this examination according to its rules and at its own cost.

## **PART IV** **MISCELLANEOUS AND FINAL PROVISIONS**

### **Article 8** **Payment of Benefits**

1. Benefits shall be paid directly to the beneficiaries.

2. The agencies of the Contracting States shall pay their benefits in cash under the Agreement without any deduction for their administrative expenses.

3. When the agency of one Contracting State pays benefits in freely convertible currency under the paragraph 1 of Article 20 of the Agreement, the conversion rate shall be the rate of exchange in effect on the day when the payment is made.

**Article 9**  
**Exchange of Statistics**

The liaison agencies of the Contracting States shall exchange annual statistics as of 31 December on the number of certificates issued under Article 4 of this Arrangement and on the payments granted to beneficiaries pursuant to the Agreement. These statistics shall include the number of beneficiaries and total amount of the benefits, identified by the benefit type paid under the Agreement. These statistics shall be furnished in a form to be agreed upon by the liaison agencies.

**Article 10**  
**Co-operation of Liaison Agencies**

Representatives of the liaison agencies shall meet alternately in both Contracting States in order to discuss subjects related to application of the Agreement.

**Article 11**  
**Entry into Force**

This Arrangement comes into force on the same date as the Agreement and shall be applied for the same period.

Done at ..Prague...on .....8, June..... 2010, in duplicate, in the Czech, Hindi and English languages, all texts being equally authentic.

In case of any divergence of interpretation, the English text shall prevail.

For the competent authority  
of the Czech Republic  
*Petr Šimerka*

For the competent authority  
of the Republic of India  
*Sachin Pilot*