



Agreement Between The United States And Belgium

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Introduction

An agreement effective July 1, 1984, between the United States and Belgium improves social security protection for people who work or have worked in both countries. It helps many people who, without the agreement, would not be eligible for monthly retirement, disability or survivors benefits under the social security system of one or both countries. It also helps people who would otherwise have to pay social security taxes to both countries on the same earnings.

For the United States, the agreement covers Social Security taxes (including the U.S. Medicare portion) and Social Security retirement, disability and survivors insurance

benefits. It does not cover benefits under the U.S. Medicare program or the Supplemental Security Income program.

This booklet covers highlights of the agreement and explains how it may help you **while you work** and **when you apply for benefits**.

The agreement may help you, your family and your employer

- **While you work** — If both the U.S. and Belgian social security systems cover your work, you (and your employer, if you are employed) would normally have to pay social security taxes to both countries for the same work. However, the agreement eliminates this double coverage so you pay taxes to only one system. The section

titled “**Eliminating dual coverage for employment**” explains these rules.

- **When you apply for benefits** — You may have some social security credits in both the U.S. and Belgium but not have enough to be eligible for benefits in one country or the other. The agreement makes it easier to qualify for benefits by letting you combine your social security credits in both countries. For more details, see the section on “**Monthly benefits**” beginning on page 5.

Eliminating dual coverage for employment

Before the agreement, employees, employers and self-employed people could, under certain circumstances, be required to pay social security taxes to both the United States and Belgium for the same work.

Under the agreement, if you work as an employee in the United States, normally you and your employer will pay Social Security taxes only to the United States and not to Belgium. If you work as an employee in Belgium, you normally will pay only Belgian social security taxes and neither you nor your employer will have to pay U.S. Social Security taxes.

On the other hand, if your employer sends you from one country to work for that employer or an affiliate in the other country for five years or less, you will continue coverage in your home country and you will be exempt from coverage in the other country. For example, if a U.S. company sends an employee to work for that employer or an affiliate in Belgium for no more than five

years, the employer and the employee will continue to pay only U.S. Social Security taxes and will not have to pay in Belgium.

If you are self-employed in only one country, your work generally is subject to social security coverage and taxes only in that country. Special rules apply, however, if you are self-employed in both countries or if you normally work in one country but are self-employed in the other country on a temporary basis (see page 4).

NOTE: *In addition to old-age, survivors and disability benefits, Belgian social security taxes cover several other programs including short-term sickness, unemployment, work accident, occupational illness, health insurance and family allowances. As a result, workers exempted from Belgian social security coverage by the agreement pay no social security taxes for these programs and generally cannot receive benefits from them. If the agreement exempts you from Belgian coverage, you and your employer may wish to arrange for alternative benefit protection.*

Summary of agreement rules

The following table shows whether U.S. or Belgian social security covers your work. If U.S. Social Security covers your work, you and your employer (if you are an employee) must pay U.S. Social Security taxes. If the Belgian system covers your work, you and your employer (if you are an employee) must comply with the Belgian contribution requirements. If one country’s program covers your work, the next section explains how to get a certificate of coverage from the country that will prove you are exempt in the other country.

Your work status	Coverage and taxes
You are working in Belgium:	
<i>For a U.S. employer who:</i>	
Sent you to work in Belgium for five years or less	U.S.
Sent you to work in Belgium for more than five years	Belgium
Hired you in Belgium	Belgium
For a non-U.S. employer	Belgium

