

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

Pursuant to Article 16 of the Agreement on Social Security between the Czech Republic and Mongolia, signed at Prague on 20th May 2019, hereinafter referred to as “the Agreement”, the Competent Authorities of the two Contracting States in mutual agreement establish the following provisions:

**PART I
GENERAL PROVISIONS**

Article 1 - Definitions

The terms used in this Administrative Arrangement shall have the meaning assigned to them in Article 1 of the Agreement.

Article 2 - Institutions

The following institutions are responsible for the implementation of the Agreement:

- I. In Mongolia:
the General Authority for Social Insurance (Нийгмийн даатгалын ерөнхий газар) and its regional offices;
- II. In the Czech Republic:
 - a) the Czech Social Security Administration (Česká správa sociálního zabezpečení) and its regional offices; and
 - b) social security units of the military forces.

Article 3 - Liaison bodies

1. Pursuant to Article 16, paragraph 2 of the Agreement, the designated liaison bodies are:
 - a) For Mongolia: the General Authority for Social Insurance;
 - b) For the Czech Republic: the Czech Social Security Administration.
2. For the purpose of implementing the Agreement, the designated liaison bodies assist one another and may communicate directly with each other, as well as with institutions and persons mentioned in Article 3 of the Agreement or their representatives.
3. The liaison bodies will agree jointly on the forms and detailed procedures necessary to implement the Agreement and the Administrative Arrangement.

The institutions or liaison bodies 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 INSURANCE

Article 4 - Certificate on applicable legislation

1. The institution of a Contracting State of the legislation applicable in cases provided for in Articles 8 - 10 of the Agreement shall, at the request of the employee and his/her employer or a self-employed person issue a certificate on applicable legislation attesting that the person concerned remains subject to the legislation of that Contracting State.

2. The institution issuing the certificate on applicable legislation shall send its copy to the institution of the other Contracting State.

3. The person concerned shall keep the certificate on applicable legislation while in the territory of the other Contracting State and present it, if necessary, to the relevant organization of that Contracting State.

4. For agreement on exceptions under Article 11 of the Agreement,

a) The designated institutions are:

i. In Mongolia: the General Authority for Social Insurance;

ii. In the Czech Republic: the Czech Social Security Administration.

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

The request on exception to the application of the legislation of the Contracting State of persons referred to in Article 8 of the Agreement should be submitted before the end of the running term of posting.

c) The agreement on exception shall be attested by a certificate issued and handled in accordance with previous paragraphs of this Article.

PART III
PROVISIONS ON PENSION BENEFITS

Article 5 - Aggregation of periods of insurance

For the purpose of aggregation of periods of insurance, the institutions of the Contracting States shall certify, on an agreed form, the periods of insurance completed under their legislation.

Article 6 - Matters of Mongolia

Periods completed in the Czech Republic until 31. 12. 1995 and evaluated under the legislation of Mongolia under the Article 27 paragraph 2 of the Agreement shall be considered as completed under the legislation of Mongolia.

Article 7 - Application for benefits

1. In order to qualify for the benefits provided for in the provisions of the Agreement, the claim is submitted preferably at the institution of the Contracting State of residence.

2. The institution where the claim was submitted shall send the request of the person concerned to the institution of the other Contracting State, without delay, directly or through liaison bodies, as well as the form certifying the periods of insurance, if such were completed, and any other documents necessary for the assessment of the entitlement to benefits.

3. Before sending the documents referred to in paragraph 2 of this Article, the institution shall specify the date of the request and certify the accuracy of the applicant's personal identification data. That validation will replace the sending of original documents proving such information. These documents will be specified on relevant forms. In case of doubt, these documents may be requested.

4. The institutions shall inform each other of any facts relevant to the assessment of the entitlement to benefits.

Article 8 - Notification of decisions

Each institution shall assess the rights of the applicant under the provisions of the Agreement and shall notify the applicant of the decision, indicating the means and deadlines for appeals and at the same time shall send a copy of the decision to the institution of the other Contracting State.

PART IV
MISCELLANEOUS PROVISIONS

Article 9 - Information exchange

1. The institutions of both Contracting States shall mutually support each other and exchange, either directly or through liaison bodies, all the available information that may interfere with the entitlement to benefits. In particular:

- person's death,
- new marriage of a widow/er,
- change of address of residence,
- transfer of residence to the territory of the other Contracting State or to a third state,
- extinction of a pension right,
- change in number of dependent persons,
- change in degree of incapacity for work,

as well as all other information necessary for the implementation of the Agreement.

2. The liaison bodies shall inform each other of changes in legislation of both Contracting States that may affect assessment of entitlement to benefits under the Agreement.

3. Liaison bodies may agree on the use of electronic exchange of data between institutions. In this case, the data and documents exchanged electronically shall be legally valid for both Contracting States.

Article 10 - Exchange of medical information

1. If a benefit claim or benefit payment demands medical examination, the institution of the Contracting State of the applicant's or beneficiary's place of residence shall perform such examination in accordance with the laws of that Contracting State and send all medical information on an agreed form and any available documentation regarding the incapacity of the person concerned to the institution of the other Contracting State.

2. If the institution deems it necessary, additional examinations may be requested.

3. The institutions shall have, however, the right to carry out a medical examination of the person concerned by a doctor of their choice.

Article 11 - Payment of benefits

1. The institutions shall pay benefits to the beneficiary residing in the territory of the other Contracting State or the third State, within the time limits and in the manner established by the applicable legislation.

2. Beneficiaries are obliged to submit to the institution of the Contracting State, which pays the benefit, either directly or through the liaison bodies, a confirmation of life issued in accordance with the legislation of this Contracting State.

Article 12 – Settlement of overpayments

1. The institutions of both Contracting States shall agree on settlement of possible overpayments that arose when implementing the Agreement.

2. If the institution of one Contracting State has paid benefits of undue sum to a beneficiary, that institution may, within the terms and limits laid down in the legislation it applies, request the institution of the other Contracting State responsible for paying benefits to the person concerned to deduct the undue amount from on-going payments owed to the person concerned. The institution of the other Contracting State shall deduct the amount concerned subject to the conditions and limits applying to this kind of offsetting procedure in accordance with the legislation it applies in the same way as if it had made the overpayments itself, and shall transfer the amount deducted to the institution of the first Contracting State that has paid undue benefits.

Article 13 – Recovery of overpayments

The overpayments that cannot be settled according to the Article 12 of this Arrangement may be recovered in the other Contracting State according to the procedures and with same guarantees and privileges as in the first Contracting State.

Article 14 – Exchange of statistical information

The institutions shall exchange annual statistics on certificates on applicable legislation issued and payments made to beneficiaries according to the Agreement in a form to be defined between the liaison bodies.

Article 15 – Entry into force, duration and amendments

This Administrative Arrangement shall enter into force on the same date as the Agreement and shall have the same duration. It can be amended upon mutual agreement of both Competent Authorities.

Done atUlaanbaatar..... onJanuary 24th, 2023....., in two original copies, each in the Czech, Mongolian and English languages, all texts being equally authentic. In case of divergence of interpretation, the English text shall prevail.

For the Competent Authority
of the Czech Republic

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For the Competent Authority
of Mongolia

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