

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

In accordance with subparagraph (a) of paragraph 1 of Article 20 of the Agreement between the Czech Republic and Japan on Social Security, signed at Prague on the 21st day of February 2008, the competent authorities of the Czech Republic and Japan have decided upon as follows:

Part I General Provisions

Article 1 Definitions

1. For the purposes of this Administrative Arrangement, “Agreement” means the Agreement between the Czech Republic and Japan on Social Security, signed at Prague on the 21st day of February 2008.
2. Any other term used in this Administrative Arrangement will have the same meaning given to it in the Agreement.

Article 2 Liaison Agencies

In accordance with subparagraph (b) of paragraph 1 of Article 20 of the Agreement, the following are designated as liaison agencies:

- (a) for the Czech Republic:
the Czech Social Security Administration;
- (b) for Japan:
 - (i) for the National Pension and the Employees' Pension Insurance,
the Social Insurance Agency;
 - (ii) for the Mutual Aid Pension for National Public Officials,
the Federation of National Public Service Personnel Mutual Aid Associations;
 - (iii) for the Mutual Aid Pension for Local Public Officials and Personnel of Similar Status,
the Pension Fund Association for Local Government Officials; and

- (iv) for the Mutual Aid Pension for Private School Personnel,
the Promotion and Mutual Aid Corporation for Private Schools of Japan.

Part II
Provisions concerning the Applicable Legislation

Article 3
Coverage of Employed and Self-employed Persons

1. Where the legislation of a Contracting State applies to an employee or a self-employed person in accordance with paragraph 1, 2, 4 or 5 of Article 7, Article 8, paragraph 2 of Article 9 or Article 10 of the Agreement, the liaison agency of that Contracting State, upon request of the employee and his or her employer or the self-employed person, will issue a certificate stating that the employee or the self-employed person is subject to the legislation of that Contracting State and indicating the duration for which the certificate will be valid. The certificate will be evidence that the employee or the self-employed person is exempt from the legislation on compulsory coverage of the other Contracting State.
2. The liaison agency of a Contracting State which issues a certificate referred to in paragraph 1 of this Article will furnish a copy of the certificate, or information contained in the certificate if the liaison agencies of both Contracting States decide to do so, to the liaison agency of the other Contracting State.
3. In applying paragraph 2 or 5 of Article 7 or Article 10 of the Agreement, the request will be submitted by an employee and his or her employer or a self-employed person in written form to the liaison agency of the Contracting State whose legislation has to be applied in accordance with that request.
4. If further exemption of the employee or the self-employed person from the legislation of the Contracting State where he or she works is granted in accordance with paragraphs 2 and 5 of Article 7 of the Agreement, the further exempted periods will not exceed three years in principle.

Part III
Provisions concerning Benefits

Article 4
Conversion of Periods of Coverage

With regard to conversion for the totalizing of periods of coverage in accordance with Article 13 of the Agreement,

- (a) 12 months of periods of coverage completed under the legislation of Japan will be equivalent to 365 days of periods of coverage completed under the legislation of the Czech Republic, and one month of periods of coverage completed under the legislation of Japan will be equivalent to 30 days of periods of coverage completed under the legislation of the Czech Republic.

However, the total periods of coverage completed under the legislation of both Contracting States within one calendar year will not exceed 365 days.

- (b) Periods of coverage completed under the legislation of the Czech Republic will be converted according to the legislation of Japan.

Article 5

Processing an Application

1. Where the competent institution of a Contracting State receives an application for a benefit of a person, who has completed periods of coverage under the legislation of the other Contracting State only or both Contracting States, this competent institution will send the application through the liaison agencies of the Contracting States to the competent institution of the other Contracting State, indicating the date on which the application has been received.

Along with the application, the competent institution of the first Contracting State will also transmit through the liaison agencies of the Contracting States to the competent institution of that other Contracting State:

- (a) any information in its possession that may be necessary for the competent institution of that other Contracting State to establish the entitlement to the benefit of the applicant,
- (b) form which will indicate, in particular, the periods of coverage completed under the legislation of the first Contracting State and
- (c) upon the consent of the beneficiary, information on its own decision on benefit if it has been taken on, if necessary.

2. The competent institution of the other Contracting State subsequently will determine the entitlement to the benefit of the applicant and, upon his or her consent, notify through the liaison agencies of the Contracting States its decision to the competent institution of the first Contracting State, if necessary.

Along with its decision, the competent institution of that other Contracting State will also transmit, if necessary or upon request of the competent institution of the first Contracting State, to the competent institution of the first Contracting State,

- (a) any information in its possession that may be necessary for the competent institution of the first Contracting State to establish the entitlement to the benefit of the applicant,
- (b) form which will indicate, in particular, the periods of coverage completed under the legislation which it applies.

3. The competent institution of each Contracting State will check, within the limits of its authority, whether the documents attached to that application fulfilled the formalities

of the certifications issued by the relevant authority. The liaison agencies of both Contracting States will decide upon the documents to be checked in a manner consistent with the laws and regulations under their authority.

Article 6 **Transmission of Appeals and Declarations**

An appeal or any other declaration in accordance with Article 23 of the Agreement will be transmitted through the liaison agencies of the Contracting States to the competent authority or competent institution of the other Contracting State with the information about the date on which that appeal or declaration has been received by the competent authority or competent institution of a Contracting State.

Article 7 **Medical Information and Documentation** **concerning the Disability of an Applicant or a Beneficiary**

The competent institution of a Contracting State will provide, upon request of the competent institution of the other Contracting State, to the competent institution of the other Contracting State medical information and documentation in its possession concerning the disability of an applicant or a beneficiary, to the extent permitted by the legislation which it administers. The request for the information and documentation, and their provision, will be made through the liaison agencies of the Contracting States.

Part IV **Miscellaneous and Final Provisions**

Article 8 **Exchange of Statistics**

The liaison agencies of the Contracting States will exchange statistics on the payments granted to beneficiaries pursuant to the Agreement annually. These statistics will include the number of beneficiaries and total amount of the benefits, identified by the benefit type paid under the Agreement. These statistics will be furnished in a form to be decided upon by the liaison agencies of the Contracting States.

Article 9 **Forms and Detailed Procedures**

The liaison agencies of the Contracting States will mutually decide upon the forms and detailed procedures necessary to implement the Agreement in cooperation, if needed, with the competent authorities.

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 liaison agencies without the need to modify the Administrative Arrangement.

Done at *Tokyo* this *17th* day of *March*, 2009, in duplicate, in the Czech, Japanese and English languages, each text being equally authentic. In case of any divergence of interpretation, the English text will prevail.

For the competent authority
of the Czech Republic:

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