Your work status	Coverage and taxes
<i>For the U.S. government and you are a:</i>	
U.S. national	U.S. (either Social Security or federal retirement program)
Belgian national	Belgium
<i>You are working in the U.S.:</i>	
<i>For an employer in Belgium who:</i>	
Sent you to work in the U.S. for five years or less	Belgium
Sent you to work in the U.S. for more than five years	U.S.
Hired you in the U.S.	U.S.
For a non-Belgian employer	U.S.
<i>For the Belgian government and you are a:</i>	
Belgian national	Belgium
U.S. national	U.S.
<i>You are self-employed and you:</i>	
Work only in the U.S.	U.S.
Normally work in the U.S. but are self-employed in Belgium for five years or less	U.S.
Work in both countries but reside in the U.S.	U.S.
Work only in Belgium	Belgium
Normally work in Belgium but are self-employed in the U.S. for five years or less	Belgium
Work in both countries but reside in Belgium	Belgium
<i>If this table does not seem to describe your situation and you are:</i>	
Working in the U.S.	Write to the U.S. address on page 11 for further information.
Working in Belgium	Write to the Belgian address on pages 11 for further information.

NOTE: As the table indicates, the agreement can assign U.S. coverage to a U.S. worker temporarily working in Belgium only if he or she works for a U.S. employer. A **U.S. employer** includes a corporation organized under the laws of the United States or any state, a partnership if at least two-thirds of the partners are U.S. residents, a person who is a resident of the United States or a trust if all the trustees are U.S. residents. The term also includes a foreign affiliate of a U.S. employer if the U.S. employer has entered into an agreement with the Internal Revenue Service (IRS) under section 3121(l) of the Internal Revenue Code to pay Social Security taxes for U.S. citizens and residents the affiliate employs.

Certificate of coverage for employment

A certificate of coverage issued by one country serves as proof of exemption from social security taxes on the same earnings in the other country.

U.S. certificates

To establish an exemption from compulsory coverage and taxes under the Belgian system, your employer must request a certificate of coverage (form USA/BEL 101) from the United States at this address:

Social Security Administration
Office of International Programs
P.O. Box 17741
Baltimore, MD 21235-7741
USA

If preferred, send the request by FAX to **(410) 966-1861**. Please note this FAX number is **only** for requesting certificates of coverage.

To request a certificate, the request must be in writing and provide the following information:

- Full name of worker (including maiden name for a married woman);
- Marital status;
- Date and place of birth;
- Citizenship;
- Country of worker's permanent residence;
- U.S. Social Security number;
- Date of hire;
- Country of hire;
- Name and address of the employer in the United States and Belgium; and
- Date of transfer and anticipated date of return.

In addition, your employer must indicate if you will remain an employee of the U.S. company while working in Belgium or if you will become an employee of the U.S. company's affiliate in Belgium. If you become an employee of an

affiliate, your employer must indicate if the U.S. company has an agreement with the IRS under section 3121(l) of the Internal Revenue Code to pay U.S. Social Security taxes for U.S. citizens and residents employed by the affiliate and, if yes, the effective date of the agreement.

Your employer also can request a certificate of U.S. coverage for you over the Internet using a special online request form available at **www.socialsecurity.gov/coc**. Only an employer can use the online form to request a certificate of coverage. A self-employed person must submit a request by mail or fax.

Belgian certificates

To establish your exemption from coverage under the U.S. Social Security system, your employer in Belgium must request a certificate of coverage (form B/USA) from Belgium at this address:

Office of National de Sécurité Sociale
Place Victor Horta, 11
B-1030 Brussels
BELGIUM

You need the same information required for a certificate of coverage from the United States to get a certificate from Belgium except you must show your Belgian social security number rather than your U.S. Social Security number.

Certificates for self-employed people

If you are self-employed and normally would have to pay social security taxes to both the United States and Belgian systems, you can establish your exemption from one of the taxes.

- If the United States covers your work (see table on page 4), write to the Social Security Administration at the address on page 4; or
- If Belgium will cover your work (see table on page 2), write to the National Social Insurance Institute for the Self-Employed at the following address:

National Social Insurance Institute for the
Self-Employed
Jan Jacobsplein 6
B-1000 Brussels
BELGIUM

Be sure to provide the following information in your letter:

- Full name (including maiden name for a married woman);
- Marital status;
- Date and place of birth;
- Citizenship;
- Country of permanent residence;
- U.S. and/or Belgian social security number;
- Nature of self-employment activity;
- Dates the activity was or will be performed; and
- Name and address of your trade or business in both countries.

