

**Administrative arrangement
for the implementation of the Agreement on Social
Security between Belgium and Canada
concluded on May 10, 1984**

(Entered into force January 1st 1987 - Belgian Law Gazette: 10 February 1987)

Pursuant to Article 17 of the Agreement on Social Security between Belgium and Canada, concluded on May 10, 1984, the competent authorities:

For Belgium,

The Minister of Social Affairs,
The Minister of Middle Classes,
The Secretary of State for Pensions

For Canada,

The Minister of National Health and Welfare

Have agreed on the following provisions:

Part I - General Provisions

Article 1

Definitions

1. For the application of this Administrative Arrangement, "Agreement" means the Agreement on Social Security between Canada and Belgium concluded on May 10, 1984.
2. Other terms used in this Administrative Arrangement will have the same meaning as in the Agreement.

Article 2

Liaison Agencies

The following are designated as liaison agencies, pursuant to Article 17 of the Agreement:

For Canada:

- International Operations Division, Income Security Programs Branch, Department of National Health and Welfare;

For Belgium:

- the National Pensions Office for Salaried Workers, for the legislation referred to in paragraph 1 b(i) of Article 2 of the Agreement;
- the National Sickness and Invalidity Insurance Institute, for the legislation referred to in paragraph 1 b(ii) of Article 2 of the Agreement;
- the National Social Security Office, for the implementation of the legislation referred to in paragraph 1 b(iii) of Article 2 of the Agreement;
- the National Social Insurance Institute for Self-Employed Workers, for the implementation of the legislation referred to in paragraph 1 b(iv) of Article 2 of the Agreement.

Part II - Provisions concerning the applicable legislation

Article 3

1. When the legislation of a Contracting State is applicable by reason of paragraphs 2 a), 3, 4 a), 6 a) or 8 of Article 5 of the Agreement, the agency of that State, designated in paragraph 3 a) of this Article, will, at the request of the employer or of the employed or self-employed person, issue a certificate certifying, in respect of the work in question, that the person named in it is subject to that legislation until the date indicated.
2.
 - a) The election referred to in paragraph 7 of Article 5 of the Agreement must be made within six months after the duties are undertaken or, if the employed person is already performing the duties at the date of the coming into force of the Agreement, within six months after that date.
 - b) The agency of the Contracting State whose legislation is applicable by reason of the election will, at the request of the employed person, issue a certificate certifying, in respect of that employment, that that person is subject to that legislation for the duration of the employment.
 - c) In the case of the employment described in paragraph 7 of Article 5 of the Agreement, the employer in question will respect all the requirements prescribed for all other employers by the applicable legislation.
3.
 - a) The certificates referred to in paragraphs 1 and 2 b) of this Article will be issued:
 - where the legislation of Canada applies,
 - by the Source Deductions Division, Department of National Revenue, Taxation;
 - where the legislation of Belgium applies,
 - by the National Social Security Office in respect of employed persons;
 - by the National Social Insurance Institute for Self-Employed Workers in respect of self-employed persons.
 - b) The agency of the Contracting State which issues the certificate referred to in paragraphs 1 or 2 b) will, without delay, forward a copy of it to the corresponding agency of the other State if the latter considers it necessary.
4. When the legislation of a Contracting State is applicable, pursuant to paragraph 4 a) of Article 5 of the Agreement, to a person in respect

of work he has done as a self-employed person in the territory of the other Contracting State during a particular year, the agency, designated in paragraph 3 a), of that other State will provide to the corresponding agency of the first-named State, at the request of the latter and with the consent of the self-employed person, such information as is available to it and as may assist in the determination or verification of the amount of the self-employed earnings which that person has derived from that work during that particular year. Pending receipt of the information, the agency of the Contracting State whose legislation is applicable may require payment of an interim contribution in an amount to be determined by the competent authority of that State.

Part III - Provisions concerning benefits

Article 4

1. The liaison agency which receives an application for a benefit payable by the competent institution of the other Contracting State will, without delay, send the application form to the liaison agency of the other State, using the forms agreed upon for this purpose.
2. It will also transmit any documentation available to it which may be necessary for the competent institution of the other Contracting State to establish the entitlement of the applicant to the benefit in question. In the case of an application for a benefit payable by the competent institution of Canada under the Old Age Security Act, this documentation will include, to the extent possible, proof of each period of residence completed in the territory of Belgium.
3. The personal information contained in the application form will be duly certified by the liaison agency which will confirm that the information is corroborated by documentary evidence.
4. In addition, the liaison agency will send to the liaison agency of the other State a form which will indicate, in particular, the periods creditable under the legislation of the first State.
5. On receipt of the form, the liaison agency of the other State will add the information concerning the periods creditable under the legislation which it applies and will, without delay, return the form to the liaison agency.
6. a) Each competent institution will subsequently determine the applicant's eligibility and, if applicable, his/her spouse's eligibility, and will advise him/her directly of its decision, indicating the insurance periods used and the means and time limits for appeal.

- b) The competent institution which awards a benefit will forward, through the liaison agencies, a copy of its decision to the competent institutions of the other State.
- 7.
- a) When the liaison agency of Canada becomes aware that a beneficiary of a Belgian invalidity, old age or survivor's benefit, residing in Canada or, as the case may be, his/her spouse, has not ceased all professional activity or intends to take up or has actually taken up such activity, it will inform the Belgian liaison agency without delay.
 - b) The liaison agency of Canada will also forward all information available to it concerning the nature of the work performed and the earnings or revenues that the person concerned or his/her spouse has or has had.

Part IV - Miscellaneous provisions

Article 5

Medical Examinations

1. Subject to paragraph 4 of Article 17 of the Agreement, the liaison agency of a Contracting State will forward, upon request, to the liaison agency of the other State such medical information and documentation as are available concerning the disability of a claimant or beneficiary.
2. If the competent institution of a Contracting State requires that a claimant or beneficiary residing in the territory of the other State undergo an additional medical examination and if the liaison agency of the first State requests it, the liaison agency of the other State will make the necessary arrangements to have this examination carried out according to the rules applied by the liaison agency making the said arrangement and at the expense of the agency which requests the medical examination.
3. The amounts due as a result of applying the provisions of paragraph 2 of this Article will be reimbursed without delay on receipt of a detailed statement of the costs incurred.

Article 6

Procedures and Forms

The agencies designated in Article 2 and in paragraph 3 of Article 3, with the consent of the respective competent authorities, will agree on the procedures and forms necessary to implement the Agreement and this Administrative Arrangement.

Article 7

Statistics

For each calendar year, the liaison agencies of the two Contracting States will exchange, in a form to be agreed upon, statistics regarding the payments made to beneficiaries under the Agreement. These statistics will include data on the number of beneficiaries and the total amount of benefits paid, by type of benefit.

Article 8

Entry into Effect

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

Done in two copies at Ottawa this 6th day of November, 1986 in English, French and Dutch, each text being equally authentic.