

**ADMINISTRATIVE ARRANGEMENT
FOR THE IMPLEMENTATION OF THE AGREEMENT ON
SOCIAL SECURITY BETWEEN THE REPUBLIC OF
AUSTRIA AND THE REPUBLIC OF KOREA**

Pursuant to paragraph 1 of Article 16 of the Agreement on Social Security between the Republic of Austria and the Republic of Korea, signed at Vienna on the 23rd of January 2010 (hereinafter referred to as the Agreement) the competent authorities:

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

- for the Republic of Korea
the Minister for Health, Welfare and Family Affairs

have arranged for the purposes of applying the Agreement as follows:

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

The following will be designated as liaison agencies in accordance with Article 17 of the Agreement:

for the Republic of Austria
the Main Association of Austrian Social Insurance Institutions,

for the Republic of Korea
the National Pension Service.

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 bilingual forms necessary to implement the Agreement.
3. Notwithstanding paragraph 2 of this Article, the liaison agencies will agree upon an electronical 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 institution of that Contracting State designated in paragraph 2 of this Article 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. This certificate will be proof that the employee or self-employed person is exempt from the legislation on compulsory coverage of the other Contracting State.

In the case of justified doubt in regard of the authenticity or correctness of a certificate, the competent institutions of both Contracting States designated in paragraph 2 of this Article get into direct negotiations to settle the discrepancy.

2. The certificates referred to in paragraph 1 of this Article will be issued,

where the legislation of Austria applies,
by the competent sickness insurance institution,

where the legislation of Korea applies,
by the National Pension Service.

3. The institution 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 the liaison agency of the other Contracting State.

Part III

Provisions concerning benefits

Article 5

Treatment of the benefit claims

1. The competent institutions will inform directly or via the liaison agency each other of a benefit claim to which Part III in connection with paragraph 2 of Article 19 of the Agreement applies, in the manner that both liaison agencies will agree upon.
2. The competent institutions 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 institution 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. The types of information to be verified will be consented upon by the liaison agencies of the two Contracting States.
4. The competent institutions will inform each other of the decisions on the claim.

Article 6

Payment of benefits

The competent institutions will pay pensions and other cash benefits directly to the claimants.

Article 7

Statistics

The liaison agencies of the two Contracting States will exchange statistics as of 31 December 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 in a form to be agreed upon. 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 the 23rd of January 2010 in two copies in the German, Korean and English language, each text being equally authentic.

In the case of divergent interpretation of the German and Korean text, the English text will prevail.

For the Federal Ministry of Labour, Social Affairs and Consumer Protection of the Republic of Austria	For the Ministry for Health, Welfare and Family Affairs of the Republic of Korea
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Rudolf Hundstorfer m.p.

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