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**Finland
and
India**

**Agreement on social security between the Republic of Finland and the Republic of India.
New Delhi, 12 June 2012**

Entry into force: *1 August 2014, in accordance with article 27*

Authentic texts: *English, Finnish and Hindi*

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**Finlande
et
Inde**

**Accord sur la sécurité sociale entre la République de Finlande et la République de l'Inde.
New Delhi, 12 juin 2012**

Entrée en vigueur : *1^{er} août 2014, conformément à l'article 27*

Textes authentiques : *anglais, finnois et hindi*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT ON SOCIAL SECURITY

BETWEEN

THE REPUBLIC OF FINLAND

AND

THE REPUBLIC OF INDIA

The Republic of Finland
and
the Republic of India

Hereinafter referred to as the Contracting States;

Wishing to arrange the mutual relations between the two countries in the field of social security, decided to conclude an Agreement for this purpose and agreed as follows:

P A R T - I
GENERAL PROVISIONS

Article 1
Definitions

1. For the implementation of this Agreement:
 - a) the term "Finland" means the Republic of Finland;
the term "India" means the Republic of India;
 - b) the term "legislation" means
the legal provisions in force relating to the legislation or the schemes referred to in Article 2;
 - c) the term "competent authority" means, as regards Finland: the Ministry of Social Affairs and Health;
as regards India: the Ministry of Overseas Indian Affairs;
 - d) the term "competent institution" means
as regards Finland: the institution or body responsible for the implementation of the legislation and the schemes specified in paragraph 1 B) of Article 2;
as regards India: The Employees' Provident Fund Organization (EPFO), for the implementation of the legislation specified in paragraph 1A) of Article 2;
 - e) the term "Liaison body" means the institutions or bodies specified as such under the Administrative Arrangement;
 - f) the term "insurance period" means in relation to Finland, a period of employment or any equivalent period under the Earnings-related Pension Scheme and in relation to India, any period of contributions or insurance recognized as such in the legislation under which that period was completed, as well as any period recognized as equivalent to a period of contribution or insurance under that legislation;
 - g) the term "benefit" means any pension or benefit in cash, including any supplements or increases applicable under the legislation specified in Article 2;
 - h) "national" means a person treated as such under the legislation of the Contracting States;
 - i) the term 'territory' means,
as regards Finland: the territory of Finland;
as regards India: the territory of India.

2. Any term not defined in paragraph 1 of this Article shall have the meaning assigned to it in the applicable legislation.

Article 2

Legislative Scope

1. This Agreement shall apply:
 - A. as regards India, to all legislations concerning:
 - (i) old-age and survivors' pension for employed persons;
 - (ii) the Permanent Total Disability pension for employed Persons.
 - B. as regards Finland, to the laws and regulations concerning old-age, disability and survivors' pensions under the Earnings-related Pension Scheme including pension schemes for the self-employed persons.
2. This Agreement shall also apply to all legislations in so far as they amend, supplement or replace the legislations of the Contracting States specified in paragraph 1 of this Article.

Article 3

Personal Scope

Unless otherwise specified, this Agreement shall apply to all persons who are or have been subject to the legislations specified in Article 2 and other persons who derive rights from such persons.

Article 4

Equality of Treatment

Unless otherwise provided in this Agreement, the persons specified in Article 3, shall receive equal treatment with nationals of that Contracting State, in application of the legislation of that Contracting State.

Article 5
Export of Benefits

1. Unless otherwise specified in this Agreement, a Contracting State shall not reduce or modify benefits acquired under its legislation solely on the ground that the beneficiary stays or resides in the territory of the other Contracting State.
2. The old age, survivors' and disability benefits due by virtue of the legislations of one Contracting State are paid to the nationals of the other Contracting State residing in the territory of a third State, under the same conditions as if they were nationals of the first Contracting State.

Article 6
Reduction or Suspension or Withdrawal Clauses

The reduction, suspension or withdrawal clauses provided for in the legislation of one Contracting State, in case of overlapping of social security benefits or in case a benefit coincides with other incomes of any kind, shall be applied to the beneficiaries, even if these benefits were acquired by virtue of a scheme of the other Contracting State, or if the income is gained in the territory of the other Contracting State. However, this provision shall not apply when benefits of the same nature coincide.

P A R T II
PROVISIONS CONCERNING THE APPLICABLE LEGISLATION

Article 7
General Provisions

Subject to Articles 8 to 10, the applicable legislation is determined according to the following provisions:

- a) person who works as an employee in the territory of a Contracting State shall, with respect to that employment, be subject only to the legislation of that Contracting State;
- b) a person who works as a self-employed person in the territory of a Contracting State shall, with respect to that activity, be subject only to the legislation of that