Effective date of coverage exemption

The certificate of coverage you receive from one country will show the effective date of your exemption from paying social security taxes in the other country. Generally, this will be the date you began working in the other country but no earlier than the effective date of the agreement.

The employer in the United States should retain a copy of the certificate of coverage issued by Belgium in case of an audit by the IRS. The employer should not send copies to IRS unless specifically requested by IRS. However, a self-employed person must attach a **photocopy** of the certificate to his or her income tax return each year as proof of the U.S. exemption.

Social Security will provide copies of certificates of coverage issued by the United States for both the employee and the employer. It will be the

employee/employer responsibility to present the certificate to the Belgian authorities when requested to do so. To avoid any difficulties, your employer (or you, if you are self-employed) should request a certificate as early as possible, preferably before your work in the other country begins.

If you or your employer requests a certificate of coverage, you should read the Privacy Act and Paperwork Reduction Act statements at the end of this booklet.

Monthly benefits

The following table shows the various types of social security benefits payable under the U.S. and Belgian social security systems and briefly describes the eligibility requirements that normally apply for each type of benefit. If you do not meet the normal requirements for these benefits, the agreement may help you qualify (see page 7).

This table is only a general guide. You can get additional information about U.S. benefits by visiting Social Security's website at www.socialsecurity.gov. You also may visit any U.S. Social Security office or call our toll-free number at **1-800-772-1213**. You can get more detailed information about the Belgian system by writing to the Belgian address on page 11.

Under U.S. Social Security, you may earn up to four credits each year depending on the amount of your covered earnings. The amount needed to earn a work credit goes up slightly each year. The Belgian system measures credits in months. To simplify the information, the table shows requirements in years of credits.

Retirement or old-age benefits	
<i>United States</i>	<i>Belgium</i>
<p>Worker — Full benefit at full retirement age.* Reduced benefit as early as age 62. Required work credits range from one and one-half to 10 years (10 years if age 62 in 1991 or later).</p>	<p>Worker — Full benefit payable at age 65 with at least 45 years of coverage. Reduced benefit as early as age 60 with 35 years of coverage. Special retirement ages and work credit requirements for miners and seamen.</p>

Disability Benefits	
<i>United States</i>	<i>Belgium</i>
<p>Worker — Under full retirement age* can get benefit if unable to do any substantial gainful work for at least a year. One and one-half to 10 years credit needed, depending on age at date of onset. Some recent work credits also needed unless worker is blind.</p>	<p>Worker — Must be at least two-thirds disabled for 12 months. Some recent work credits required.</p>

Family benefits to dependents of retired or disabled people	
<i>United States</i>	<i>Belgium</i>
<p>Spouse — Full benefit at full retirement age* or at any age if caring for the worker's entitled child under age 16 (or disabled before age 22). Reduced benefit as early as age 62 if not caring for a child.</p>	<p>Spouse — No specific provision. However, a retired worker with a dependent spouse may receive a spouse's supplement.</p>
<p>Divorced wife — Full benefit at full retirement age.* Reduced benefit as early as age 62. Must be unmarried and have been married to worker for at least 10 years.</p>	<p>Divorced wife — No provision.</p>
<p>Divorced husband — Same as divorced wife.</p>	<p>Divorced husband — No provision.</p>
<p>Children — If unmarried, up to age 18 (age 19 if in an elementary or secondary school full time) or any age if disabled before age 22.</p>	<p>Children — No provision. However, benefits may be payable under the Family Allowance Program.</p>

**Full retirement age is 66 for people born in 1943-1954 and will gradually increase to age 67 for people born in 1960 or later.*

