**ADMINISTRATIVE ARRANGEMENT**

**FOR THE IMPLEMENTATION OF THE AGREEMENT ON SOCIAL SECURITY**

**BETWEEN THE REPUBLIC OF KOREA**

**AND THE REPUBLIC OF PERU**

The Republic of Korea and the Republic of Peru,

In conformity with Paragraph 1 of Article 15 of the Agreement on Social Security between the Republic of Korea and the Republic of Peru, signed at ….(place), on ….(date), (hereinafter referred to as the "Agreement"),

Have agreed as follows:

**Title I**

**General Provisions**

**Article 1**

**Definitions**

The terms used in this Administrative Arrangement shall have the same meaning as in the Agreement.

**Article 2**

**Competent Institutions and Liaison Bodies**

The Competent Authorities of each Contracting Party shall notify the Competent Authorities of the other Contracting Party of the changes in relation to the Competent Institutions or Liaison Bodies established in sub-paragraphs (f) and (g) of Paragraph 1 of Article 1 of the Agreement.

**Title II**

**Provisions on Coverage**

**Article 3**

**Certificate of Coverage**

1. According to Articles 7 to 10 of the Agreement, the Competent Authority or Competent Institution specified in Paragraph 2 of this Article shall issue, upon request of an employer or an independent worker, a certificate stating that the dependent worker or the independent worker is subject to the legislation on Social Security of that Contracting Party and indicating the duration for which the certificate shall be valid. This certificate shall be proof that the dependent worker or the independent worker is exempt from the legislation on compulsory coverage of the other Contracting Party.

2. The certificate referred to in Paragraph 1 of this Article shall be issued:

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

(b) in the Republic of Peru, by the Ministry of Labour and Employment Promotion.

 The Competent Authority or the Competent Institution specified in this Paragraph shall send a copy of the certificate to the dependent worker as well as to his/her employer or to the independent worker and to the Competent Authority or the Competent Institution of the other Contracting Party.

3. The request for an extension of the posting period provided for in Paragraphs 1 and 2 of Article 7 of the Agreement shall be made by the employer or the independent worker within three (3) months before the end of the initial posting period.

4. The exception referred to in Article 10 of the Agreement shall be agreed upon:

(a) in the Republic of Korea, by the Ministry of Health and Welfare or the National Pension Service;

(b) in the Republic of Peru, by the Ministry of Labour and Employment Promotion

**Article** 4

**Forms for the Implementation of the Agreement**

The Competent Authorities, the Competent Institutions or the Liaison Bodies of the Contracting Parties shall determine, by mutual agreement, the forms required for the effective implementation of the Agreement and this Administrative Arrangement. Such forms may be used physically and/or electronically according to the technology and legislation of each Contracting Party

**TITLE III**

**Provisions on Benefits**

**Article 5**

**Procedure for Claiming Benefits**

1. If the Liaison Body or the Competent Institution of a Contracting Party receives a claim for benefits under the legislation of the other Contracting Party, it shall send the claim to the Liaison Body or the Competent Institution of the other Contracting Party indicating the date on which the claim was received, in addition to all the documentation which may be necessary to establish the eligibility for the benefit.

2. Personal data related to a claimant and to the members of his/her family indicated in the claim shall be verified by the Liaison Body or the Competent Institution of the first Contracting Party, which shall confirm that the information is corroborated by documented evidence, and shall also send the Liaison Body or the Competent Institution of the other Contracting Party a liaison form indicating the periods of insurance that shall be accredited under the legislation of the first Contracting Party.

3. In the cases of a disability pension claim, a medical report which indicates the classification of the disability status shall be attached to the liaison form in accordance with Article 14 of the Agreement.

4. The Competent Institution of the other Contracting Party shall subsequently determine the claimant's eligibility and shall notify the claimant and the Liaison Body of the first Contracting Party of its decision through a liaison form, which indicates the periods of insurance accredited under its legislation, the effective date, and the amount of the benefit recognized by that Competent Institution.

**Article 6**

**Payment of Benefits**

1. The Competent Institutions shall pay benefits directly to the entitled beneficiaries.

2. When the Competent Institution of one Contracting Party pays benefits in a foreign currency other than that of the Contracting Party, the conversion rate shall be the rate of exchange in effect on the day when the payment is made.

**Title IV**

**Miscellaneous Provisions**

**Article 7**

**Administrative Assistance**

1. Where administrative assistance is requested under paragraph 1 of Article 16 of the Agreement, regular personnel and operating costs of the Competent Authority, the Competent Institution or the Liaison Body providing the assistance shall be provided free of charge. Reimbursement may be sought for other costs, except as may be agreed to by the Competent Authorities or the Liaison Bodies of both Contracting Parties.

2. The Competent Institution of one Contracting Party shall provide, upon request and without cost, to the Competent Institution of the other Contracting Party any medical information and documentation in its possession relevant to the disability of a claimant or a beneficiary.

3. If the Competent Institution of one Contracting Party requires that a claimant or a beneficiary who resides or stays in the territory of the other Contracting Party undergo a medical examination, the Competent Institution of the other Contracting Party shall make arrangements for carrying out this examination in accordance with its rules and at the expense of the Competent Institution which requests the examination.

4. On receipt of a detailed statement of the costs incurred, the Competent Institution of the first Contracting Party shall, without delay, reimburse the Competent Institution of the other Contracting Party for the amounts due as a result of applying Paragraph 3 of this Article.

5. The Liaison Body or the Competent Institution of each Contracting Party shall provide the Liaison Body or the Competent Institution of the other Contracting Party with the events affecting relevant beneficiaries, including death, change of address, and change of marital status. The detailed procedures shall be determined between the Liaison Bodies.

**Article 8**

**Exchange of Statistics**

The Liaison Bodies or the Competent Authorities shall exchange statistics on an annual basis regarding the number of documents issued under Article 3 of this Administrative Arrangement and payments made under the Agreement. These statistics shall include data on the number of beneficiaries, the total amount of benefits paid, by type of benefit, and other statistic information related to the implementation of the Agreement. These statistics shall be furnished in a form to be agreed upon by the Liaison Bodies or the Competent Authorities.

**Article 9**

**Entry into Force**

The Administrative Arrangement shall enter into force on the same date as the Agreement and shall have the same duration.

**Article 10**

**Amendments**

The Contracting Parties may agree, in writing, with any amendments to this Administrative Arrangement. Any amendments shall enter into force and constitute an integral part of the Administrative Arrangement on the date of receipt of the last written notification, by which, the Contracting Parties notify each other through diplomatic channels of the fulfilment of the internal procedures required by their respective legislation for its entry into force.

DONE in duplicate at ……. (place), on the ….day of ……. , in the Korean, Spanish and English languages, each text being equally valid.

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

|  |  |
| --- | --- |
| **For the Republic of Korea** |  **For the Republic of Peru** |