(*c*) Add to Plumbridge Petty Sessions District

Ballynatubbrit	Cullion	Lislap East
Castleroddy Glebe	Eskeradooey	Lisnaharney

EIGHTH SCHEDULE

Townlands at present forming part of the Petty Sessions District of Sixmilecross to be added to and form part of the Petty Sessions Districts of Omagh and Pomeroy, as follows:—

(*a*) Add to Omagh Petty Sessions District

Aghnagar	Cloghfin Lower	Kilcam
Altamooskan	Cloghfin Upper	Killadroy
Aghnaglea	Coolesker	Laragh
Annagh	Cooley	Legacurry
Ballintrain	Curr	Liskincon
Ballyhallaghan	Derroran	Lurganboy
Ballykeel	Derroar	Raw
Bancran	Dervaghroy	Radergan
Beagh	Donaghanie	Ramackan
Beragh	Drumduff	Roscavey
Cavanreagh	Dunmoyle	Sixmilecross
Clogherny Glebe Lower	Eskermore	Tattykeeran
	Foremass Lower	Tullyheeran
Clogherny Glebe Upper	Foremass Upper	Usnagh
	Gortaclare	

(*b*) Add to Pomeroy Petty Sessions District

Athenree	Dunmisk	Mullan More
Aghnagreggan	Eskerboy	Skeboy
Bracky	Gleneeny	Tanderagee
Carrickmore	Gortfin	Tiroony
Clare	Gortfinbar	Tonegan
Copney	Mullaghslin	Tursallagh
Drumlester	Mullan Beg	

1964. No. 142 **[NC]**

NATIONAL INSURANCE AND INDUSTRIAL INJURIES

Reciprocal Agreement with the Republic of Ireland

ORDER IN COUNCIL, DATED 16TH SEPTEMBER, 1964, MADE UNDER SECTION SIXTY-ONE OF THE NATIONAL INSURANCE ACT (NORTHERN IRELAND) 1946, AND SECTION EIGHTY-FOUR OF THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT (NORTHERN IRELAND) 1946.

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND

WAKEHURST

I, John de Vere, Baron Wakehurst, Knight of the Most Noble Order of the Garter, Knight Commander of the Most Distinguished Order of Saint

Michael and Saint George, Governor of Northern Ireland, in pursuance of section 61 of the National Insurance Act (Northern Ireland) 1946(**a**), and section 84 of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1946(**b**), and of all other powers enabling me in that behalf, by and with the advice of the Privy Council of Northern Ireland, do hereby order as follows:

Citation

1. This Order may be cited as the National Insurance and Industrial Injuries (Reciprocal Agreement with the Republic of Ireland) Order (Northern Ireland) 1964.

Modification of Acts

2. The provisions contained in the Agreement relating to Insurance and Workmen's Compensation set out in the Schedule shall have full force and effect, so far as the same relate to Northern Ireland and provide for reciprocity in any matters specified in either section 61(1) of the National Insurance Act (Northern Ireland) 1946 or section 84(1) of the National Insurance (Industrial Injuries) Act (Northern Ireland) 1946, and accordingly the National Insurance Acts (Northern Ireland) 1946 to 1964 and the National Insurance (Industrial Injuries) Acts (Northern Ireland) 1946 to 1964 shall have effect subject to such modifications as may be required therein for the purpose of giving effect to the said provisions.

Revocation

3. The National Insurance and Industrial Injuries (Reciprocal Agreement with the Republic of Ireland) Order (Northern Ireland) 1953(**c**) is hereby revoked as from the 5th October, 1964.

Given at Government House, Hillsborough, this sixteenth day of September, one thousand nine hundred and sixty-four.

R. W. B. McConnell
Wm. J. Morgan
H. V. Kirk
H. W. West

SCHEDULE

Agreement relating to Insurance and Workmen's Compensation between the Minister for Social Welfare and the Ministry of Labour and National Insurance

PART I

Definitions and General Provisions

ARTICLE 1

(1) In this Agreement, unless the context otherwise requires—
"the Northern Ireland Act" means the National Insurance Act (Northern Ireland) 1946;
"the Industrial Injuries Act" means the National Insurance (Industrial Injuries) Act (Northern Ireland) 1946;

(a) 1946. c. 23.
(b) 1946. c. 21.
(c) S.R. & O. (N.I.) 1953, No. 38.