Survivors benefits	
United States	Belgium
Widow(er) — Full benefit at full retirement age* or at any age if caring for the deceased's entitled child under age 16 (or disabled before age 22). Reduced benefit as early as age 60 (or age 50 if disabled) if not caring for child. Benefits may be continued if remarriage occurs after age 60 (or age 50 if disabled).	Widow(er) — Benefit payable at age 45 or at any age if either caring for a child(ren) or at least two-thirds disabled; must have been married to deceased for at least one year. Pension ceases on remarriage, or if the deceased worked in underground mines for at least 20 years.
Divorced widow — Same as widow if marriage lasted at least 10 years.	Divorced widow — Full benefit at age 65 or reduced benefit as early as age 60. Must not be entitled on her own work record. Must not have remarried.
Divorced widower — Same as divorced widow.	Divorced widower — No provision.
Children — Same as for children of retired or disabled worker.	Children — No provision. However, an orphan's benefit may be payable under the Family Allowance Program.
Lump-sum death benefit — A one-time payment not to exceed \$255 payable on the death of an insured worker.	Death benefit — A grant to cover funeral expenses is payable to the person who incurred the expenses.

*The full retirement age for survivors is age 66 for people born in 1945-1956 and will gradually increase to age 67 for people born in 1962 or later.

NOTE: Belgium accords legal same-sex marriages the same rights as heterosexual marriages. Therefore, a widow(er) of a legal same-sex marriage may receive Belgian social security benefits. However, registered partnerships (heterosexual and same-sex couples) remain separate for tax and social security purposes. Therefore, they do not receive any Belgian social security benefits.

NOTE: Belgium accords a divorced spouse of a previous legal same-sex marriage the same rights as a heterosexual divorced spouse.

How benefits can be paid

If you have social security credits in both the United States and Belgium, you may be eligible for benefits from one or both countries. If you meet all the basic requirements under one country's system, you will get a regular benefit from that country. If you do not meet the basic requirements, the agreement may help you qualify for a benefit as explained below.

- **Benefits from the United States** — If you do not have enough work credits under the U.S. system to qualify for regular benefits, you may qualify for a partial benefit from the United States based on both U.S. and Belgian credits. However, you must have earned at least six credits (generally one

and one-half years of work) under the U.S. system for the United States to count your Belgian credits. If you already have enough credits under the U.S. system to qualify for a benefit, the United States cannot count your Belgian credits.

- **Benefits from Belgium** — Belgium also can count Social security credits from both countries when necessary, to meet the eligibility requirements for Belgian benefits. To be eligible to have your U.S. and Belgian credits counted, you must have at least 18 months of coverage under the Belgian system.

How credits get counted

You do not have to do anything to have one country count your credits in the other country. If we need to count your credits under the Belgian system to help you qualify for a U.S. benefit, we will get a copy of your Belgian record directly from Belgium when you apply for benefits. If Belgian officials need to count your U.S. credits to help you qualify for a Belgian benefit, they will get a copy of your U.S. record directly from the Social Security Administration when you apply for the Belgian benefit.

Although each country may count your credits in the other country, your credits do not actually transfer from one country to the other. They remain on your record in the country where you earned them and can be used to qualify for benefits there.

Computation of U.S. benefit under the agreement

When a U.S. benefit becomes payable as a result of counting both U.S. and Belgian social security credits, we determine an initial benefit based on your U.S. earnings as if you completed your entire career under the U.S. system. This reduces the initial benefit to reflect the fact that Belgian credits helped to make the benefit payable. The amount of the reduction will depend on the number of U.S. credits: the more U.S. credits, the smaller the reduction; and the fewer U.S. credits, the larger the reduction.

