1982 No. 370

SOCIAL SECURITY

The Social Security (Jersey and Guernsey) Order (Northern Ireland) 1982

Made . . . . . 27th October 1982

Coming into operation . . . 1st November 1982

In exercise of the powers conferred on me by section 134(1) of the Social Security (Northern Ireland) Act 1975(**a**) and of all other powers enabling me in that behalf, I hereby make the following order:

Citation, commencement and interpretation

1.—(1) This order may be cited as the Social Security (Jersey and Guernsey) Order (Northern Ireland) 1982 and shall come into operation on 1st November 1982.

(2) In this order "the principal order" means the Social Security (Jersey and Guernsey) Order (Northern Ireland) 1978(**b**).

Modification of Act and Variation of Order

2. The Social Security (Northern Ireland) Act 1975 shall be modified and the principal order shall be varied to such extent as may be required to give effect to the provisions contained in the Letters set out in the Schedule to this order, so far as the same relate to Northern Ireland.

Dated this 27th day of October 1982.

James Prior
One of Her Majesty's Principal Secretaries of State

(**a**) 1975 c. 15; section 134 was amended by section 20(3) of, and extended by section 20(4) of, the Social Security (Miscellaneous Provisions) Act 1977 (1977 c. 5), and further amended by Article 7(1) of the Social Security (Northern Ireland) Order 1981 (S.I. 1981/1118 (N.I. 25))

(**b**) S.R. 1978 No. 327

SCHEDULE

LETTERS EXCHANGED ON 30 SEPTEMBER 1982 BETWEEN THE SECRETARY OF STATE FOR SOCIAL SERVICES AND THE JERSEY SOCIAL SECURITY COMMITTEE AND THE GUERNSEY STATES INSURANCE AUTHORITY

No. 1

THE SECRETARY OF STATE FOR SOCIAL SERVICES TO THE SOCIAL SECURITY COMMITTEE

20 August 1982

Sir

I refer to the Agreement on Social Security between the Secretary of State for Social Services, the Department of Health and Social Services for Northern Ireland and the Lieutenant-Governor of the Isle of Man, with the advice and consent of the Isle of Man Board of Social Security constituted under the Isle of Man Board of Social Security Act 1970, of the first part, the Social Security Committee, with the consent of the States of Jersey, of the second part, and the States Insurance Authority, with the consent of the States of Guernsey, of the third part, which entered into force on 6 November 1978 (which in this letter is referred to as "the Agreement") and to recent discussions between the Department of Health and Social Security, the Social Security Committee and the States Insurance Authority concerning the need to amend the Agreement. The Secretary of State for Social Services proposes the following amendments:

(*a*) Article 14 of the Agreement shall be deleted.

(*b*) Article 15 shall be amended by deleting the words "or of paragraph (3) of Article 14".

(*c*) Paragraph (1) of Article 16 shall be amended—

(i) by substituting for the words "Articles 13 and 14" the words "Article 13";

(ii) by adding at the end (after the word "legislation") the words "except to the extent that contributions would by virtue of the provisions of paragraph (6) thereof be treated as paid or credited under the legislation of that country".

(*d*) Paragraph 7(*b*) of Article 17 shall be amended by substituting for the words "Articles 13 or 14" the words "Article 13".

(*e*) Paragraph (2) of Article 26 shall be deleted and the following substituted:—

"(2) Where benefit is payable to any person for any period under the legislation of one country and, but for the provisions of this Article, an increase of benefit would have been payable in respect of that person for the same period under the legislation of another country, an adjustment shall be made, subject to the provisions of this Article, under the legislation of the latter country;

Provided that this paragraph shall not apply in any case where a woman is receiving old age benefit under the legislation of the United Kingdom or the Isle of Man, and her husband is entitled to an increase of benefit in respect of her under the legislation of Jersey or Guernsey.".

I suggest that if these proposals are acceptable to you that this letter and your reply together with the letter I have sent to the States Insurance Authority and their reply shall constitute an Agreement between us which shall enter into force on 1 November 1982.

Hugh Rossi,

for the Secretary of State for Social Services.

No. 2

THE SECRETARY OF STATE FOR SOCIAL SERVICES TO THE STATES INSURANCE AUTHORITY

20 August 1982

Sir

[*The letter here sets out the text as in No. 1 except final paragraph*]

I suggest that if these proposals are acceptable to the States Insurance Authority that this