

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

The competent authorities,

Pursuant to paragraph 1 of Article 15 of the Agreement on Social Security between the Republic of Korea and the Czech Republic, signed at Prague on December 14th 2007, (hereinafter referred to as the "Agreement"),

Have agreed as follows:

PART I
General Provisions

Article 1
Definitions

The terms in this Administrative Arrangement (hereinafter referred to as the "Arrangement") shall be used in the same meaning as in the Agreement.

Article 2
Liaison Agencies

1. Pursuant to paragraph 2 of Article 15 of the Agreement, the liaison agencies are established as follows:

(a) in the Republic of Korea,
the National Pension Service;

(b) in the Czech Republic,
the Czech Social Security Administration.

2. The liaison agencies facilitate the communication between the agencies of the Contracting States and are entrusted with the duties defined in this Arrangement. For the purpose of the Agreement they may directly communicate with one another as well as with the persons concerned or the persons authorised by them. They assist one another in application of the Agreement.

Article 3
Forms and Detailed Procedures

1. Subject to this Arrangement, the liaison agencies of both Contracting States will agree jointly on the forms and detailed procedures necessary to implement the Agreement.

2. The agencies or liaison agencies of both Contracting States may refuse to accept a claim for a benefit or any other request or certificate if it is not submitted on the agreed form.

PART II

Provisions on Coverage

Article 4

Certificate on Coverage and Exemptions

1. In cases referred to in Part II of the Agreement, the certificate of fixed duration indicating that the person is, in respect of the work referred, subject to the legislation of the Contracting State, shall be issued on the request of an employee, an employer or a self employed person on an agreed form:

- in the Republic of Korea,
by the National Pension Service;

- in the Czech Republic,
by the Czech Social Security Administration.

The issued certificate is sent to a person, who is concerned with the application, and in cases referred to in Articles 8 – 10 of the Agreement, a counterpart of the certificate is sent to the above-mentioned agency of the other Contracting State.

2. (a) The following agencies are designated for agreement on exceptions under Article 10 from the provisions of Articles 7 to 9 of the Agreement:

- in the Republic of Korea,
the National Pension Service;

- in the Czech Republic,
the Czech Social Security Administration.

(b) An employee and his employer submit the joint request on exception in written form to the designated agency of the Contracting State whose legislation has to be applied pursuant to the request. The request of a self-employed person shall be submitted analogously.

The request on exception to application of the legislation of the Contracting State of employment of detached workers referred to in Article 8 of the Agreement, who have been already employed in this Contracting State and whose period of posting expires, shall be submitted before the end of the running term of posting.

(c) The agreement of designated agencies of the Contracting States on exception shall be attested by a certificate issued and transferred in accordance with paragraph 1 of this Article.

PART III
Provisions on Benefits

Article 5
Conversion of Periods of Coverage

Where necessary, the conversion for the purposes of totalization of periods of coverage within the meaning of paragraph 1 of Article 11 of the Agreement shall be carried out according to the following rules:

- (a) 365 days acquired under the Czech legislation shall be equivalent to 12 months under the Korean legislation, and every 30 days shall be equivalent to one month. If the conversion provided in the preceding sentence produces a remainder, that remainder shall be treated as one additional month of coverage. The total period of coverage completed within one calendar year shall not exceed 12 months.
- (b) 12 months acquired under the Korean legislation shall be equivalent to 365 days under the Czech legislation, and one month shall be equivalent to 30 days. The total period of coverage completed within one calendar year shall not exceed 365 days.

Article 6
Taking into Account Periods of Coverage of a Third State

If periods of coverage completed under the legislation of a third State were taken into account for the entitlement to a benefit of a Contracting State in accordance with paragraph 2 of Article 11 of the Agreement, those periods of coverage shall be taken into account as appropriate when calculating the benefits according to the paragraph 2 of Article 12 of the Agreement.

Article 7
Processing a Claim

1. Where the agency of one Contracting State receives a claim of a person, who has completed periods of coverage under the legislation of the other or both Contracting States, this agency shall send the claim through the liaison agency to the agency of the other Contracting State, indicating the date on which the claim has been received.

Along with the claim, it will also transmit to the agency of the other Contracting State:

- any available documentation that may be necessary for the agency of the other Contracting State to establish the claimant's eligibility for the benefit,

- form which will indicate, in particular, the periods of coverage completed under the legislation of the first Contracting State,

- and, eventually, a copy of its own decision on benefit if it has been taken on.

2. The agency of the other Contracting State subsequently determines the claimant's eligibility and notifies through the liaison agency its decision to the agency of the first Contracting State.

Along with its decision, it will also transmit, if necessary or upon the request, to the agency of the first Contracting State:

- any available documentation that may be necessary for the agency of the first Contracting State to establish the claimant's eligibility for the benefit,

- form which will indicate, in particular, the periods of coverage completed under the legislation which it applies.

3. The agency of the Contracting State with which a claim for benefits has been filed shall verify the information pertaining to the claimant and his family members. The type of information to be verified shall be agreed upon by the liaison agencies of the two Contracting States.

Article 8

Medical Examinations

1. The agency of a Contracting State will provide, upon request, to the agency of the other Contracting State such medical information and documentation as are available concerning the disability of a claimant or a beneficiary. The request for the information and documentation, and their transmittal, will be made through the liaison agencies of the Contracting States.

2. If the agency of a Contracting State requires that a claimant or a beneficiary who resides in the territory of the other Contracting State undergo a medical examination, the agency of the latter Contracting State, at the request of the liaison agency of the first Contracting State, will make arrangements for carrying out this examination according to its rules and at the expense of the agency which requires the medical examination.

3. On receipt of a detailed statement of the costs incurred, the amounts due as a result of applying the provisions of paragraph 2 of this Article will, without delay, be reimbursed through the liaison agencies of the Contracting States.

PART IV
Miscellaneous and Final Provisions

Article 9
Payment of Benefits

1. Benefits shall be paid directly to the beneficiaries.
2. The agencies of the Contracting States shall pay their benefits in cash under the Agreement without any deduction for their administrative expenses.
3. When the agency of one Contracting State pays benefits in freely convertible currency under the paragraph 1 of Article 23 of the Agreement, the conversion rate shall be the rate of exchange in effect on the day when the payment is made.

Article 10
Exchange of Statistics

The liaison agencies of the Contracting States shall exchange annual statistics as of 31 December on the number of certificates issued under Article 4 of this Arrangement and on the payments granted to beneficiaries pursuant to the Agreement. These statistics shall include the number of beneficiaries and total amount of the benefits, identified by the benefit type paid under the Agreement. These statistics shall be furnished in a form to be agreed upon by the liaison agencies.

Article 11
Co-operation of Liaison Agencies

Representatives of the liaison agencies shall meet alternatively in both Contracting States in order to discuss subjects related to application of the Agreement.

Article 12
Entry into Force

This Arrangement comes into force on the same date as the Agreement and shall be applied for the same period.

Done aton 2008, in duplicate, in the Korean, Czech and English languages, all texts being equally authentic.

In case of any divergence of interpretation, the English text shall prevail.

For the competent authority
of the Republic of Korea

For the competent authority
of the Czech Republic