A Belgian pension may affect your U.S. benefit

If you qualify for social security benefits from both the United States and Belgium and did not need the agreement to qualify for either benefit, U.S. law may reduce the amount of your U.S. benefit. This is a result of a provision in U.S. law that can affect the way the U.S. computes your benefit, if you also receive a pension based on work not covered by U.S. Social Security. For more information, visit our website at www.socialsecurity.gov, and get a copy of *Windfall Elimination Provision* (Publication No. 05-10045) or call our toll-free number,

1-800-772-1213, or, if you are outside the United States, you may write to us at the address on page 11.

What you need to know about Medicare

Medicare is the U.S. national health insurance program for people age 65 or older or who are disabled. Medicare has four parts:

- Hospital insurance (Part A) helps pay for inpatient hospital care and certain follow-up services;
- Medical insurance (Part B) helps pay for doctors' services, outpatient hospital care and other medical services;
- Medicare Advantage plans (Part C) are available in many areas. People with Medicare Parts A and B can choose to receive all of their health care services through a provider organization under Part C; and
- Prescription drug coverage (Part D) helps pay for medications doctors prescribe for medical treatment.

You are eligible for free hospital insurance at age 65 if you have worked long enough under U.S. Social Security to qualify for a retirement benefit. People born in 1929 or later need 40 credits (about 10 years of covered work) to qualify for retirement benefits.

Although the agreement between the United States and Belgium allows the Social Security Administration to count your Belgian credits to help you qualify for U.S. retirement, disability or survivors benefits, the agreement does not cover Medicare benefits. As a result, we cannot count your credits in Belgium to establish entitlement to free Medicare hospital insurance.

For more information about Medicare, call our toll-free number, **1-800-772-1213**, and ask for the publication, *Medicare* (Publication No. 05-10043). Or visit Medicare's website at www.medicare.gov.

Claims for benefits

If you live in the United States and wish to apply for U.S. or Belgian benefits:

- Visit or write any U.S. Social Security office; or
- Phone our toll-free number, **1-800-772-1213**, 7 a.m. to 7 p.m., Monday through Friday. People who are deaf or hard of hearing may call our toll-free TTY number, **1-800-325-0778**.

You can apply for Belgian benefits at any U.S. Social Security office by completing an application form SSA-2490.

If you live in Belgium and wish to apply for U.S. or Belgian benefits, contact:

- The Federal Benefits Unit at the U.S. Embassy in London, England (phone **20-7499-9000**) to file for U.S. benefits; or
- Any Belgian social security office to file for Belgian benefits.

You can apply with one country and ask to have your application considered as a claim for benefits from the other country. Information from your application then will be sent to the other country. Each country will process the claim under its own laws, count credits from the other country when appropriate, and notify you of its decision.

If you have not applied for benefits before, you may need to provide certain information and documents when you apply. These include:

- The worker's U.S. and Belgian social security numbers;
- Proof of age for all claimants; and
- Evidence of the worker's U.S. earnings in the past 24 months and information about the worker's coverage under the Belgian system.

You may wish to call the Social Security office before you go there to see if you will need to provide any other information.

Payment of benefits

Each country pays its own benefit. The U.S. Department of the Treasury issues U.S. payments each month covering benefits for the preceding month.

Under the Belgian system, Belgium makes payments at different times for different periods depending on the type of benefits. For more information, contact the Belgian authorities at the address on page 11.

Absence from U.S. territory

Normally, people who are not U.S. citizens may receive U.S. Social Security benefits while outside the United States only if they meet certain requirements. However, under the agreement, you may receive benefits as long as you reside in Belgium regardless of your nationality. If you are not a U.S. or Belgian citizen and live in a country other than the United States or Belgium, you may not be able to receive benefits. The publication, *Your Payments While You Are Outside The United States* (Publication No. 05-10137), explains the restrictions on U.S. benefits.

Appeals

If you disagree with the decision made on your claim for benefits under the agreement, contact any U.S. or Belgian social security office. The people there can tell you what you need to do to appeal the decision.

