

ADMINISTRATIVE ARRANGEMENT

concerning the terms of application of the Convention on social security between the Kingdom of Belgium and the Republic of the Philippines.

In application of article 23 of the Convention on social security between the Kingdom of Belgium and the Republic of the Philippines, the competent authorities of Belgium and the Philippines have, in common agreement, decided as follows:

PART I - General provisions

Article 1

1. For the implementation of this Agreement:
 - a) the term "Convention" means the Convention on social security between the Kingdom of Belgium and the Republic of the Philippines;
 - b) the term "Arrangement" means the Administrative Arrangement concerning the terms of implementation of the Convention on social security between the Kingdom of Belgium and the Republic of the Philippines.
2. The terms defined in article 1 of the Convention shall have the same meaning that is assigned to them in the said article.

Article 2

1. For the implementation of the Convention, the following liaison agencies are designated:

As regards Belgium:

1. Retirement, survivors:
 - National Pension Office, Brussels;
 - National Social Insurance Institute for the Self-Employed, Brussels;
2. Invalidity:
 - a) general invalidity:
National Sickness and Invalidity Insurance Institute, Brussels;
 - b) invalidity of mariners:
Relief and Welfare Fund for Mariners, Antwerp;

As regards the Philippines:

International and Legislative Affairs Office
Social Security System, Manila.

2. For the implementation of the Convention, the following competent agencies are designated:

As regards Belgium:

1. Retirement, survivors:
 - National Pension Office, Brussels;

- National Social Insurance Institute for the Self-Employed, Brussels;

2. Invalidation:

a) general invalidity:

National Sickness and Invalidation Insurance Institute, Brussels, along with the insurance agency the salaried or the independent person is or has been affiliated to;

b) invalidity of mariners:

Relief and Welfare Fund for Mariners, Antwerp;

As regards the Philippines:

Social Security System, Manila.

3. For the implementation of the Convention, are designated as agencies of the place of residence and as agencies of the place of stay:

As regards Belgium:

1. Retirement, survivors:

- National Pension Office, Brussels;
- National Social Insurance Institute for the Self-Employed, Brussels;

2. Invalidation:

a) general invalidity:

National Sickness and Invalidation Insurance Institute, Brussels, along with the insurance agency the salaried or the independent person is or has been affiliated to;

b) invalidity of mariners:

Relief and Welfare Fund for Mariners, Antwerp;

As regards the Philippines:

Social Security System, Manila.

PART II - Provisions concerning the applicable legislation

Article 3

1. In the cases specified in paragraph 1 of article 8 of the Convention, the agency designated in paragraph 2 of this article of the contracting State whose legislation remains applicable, delivers to the salaried person, at his or his employer's demand, a certificate stating that he remains subject to this legislation and indicating until which date.
2. The certificate described in paragraph 1 of this article is delivered:
as regards Belgium :
by the National Social Security Office, Brussels;
as regards the Philippines :
by the International and Legislative Affairs Office, Social Security System, Manila.
3. The original certificate described in paragraph 1 of this article is given to the worker who is to keep it with him during the entire period of work posting in order to prove his situation of coverage in the receiving country.
4. A copy of the certificate delivered by the competent agency of the Philippines is sent to the Ministry of Social Affairs, Public Health and the Environment, Social Inspection Service, Brussels. Similarly, a copy of the certificate delivered by the competent agency of Belgium is sent to the International and Legislative Affairs Office, Social Security System, Manila.

PART III - Provisions concerning invalidity, retirement and survivors

Article 4

1. The liaison agency receiving a demand for pensions payable by the competent agency of the other contracting State shall submit the demand without delay to the liaison agency of the other State, using the forms provided to this end.
2. Furthermore, it shall submit all documents available that could be required so that the competent agency of the other contracting State is able to determine the applicant's entitlement to the concerned pension.
3. Data concerning the civil State as required by the application form shall be made duly authentic by the liaison agency, which shall confirm that the data are corroborated by original documents.
4. Furthermore, the liaison agency shall submit to the liaison agency of the other contracting State a form specifying the completed periods pursuant to the legislation of the first State.

After having received the form, the liaison agency of the other contracting State shall add all information regarding the completed periods pursuant to the legislation it applies, and shall return it to the liaison agency of the first State without delay.

5.
 - a) Each of the competent agencies shall determine the applicant's entitlement, and if necessary, of his spouse, and shall directly inform him of its decision, indicating the insurance periods and the means and delays for appeal.
 - b) A competent agency that grants a pension shall, by means of the liaison agencies, communicate a copy of its decision to the competent agencies of the other State.
6.
 - a) When the liaison agency of the Philippines knows that a beneficiary of a Belgian invalidity, retirement or survivor's pension, who stays on the Philippines, or his spouse, has not entirely stopped all professional activities or has effectively engaged in such activities, it shall inform the Belgian liaison agency without delay.
 - b) Furthermore, the liaison agency of the Philippines shall submit all information available concerning the nature of the work performed and the amount of profits or resources the person concerned or his spouse benefits or has benefited from.

Article 5

1. The liaison agency of one of the contracting States shall, when requested, submit to the liaison agency of the other State any medical information and documentation concerning the applicant's or the beneficiary's incapacity.
2. When a beneficiary of an invalidity pension stays or resides in the territory of a State other than that where the agency responsible for payment is located, the administrative and medical control is performed on the request of this agency by the agency of the place of stay or residence of the beneficiary, pursuant to the terms listed in the legislation applied by the latter agency. Still, the agency responsible for payment preserves the option to proceed to an examination of the beneficiary by a practitioner of its choice.
3. The costs of the control are reimbursed by the competent agency to the agency of the State of stay or of residence. These costs are established by the pension paying agency based on its tariff and are reimbursed by the agency responsible for payment after a detailed expense claim has been presented.

Article 6

1. The competent agencies shall directly discharge the pensions to the beneficiaries.
2. The costs related to the payment of pensions can be recovered with the beneficiaries under the conditions specified by the legislation applied by the agency responsible for payment.

Article 7

The liaison agencies shall annually exchange statistical information on the number of payments performed in the other contracting State as well as on the amounts concerned.

PART IV - Miscellaneous provisions

Article 8

The model of certificates, attestations or forms required for the application of the Convention and of this Administrative Arrangement shall be specified in common agreement by the liaison agencies of both contracting States with the consent of the competent authorities.

Article 9

This Administrative Arrangement shall enter into force on the same date as the Convention. It shall have the same duration as the Convention.

Done in two copies at Manilla on the 10 of December 2001 in English, French and Dutch, each text being equally authentic.

For the Kingdom of Belgium

For the Republic of the Philippines

Roland Van Remoortele
Ambassadeur

Corazon S. de la Paz
Présidente et CEO du SSS