

ADMINISTRATIVE ARRANGEMENT

BETWEEN

**THE FEDERAL MINISTRY OF SOCIAL AFFAIRS, HEALTH, CARE AND
CONSUMER PROTECTION OF THE REPUBLIC OF AUSTRIA**

AND

**THE DEPARTMENT OF EMPLOYMENT AND SOCIAL
DEVELOPMENT OF CANADA**

**TO IMPLEMENT THE AGREEMENT ON SOCIAL SECURITY
BETWEEN THE REPUBLIC OF AUSTRIA AND CANADA**

The Federal Ministry of Social Affairs, Health, Care and Consumer Protection of the Republic of Austria ("Austria") and the Department of Employment and Social Development of Canada,

HAVE COME to the following understanding:

GENERAL PROVISIONS

1. Definitions

- (a) For the purposes of this Administrative Arrangement, "Agreement" means the *Agreement on Social Security between the Republic of Austria and Canada*, done at Vienna on 5 July 2021.
- (b) A term that is not defined in this Administrative Arrangement and that is found in the Agreement has the meaning assigned to it in the Agreement.
- (c) For the purposes of this Administrative Arrangement, "competent authorities" means the Federal Ministry of Social Affairs, Health, Care and Consumer Protection of Austria and the Department of Employment and Social Development of Canada.
- (d) For the purposes of this Administrative Arrangement, "agency" means:
 - (i) for Austria, a competent agency, namely an agency competent for the specific case when a provision of this Administrative Arrangement refers to more than one agency; and
 - (ii) for Canada, the liaison agency designated in paragraph 2(b) of this Administrative Arrangement.

2. Liaison Agencies

Pursuant to Article 20(2) of the Agreement, the following organizations will act as the respective liaison agencies of the competent authorities:

- (a) for Austria:
 - the Federation of Social Insurances;

(b) for Canada:

International Operations, Service Canada, Department of Employment and Social Development, in regard to all matters except the application of Articles 6 to 10 of the Agreement and paragraph 3 of this Administrative Arrangement; and

the Legislative Policy Directorate, Canada Revenue Agency, in regard to the application of Articles 6 to 10 of the Agreement and paragraph 3 of this Administrative Arrangement.

APPLICABLE LEGISLATION

3. Coverage of Employed and Self-employed Persons

- (a) For the situations described in Articles 7, 8 or 10 of the Agreement, the agency responsible for the legislation that applies will, on request, issue a certificate of coverage that certifies that the work is subject to that legislation. The agency will send a copy of that certificate to the person who is the subject of the request and to that person's employer or to the self-employed person who is the subject of the request.
- (b) (i) If the legislation of Austria applies, the agency of Austria will issue a certificate of coverage and send a copy of the certificate to the agency of Canada.
- (ii) If the legislation of Canada applies, the agency of Canada will issue a certificate of coverage and send a copy to the liaison agency of Austria.

BENEFITS

4. Initial or Ongoing Eligibility

- (a) If a claim that arises under the Agreement is received by an agency and it appears that the person who made the claim may be eligible for a benefit under the legislation administered by the other agency, the first agency will notify the other agency and confirm the date of receipt of the claim.
- (b) If an agency receives a claim for a benefit under the legislation administered by the other agency, it will, without delay, send the claim to the other agency and confirm the date of receipt of the claim.
- (c) An agency will send any information available to it that may be necessary for the other agency to establish the person's eligibility for the benefit.
- (d) An agency will certify the information about any person that it receives as part of the claim and confirm that this information is corroborated by documentary evidence. This agency will not have to send the corroborating documentary evidence to the other agency if the information is certified. The liaison agencies will jointly decide the type of information that has to be certified and the method of certification.
- (e) An agency will, to the extent permitted by the Agreement, provide to the other agency any available medical information concerning a disability of the person.
- (f) An agency will send to the other agency the periods of coverage and any other information available under the legislation that it administers that may be necessary for the other agency to establish the person's eligibility for the benefit. An agency may also request from the other agency any additional information, such as periods of coverage or periods of residence in Austria that it may require to establish the person's eligibility for a benefit under its legislation.

- (g) Each agency will determine a person's eligibility for a benefit under its own legislation and will notify the person and the other agency of the decision to grant or deny the benefit.
- (h) The agencies will, on request, provide to each other any available information that may be necessary to establish a person's ongoing eligibility for a benefit.

MISCELLANEOUS

5. Medical Examinations

- (a) If an agency requires a person who resides in the jurisdiction of the other agency to undergo a medical examination, it may ask the other agency to arrange the examination. The other agency will arrange the examination in accordance with its own practices. The agency that requests the medical examination will reimburse any expenses that the other agency incurs for the examination.
- (b) Each agency will prepare a statement of the expenses that it incurs on behalf of the other agency for each calendar year and send that statement to the other agency.
- (c) Each agency will reimburse the expenses incurred by the other agency within six months of receiving a statement from the other agency.
- (d) An agency may refuse to make arrangements for additional medical examinations if the other agency does not reimburse the expenses within the period specified in sub-paragraph (c).

6. Exchange of Statistics

The competent authority of Canada and the liaison agency of Austria will exchange statistics on an annual basis regarding their respective payments under the Agreement. These statistics will include data on the number of beneficiaries and the total amount of benefits paid, by type of benefit.

7. Forms and Detailed Procedures

- (a) The liaison agencies will jointly establish the forms and procedures necessary to implement the Agreement and this Administrative Arrangement.
- (b) An agency may refuse to accept information from or to provide information to the other agency if the other agency does not request or provide information on the forms that the liaison agencies jointly establish.

8. Entry into Effect

- (a) This Administrative Arrangement will take effect on the date of entry into force of the Agreement, will replace the *Administrative Arrangement for the Application of the Agreement on Social Security between the Republic of Austria and Canada*, signed at Vienna on 24 February 1987 and will remain in effect for as long as the Agreement remains in force.
- (b) The competent authorities may modify this Administrative Arrangement by joint consent in writing.

SIGNED in duplicate at Vienna, this 14 day of July, 2021, in the English, French and German languages, each version being equally valid.

Manfred Pörtl m. p.

Heidi Hulan m. p.

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OF SOCIAL AFFAIRS, HEALTH, CARE AND
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