"the Northern Ireland Acts" means the National Insurance Act (Northern Ireland) 1946, and the National Insurance (Industrial Injuries) Act (Northern Ireland) 1946;

"the Act of the Republic of Ireland" means the Social Welfare Act, 1952;

"the Acts of the Republic of Ireland" means the Social Welfare Act, 1952, and the Workmen's Compensation Act, 1934;

"competent authority" means, in relation to Northern Ireland, the Ministry of Labour and National Insurance and, in relation to the Republic of Ireland, the Minister for Social Welfare;

"contributions of the appropriate class" means contributions (whether under the Northern Ireland Act or the Act of the Republic of Ireland or under any enactment repealed by either of those Acts) having effect for the purposes, as the case may be, of sickness benefit or of maternity benefit;

"contribution week" has the meaning assigned to the expression in the Northern Ireland Act and in the Act of the Republic of Ireland;

"guardian's allowance" means guardian's allowance under the Northern Ireland Act or orphan's (contributory) allowance under the Act of the Republic of Ireland;

"non-domiciled mariner" means for the purposes of the Northern Ireland Acts, a person employed on board any ship or vessel who neither is domiciled nor has a place of residence in the United Kingdom, and, for the purposes of the Acts of the Republic of Ireland, a person so employed who neither is domiciled nor has a place of residence in the Republic of Ireland;

"radio officer" means a person to whom Part V of the Agreement applies who is employed on board any ship or vessel in connection with the radio apparatus thereof;

"relevant contribution year" means the contribution year or other period of fifty-two or fifty-three weeks in which the contribution conditions for sickness benefit, maternity grant or maternity allowance, as the case may be, require a number of contributions to have been paid or credited;

"sickness benefit" means, as the case may require, sickness benefit under the Northern Ireland Act or disability benefit under the Act of the Republic of Ireland;

"the Northern Ireland Fund" means the National Insurance Fund established under the Northern Ireland Act;

"the Fund of the Republic of Ireland" means the Social Insurance Fund established under the Act of the Republic of Ireland;

"United Kingdom" includes the Isle of Man;

"widow's benefit" means widow's benefit under the Northern Ireland Act or widow's pension under any enactment repealed by that Act, or widow's (contributory) pension under the Act of the Republic of Ireland or any enactment repealed by that Act, and includes any allowance payable therewith in respect of a child.

(2) References in this Agreement to contributions paid by a person shall be construed as including references to contributions paid by an employer in respect of or on behalf of that person, not being employers' contributions under the Northern Ireland Act.

(3) Subject to the provisions of paragraph (4) of this Article, references in this Agreement to any enactment, order or regulation shall include references to such enactment, order or regulation as amended, modified, adapted, extended or supplemented by any subsequent enactment, order or regulation.

(4) The provisions of paragraph (3) of this Article shall apply, only if and to the extent that the competent authorities so agree, to any enactment, order or regulation which amends, modifies, adapts, extends or supplements the Northern Ireland Acts or the Acts of the Republic of Ireland for the purpose of giving effect to any reciprocal agreement or arrangements on social security made with a third party.

ARTICLE 2

Nothing in this Agreement shall confer a right to double benefit.

ARTICLE 3

The competent authorities shall from time to time determine the procedure appropriate for the purposes of this Agreement, and all matters of an incidental or supplementary nature which in their opinion are relevant for the purpose of giving effect thereto.

ARTICLE 4

This Agreement shall come into force on the 5th October, 1964 but either competent authority may terminate it on giving not less than six months previous notice in writing.

PART II

Residents of Northern Ireland or the Republic of Ireland employed in the Republic of Ireland or Northern Ireland respectively

ARTICLE 5

(1) If a person who is ordinarily resident in Northern Ireland—

(*a*) is temporarily employed in the Republic of Ireland in the course of his service for an employer who is resident or has a place of business in Northern Ireland, or

(*b*) is temporarily employed in the Republic of Ireland by an employer who is resident or has a place of business in Northern Ireland and has been engaged for that employment outside the Republic of Ireland,

then, in relation to that employment—

(i) the provisions of the Northern Ireland Acts which concern the payment of contributions shall apply to him as if it were in Northern Ireland; and

(ii) the provisions of the Acts of the Republic of Ireland shall not apply.