The Belgian social security authorities will review your appeal if it affects your rights under the Belgian system, while U.S. Social Security authorities will review your appeal if it affects your rights under the U.S. system. Since each country makes decisions independently of the other, a decision by one country on a particular issue may not always conform with the decision made by the other country on the same issue.

Authority to collect information for a certificate of coverage (see pages 4-5)

Privacy Act

Section 233 of the *Social Security Act* as amended, [42 U.S.C. 433] authorizes us to collect this information. We will use the information you provide to determine if your current work should be covered only under the U.S. Social Security system in accordance with an international social security agreement. The information you provide on this form is voluntary. However, failure to provide all or part of the requested information may prevent us from making an accurate and timely decision on your request for a certificate of coverage. Without the certificate, current work may continue to be subject to coverage and taxation under both the U.S. and the foreign social security systems.

We rarely use the information you provide on this form for any purpose other than for the reasons explained above. However, we may use it for the administration and integrity of Social Security programs. We also may disclose information to another person or to another agency in accordance with approved routine uses, which include but are not limited to the following:

- To enable a third party or an agency to assist Social Security in establishing rights to Social Security benefits or coverage;
- To comply with Federal laws requiring the release of information from Social Security records (e.g., to the Government Accountability Office, General Services Administration, National Archives Records Administration, and the Department of Veterans Affairs);
- To make determinations for eligibility in similar health and income maintenance programs at the federal, state, and local level; and
- To facilitate statistical research, audit, or investigative activities necessary to assure the integrity of Social Security programs.

We also may use the information you provide in computer matching programs. Matching programs compare our records with records kept by other federal, state, or local government agencies. Information from these matching programs can be used to establish or verify a person's eligibility for federally-funded or administered benefit programs and for repayment of payments or delinquent debts under these programs.

A complete list of routine uses for this information is available in our System of Records Notice entitled, *Earnings Records and Self-Employment Income System*, 60-0059. This notice, additional information regarding this form, and information regarding our programs and systems, are available at www.socialsecurity.gov or at any Social Security office.

Paperwork Reduction Act Notice

This information collection meets the clearance requirements of 44 U.S.C. section 3507, as amended by section 2 of the *Paperwork Reduction Act of 1995*. You do not need to answer these questions unless we display a valid Office of Management and Budget control number. We estimate that it will take you about 30 minutes to read the instructions, gather the necessary facts, and write down the information to request a certificate of coverage.

Contacting Social Security

Visit our website

The most convenient way to conduct Social Security business from anywhere at any time, is to visit www.socialsecurity.gov. There, you can:

- Apply for retirement, disability, and Medicare benefits;
- Find copies of our publications;
- Get answers to frequently asked questions; and
- So much more!

Call us

If you don't have access to the internet, we offer many automated services by telephone, 24 hours a day, 7 days a week. If you're in the United States, call us toll-free at **1-800-772-1213** or at our TTY number, **1-800-325-0778**, if you're deaf or hard of hearing.

If you need to speak to a person, we can answer your calls from 7 a.m. to 7 p.m., Monday through Friday. We ask for your patience during busy periods since you may experience a higher than usual rate of busy signals and longer hold times to speak to us. We look forward to serving you.

For more information

To **file a claim** for U.S. or Belgian benefits under the agreement, follow the instructions on pages 9-10.

If you live outside the United States, write to:

Social Security Administration
OIO—Totalization
P.O. Box 17769
Baltimore, MD 21235-7769
USA

For more information about Belgium's social security programs, visit any social security office in Belgium. If you do not live in Belgium, write to:

National Social Security Office
Waterloolaan 76
B-1000 Brussels
BELGIUM

If you **do not wish to file a claim for benefits** but would like more information about the agreement, write to:

Social Security Administration
Office of International Programs
P.O. Box 17741
Baltimore, MD 21235-7741
USA

For additional information, visit our website:
www.socialsecurity.gov/international



Securing today
and tomorrow

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