

ADMINISTRATIVE ARRANGEMENT

**FOR THE IMPLEMENTATION OF THE AGREEMENT ON SOCIAL SECURITY
BETWEEN THE REPUBLIC OF AUSTRIA AND THE REPUBLIC OF INDIA**

Pursuant to Article 15 (1) of the Agreement on Social Security between the Republic of Austria and the Republic of India, signed at Vienna, on 4th of February, 2013 (hereinafter referred to as the Agreement) the Competent Authorities:

- for the Republic of Austria
the Federal Minister for Labour, Social Affairs and Consumer Protection,
- for the Republic of India
the Minister of Overseas Indian Affairs

have reached the following arrangements:

PART I

GENERAL PROVISIONS

Article 1

Definitions

The terms used in this Administrative Arrangement will have the meaning given to them in Article 1 of the Agreement.

Article 2

Liaison agencies

1. The following will be designated as liaison agencies in accordance with Article 16 of the Agreement:

for the Republic of Austria

- the Main Association of Austrian Social Security Institutions,

for the Republic of India

- the Employees' Provident Fund Organisation.

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

Article 3

Duties of the liaison agencies

1. The liaison agencies will have the duties stated in this Administrative Arrangement. For the implementation of the Agreement they will assist one another and will communicate directly with one another as well as with the persons involved or their representatives.
2. The liaison agencies will agree on the joint procedures and forms (in German, English and Hindi) necessary and appropriate for the implementation of the Agreement and this Administrative Arrangement.
3. Notwithstanding paragraph 2 of this Article, the liaison agencies will agree upon an electronic exchange of data as soon as possible, in case the necessary technical requirements in both Contracting States are being met.

PART II

PROVISIONS CONCERNING THE APPLICABLE LEGISLATION

Article 4

Certificate on the applicable legislation

1. Where the legislation of one Contracting State is applicable in accordance with cases arising under Article 7 to 9 of the Agreement, the competent agency will issue upon request of the employer or self-employed person a certificate stating that the employee or self-employed person is subject to the legislation and indicating the duration for which the certificate will be valid.
2. In the case of justified doubt regarding the authenticity or correctness of a certificate, the competent agencies of both Contracting States designated in paragraph 3 of this Article get into direct negotiations to resolve the issue.
3. The certificates referred to in paragraph 1 of this Article will be issued

where the legislation of Austria applies
- by the sickness insurance institution concerned;

where the legislation of India applies
- by the Employees' Provident Fund Organisation.
4. The competent agency of a Contracting State, which issues the certificate referred to in paragraph 1 of this Article, will furnish a copy of this certificate to the employee or self-employed person in question as well as the employer of the employee and, keep the liaison agency of the other Contracting State informed in a manner mutually agreed on.

PART III

PROVISIONS CONCERNING BENEFITS

Article 5

Treatment of the benefit claims

1. The competent agencies will immediately inform each other directly or via the liaison agency with regard to a benefit claim to which Part III read with Article 18 of the Agreement applies.
2. The competent agencies will thereafter notify each other of any other facts relevant to the determination of the claim and will send, where appropriate, medical reports.
3. The competent agency of the Contracting State with which an application for benefits has been filed will verify the information pertaining to the applicant and his family members.
4. The competent agencies will also inform each other of the decisions on the claim.

Article 6

Payment of benefits

1. The competent agencies will pay pensions and other cash benefits directly to the claimants, or as the case may be, also to his/her legal representative.
2. In relation to paragraph 4 of Article 15 of the Agreement the competent agencies are entitled to demand from the beneficiaries, or, as the case may be, from their legal representatives, proof that the conditions for the continued payment of the pensions or benefits in cash are still met (especially life-certificates).

Article 7

Statistics

The liaison agencies of the two Contracting States will exchange statistics on the number of certificates issued under Article 4 of this Administrative Arrangement and on the payments made to beneficiaries under the Agreement. These statistics will be furnished annually electronically. These statistics will include the number of beneficiaries and total amount of the benefits.

PART IV

FINAL PROVISIONS

Article 8

Period of duration

This Administrative Arrangement will take effect on the date of entry into force of the Agreement and will have the same duration.

DONE at Vienna, on 4th of February, 2013, in two originals each in the German, Hindi and English languages, all texts being equally authentic.

The Federal Minister of Labour, Social
Affairs and Consumer Protection
of the Republic of Austria:

The Minister of Overseas Indian Affairs of
the Republic of India:

Rudolf Hundstorfer

Vayalar Ravi