1979 No. 92

SOCIAL SECURITY

The Social Security (Reciprocal Agreements) Order (Northern Ireland) 1979

Made . . . . . *28th March* 1979

Coming into operation . . . *6th April* 1979

WHEREAS the Orders in Council and orders of the Secretary of State specified in the Schedule to this order modified certain enactments so as to give effect to the agreements set out in the Schedules to those Orders in Council or orders:

AND WHEREAS those Orders in Council or orders were modified by either the Social Security (Australia) (Northern Ireland) Order 1975(**a**) or the Social Security (Reciprocal Agreements) (Northern Ireland) Order 1976(**b**):

AND WHEREAS Her Majesty's Government have proposed to each of the parties with whom the United Kingdom has made a relevant agreement set out in a Schedule to the Orders in Council or orders mentioned in the Schedule to this order to enter into agreements with them for altering the existing agreements in consequence of changes in the legislation of the United Kingdom but without otherwise altering the effect of the existing agreements:

AND WHEREAS by virtue of section 134(1) of the Social Security (Northern Ireland) Act 1975(**c**) it is provided that for the purpose of giving effect to any such agreement as it would be if it were so altered in accordance with such proposals, the Secretary of State may by order make provision for modifying or adapting the Social Security (Northern Ireland) Act 1975 in its application to cases affected by the proposed alterations:

NOW, THEREFORE, in exercise of the powers conferred upon me by the said section 134(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 (Reciprocal Agreements) Order (Northern Ireland) 1979 and shall come into operation on 6th April 1979.

Modification of Orders in Council or orders of the Secretary of State

2.—(1) Any Order in Council, or order made by the Secretary of State, specified in the Schedule to this order shall, for the purposes of section 134 of the Social Security (Northern Ireland) Act 1975, have effect subject to the further modifications contained in the following provisions of this order.

(a) S.I. 1975/1041 (1975 II, p. 3607)
(b) S.I. 1976/1044 (1976 II, p. 2752)
(c) 1975 c. 15; amended by section 20(3) of the Social Security (Miscellaneous Provisions) Act 1977 c. 5

(2) Any such Order in Council or order shall have effect as if the agreement proposed by Her Majesty's Government for modifying the agreement set out in the Schedule to such Order in Council or order, so as to take account of changes in the legislation of the United Kingdom without otherwise altering the effect of such agreement, had been entered into.

(3) Where in any agreement set out in the Schedule to any such Order in Council or order there are provisions relating to the calculation of retirement pension, widow's benefit or invalidity pension under the legislation of the United Kingdom, the following modifications shall have effect—

(*a*) for the purposes of such calculation, any additional component of those benefits payable under the legislation of the United Kingdom shall be treated as a separate benefit; and

(*b*) in calculating the amount of any such additional component account shall be taken only of contributions actually paid under the legislation of the United Kingdom; and

(*c*) the full amount of any such additional component calculated in accordance with sub-paragraph (*b*) above shall be payable.

Dated this 28th day of March 1979.

Roy Mason
One of Her Majesty's Principal Secretaries of State