(2) If a person who is ordinarily resident in the Republic of Ireland—

(*a*) is temporarily employed in Northern Ireland in the course of his service for an employer who is resident or has a place of business in the Republic of Ireland, or

(*b*) is temporarily employed in Northern Ireland by an employer who is resident or has a place of business in the Republic of Ireland and has been engaged for that employment outside Northern Ireland,

then, in relation to that employment—

(i) the provisions of the Act of the Republic of Ireland which concern the payment of contributions shall apply to him as if it were in the Republic of Ireland; and

(ii) the provisions of the Northern Ireland Acts shall not apply.

(3) For the purpose of applying the provisions of paragraphs (1) and (2) of this Article, a person shall cease, unless the competent authorities otherwise agree in any particular case, to be treated as temporarily employed in Northern Ireland or the Republic of Ireland if his employment in Northern Ireland or the Republic of Ireland, as the case may be, has lasted for as long as twelve months.

(4) If a person who is resident in Northern Ireland is employed in any contribution week in both Northern Ireland and the Republic of Ireland by one employer, then, in relation to that employment in that week—

(i) the provisions of the Northern Ireland Acts which concern the payment of contributions shall apply to him as if it were in Northern Ireland only; and

(ii) the provisions of the Acts of the Republic of Ireland shall not apply.

(5) If a person who is resident in the Republic of Ireland is employed in any contribution week in both the Republic of Ireland and Northern Ireland by one employer, then, in relation to that employment in that week—

(i) the provisions of the Act of the Republic of Ireland which concern the payment of contributions shall apply to him as if it were in the Republic of Ireland only; and

(ii) the provisions of the Northern Ireland Acts shall not apply.

(6) No person shall be liable to pay contributions under the Act of the Republic of Ireland in respect of employment in Northern Ireland or under the Northern Ireland Acts in respect of employment in the Republic of Ireland otherwise than in accordance with the provisions of paragraphs (1), (2), (3), (4) and (5) of this Article.

(7) For the purpose of the provisions of the Northern Ireland Act which concern residence and persons abroad, a person shall be treated as if he had been liable to pay contributions in respect of an employed contributor's employment outside Northern Ireland in accordance with those provisions for any period for which he was liable to pay contributions in accordance with the provisions of paragraphs (1) and (3) of this Article.

ARTICLE 6

(1) Where a person is employed in the Republic of Ireland and in relation to that employment those provisions of the Northern Ireland Acts which concern the payment of contributions apply to that person in accordance with the provisions of Article 5—

(*a*) for the purpose of any claim to receive sickness benefit under the Northern Ireland Act, that person shall be treated as if he were in Northern Ireland;

(*b*) for the purpose of any claim by that person to receive a maternity grant or maternity allowance under the Northern Ireland Act, she shall be treated as if she were in Northern Ireland and, if she is confined in the Republic of Ireland, as if she had been confined in Northern Ireland;

(*c*) for the purpose of any claim by that person's wife to receive a maternity grant under the Northern Ireland Act, she shall be treated, if she is in, or confined in, the Republic of Ireland, as if she were, respectively, in, or confined in, Northern Ireland;

(*d*) for the purpose of any claim, in respect of an industrial accident occurring or an industrial disease contracted in the course of such employment, to receive benefit under the Industrial Injuries Act, that person shall be treated as if the accident had occurred or the disease had been contracted in Northern Ireland, and as if that employment were insurable and as if the claimant were in Northern Ireland.

(2) Where a person is employed in Northern Ireland and in relation to that employment those provisions of the Act of the Republic of Ireland which concern the payment of contributions apply to that person in accordance with the provisions of Article 5—

(*a*) for the purpose of any claim to receive sickness benefit under the Act of the Republic of Ireland, that person shall be treated as if he were in the Republic of Ireland;

(*b*) for the purpose of any claim by that person to receive a maternity grant or maternity allowance under the Act of the Republic of Ireland, she shall be treated as if she were in the Republic of Ireland and, if she is confined in Northern Ireland, as if she had been confined in the Republic of Ireland;

(*c*) for the purpose of any claim by that person's wife to receive a maternity grant under the Act of the Republic of Ireland, she shall be treated, if she is in, or confined in, Northern Ireland, as if she were, respectively, in, or confined in, the Republic of Ireland;