STATUTORY RULES OF NORTHERN IRELAND

1994 No. 262

SOCIAL SECURITY

The Social Security (Cyprus) Order (Northern Ireland) 1994

Made - - - -	*29th June 1994*
Coming into operation	*4th July 1994*

In exercise of the powers conferred on me by section 155(1) and (2) of the Social Security Administration (Northern Ireland) Act 1992(**1**) and of all other powers enabling me in that behalf, I hereby make the following order:

Citation and commencement

1. This order may be cited as the Social Security (Cyprus Order (Northern Ireland) 1994 and shall come into operation on 4th July 1994.

Modification of the Contributions and Benefits Act and the Administration Act and amendment of the Cyprus Order

2. The Social Security Contributions and Benefits (Northern Ireland) Act 1992(**2**) and the Social Security Administration (Northern Ireland) Act 1992 shall be modified and the Social Security (Cyprus) Order (Northern Ireland) 1983(**3**) shall be amended so as to give effect to the Convention on Social Security set out in the Schedule to that order as amended by the Agreement contained in Notes set out in the Schedule to this order, so far as the same relate to Northern Ireland.

Amendment of order

3. In the Schedule to the Social Security (Reciprocal Agreements) Order (Northern Ireland) 1988(**4**) the entry relating to the Social Security (Cyprus) Order (Northern Ireland) 1983 shall be omitted.

(**1**) 1992 c. 8
(**2**) 1992 c. 7
(**3**) S.R. 1983 No. 387, as modified by S.R. 1988 No. 120
(**4**) S.R. 1988 No. 120

P.B.B. Mayhew
One of Her Majesty's Principal Secretaries of State

Dated this 29th day of June 1994.

SCHEDULE Article 2.

NOTES EXCHANGED ON 9th MAY 1991 BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE REPUBLIC OF CYPRUS

No. 1

H.E. Mr Andreas Moushoutas

Minister of Labour and Social Insurance

British High Commission

Nicosia

9th May 1994

Your Excellency,

I have the honour to refer to the Convention on Social Security between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Cyprus, which was signed at Nicosia on 18 December 1982, (hereinafter referred to as "the Convention"), and to recent correspondence between the Department of Social Security in the United Kingdom and the Ministry of Labour and Social Insurance in Cyprus concerning the need to amend the Convention and to propose the following amendments to the said Convention:

(A) In Article 1, paragraph (1) shall be replaced by the following:

"(1) For the purpose of this Convention:

"competent authority" means, in relation to the United Kingdom,. the Department of Social Security for Great Britain, the Department of Health and Social Services for Northern Ireland, the Department of Health and Social Security of the Isle of Man, the Social Security Committee of the States of the Island of Jersey or the Guernsey Social Security Authority as the case may require, and, in relation to the Republic of Cyprus, the Minister of Labour and Social Insurance;

"competent institution" means the institution from which the person concerned is entitled to receive benefit or would be entitled to receive benefit if he were resident in the territory of the Party where that institution is situated;

"contribution period" means a period in respect of which contributions appropriate to the benefit in question are payable, have been paid or treated as paid under the legislation in question;

"death grant" means a death grant payable under the legislation of Jersey or Guernsey, or a funeral grant payable under the legislation of Cyprus;

"dependant" means a person who would be treated as such for the purpose of any claim for an increase of benefit in respect of a dependant under the legislation concerned;

"employed person" means:

(i) except in Articles 20 to 22, a person who, in the applicable legislation, comes within the definition of an employed person or of an employed earner or is treated as such and the words "person is employed" shall be construed accordingly;

(ii) in Articles 20 to 22, a person who is, or who is treated as being, an employed person under the legislation of Great Britain, Northern Ireland or the Isle of Man, or Cyprus, or an employed or self-employed person under the legislation of Jersey or Guernsey;

"employment" means employment as an employed person and the words "employ", "employed" or "employer" shall be construed accordingly;

"equivalent period" means a period for which contributions appropriate to the benefit in question have been credited under the legislation concerned;

"gainfully occupied" means employed or self-employed;

"Guernsey" means the Islands of Guernsey, Alderney, Herm and Jethou;

"insurance authority" means the authority competent to decide entitlement to the benefit in question;

"insurance period" means a contribution period or an equivalent period;

"insured" means that contributions have been paid by, or are payable by, or in respect of, or have been credited in respect of, the person concerned;

"invalidity pension" means invalidity pension,. additional invalidity pension and invalidity allowance payable under the legislation of Great Britain, Northern Ireland or the Isle of Man, invalidity benefit payable under the legislation of Jersey or Guernsey), and invalidity pension payable under the legislation of Cyprus;

"Jersey" means the Island of Jersey;

"legislation" means in relation to a Party, such of the legislation specified in Article 2 as applies in the territory of that Party or in any part of the territory of that Party:

"old age pension" includes, in relation to the United Kingdom, a retirement pension payable under the legislation of that Party;

"orphan's benefit" means guardian's allowance payable under the legislation of Great Britain, Northern Ireland, the Isle of Man, or Guernsey, and orphan's benefit payable under the legislation of Cyprus;

"pension", "allowance" or "benefit" includes any increase of, or any additional amount payable with, a pension, allowance or benefit respectively;

"self-employed person" means a person who, in the applicable legislation, comes within the definition of a self-employed person or of a self-employed earner or is treated as such, and the words "person is self-employed" shall be construed accordingly:

"social assistance" means income support payable under the legislation of Great Britain or Northern Ireland and supplementary benefit payable under the legislation of the Isle of Man;

"Sovereign Base Areas" means the British Sovereign Base Areas of Akrotiri and Dhekelia;

"statutory maternity pay" means a payment which an employer must make under the legislation of Great Britain or Northern Ireland in connection with pregnancy and for a period before and after confinement;

"statutory sick pay" means a payment which an employer must make under the legislation of Great Britain or Northern Ireland in respect of sickness;

"territory" means, in relation to the United Kingdom, Great Britain, Northern Ireland and also the Isle of Man, the Island of Jersey, and Guernsey, and in relation to Cyprus, the Island of Cyprus with the exception of the Sovereign Base Areas, and references to "Cyprus" and to "the United Kingdom" shall be construed accordingly;

"widow's benefit" means widow's allowance, widow's payment, widowed mother's allowance and widow's pension payable under the legislation of the United Kingdom