that the Government of Canada confirms that paragraphs 3 to 11 of your letter accurately describe the relevant provisions of the legislation passed by the Parliament of Canada.

Further to this, I can confirm to you that the Government of Canada does not at present intend to propose any amendment of those provisions which would adversely affect the position of people migrating from the United Kingdom to Canada; and that it would be willing to inform the United Kingdom Government if at any time in the future the Parliament of Canada should enact such an amendment.

The Government of Canada, therefore, is glad to accept the proposals set out in paragraph 12-20 of your letter.

Yours sincerely,

J. W. MONTEITH.

EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

This Order gives effect in Northern Ireland to provisions for the reciprocal treatment of migrants in relation to family allowances and unemployment and old age insurance which have been arranged between the United Kingdom and Canada in the Letters set out in the Schedule and modifies the Family Allowance Acts (Northern Ireland), 1945 to 1959, and the National Insurance Acts (Northern Ireland), 1946 to 1959, in their application to persons affected by those provisions.

1960. No. 16 **[NC]**

FAMILY ALLOWANCES, NATIONAL INSURANCE AND INDUSTRIAL INJURIES

Reciprocal Agreement with Denmark

ORDER IN COUNCIL, DATED 8TH FEBRUARY, 1960, 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

Whereas at London on the twenty-seventh day of August, 1959, a Convention on social security between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Denmark (which Convention is set out in the First Schedule and is hereinafter referred to as "the Convention") was signed on behalf of those Governments:

And whereas by Article 41 of the Convention it was provided that the Convention should enter into force on the first day of the second month following the month in which the instruments of ratification had been exchanged:

And whereas the Convention has been ratified by the Governments of the United Kingdom of Great Britain and Northern Ireland and of the Kingdom of Denmark and the instruments of ratification were exchanged on the eleventh day of January, 1960, and accordingly the Convention enters into force on the first day of March, 1960:

And whereas the Convention provides for the termination, on the date of its entering into force, of a Convention between the said Governments on payment of compensation or benefit in respect of industrial injuries (including occupational diseases) which was signed on behalf of those Governments on the ninth day of July, 1956, and, so far as relates to Northern Ireland, has effect by virtue of the Order specified in the Second Schedule:

And whereas by section sixty-one of the National Insurance Act (Northern Ireland), 1946(**a**), as extended by section five of the Family Allowances and National Insurance Act (Northern Ireland), 1956(**b**), and by section three of the Family Allowances and National Insurance Act (Northern Ireland), 1959(**c**), and section eighty-four of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946(**d**), it is provided that the Governor of Northern Ireland may by Order in Council make provision for modifying or adapting those Acts in their application to cases affected by agreements with other governments providing for reciprocity in the matters specified in those sections:

Now, therefore, I, John de Vere, Baron Wakehurst, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of Northern Ireland, in pursuance of the said section sixty-one of the National Insurance Act (Northern Ireland), 1946, as so extended, and the said section eighty-four of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, 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:

1. This Order may be cited as the Family Allowances, National Insurance and Industrial Injuries (Reciprocal Agreement with Denmark) Order (Northern Ireland), 1960.

2. The provisions contained in the Convention set out in the First Schedule shall have full force and effect, so far as the same relate to Northern Ireland, and provide by way of agreement with the Government of the Kingdom of Denmark for reciprocity in any matters specified in either sub-section (1) of section sixty-one of the National Insurance Act (Northern Ireland), 1946, as extended by section five of the Family Allowances and National Insurance Act (Northern Ireland), 1956, and by section three of the Family Allowances and National Insurance Act (Northern Ireland), 1959, or sub-section (1) of section eighty-four of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, and accordingly the Family Allowances Acts (Northern Ireland), 1945 to 1959(**e**), the National Insurance Acts (Northern

(**a**) 1946. c. 23. (**b**) 1956. c. 8. (**c**) 1959. c. 7. (**d**) 1946. c. 21.
(**e**) 1945. c. 19; 1952. c. 14; 1956. c. 8 and 1959. c. 7.

Ireland), 1946 to 1959(**a**), and the National Insurance (Industrial Injuries) Acts (Northern Ireland), 1946 to 1959(**b**), shall have effect, subject to such modifications as may be required therein for the purpose of giving effect to any such provisions.

3. The Order specified in the Second Schedule is hereby revoked.

Given at Government House, Hillsborough, this eighth day of February, one thousand nine hundred and sixty.

Brookeborough
Terence O'Neill
Brian Faulkner
Ivan Neill
Glentoran
J. L. O. Andrews
Alex. R. G. Gordon

FIRST SCHEDULE

Convention on Social Security between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Denmark

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Denmark,

Being resolved to co-operate in the social field,

Affirming the principle that the nationals of one of the two countries should, as far as possible, receive, under the social security legislation of the other, equal treatment with the nationals of the latter,

Desirous of giving effect to this principle and of making arrangements enabling their nationals who go from one country to the other, as far as possible, either to keep any rights which they have acquired under the legislation of the former country or to enjoy corresponding rights under the legislation of the latter country,

Have agreed as follows:—

PART I—DEFINITIONS AND SCOPE

ARTICLE 1

For the purpose of the present Convention, unless the context otherwise requires—

(*a*) "country" means, according to the context, the United Kingdom or Denmark;

(*b*) "United Kingdom" means England, Scotland, Wales, Northern Ireland and the Isle of Man;

(*c*) "national" means, in relation to the United Kingdom, a citizen of the United Kingdom and Colonies, and, in relation to Denmark, a Danish subject;

(**a**) 1946. c. 23; 1949. c. 20; 1951. c. 18; 1952. c. 14; 1953. c. 27; 1955. c. 1; 1955. c. 10; 1956. c. 8; 1957. c. 7; 1957. c. 26; 1959. c. 7 and 1959. c. 21.

(**b**) 1946. c. 21; 1948. c. 20; 1951. c. 18; 1952. c. 14; 1953. c. 30; 1955. c. 1; 1956. c. 8; 1957. c. 7; 1957. c. 26 and 1959. c. 7.

(*d*) "legislation" means, according to the context, the laws, orders and regulations specified in Article 2 of the Convention in force in any part of one (or the other) country;

(*e*) "competent authority" means, in relation to the United Kingdom, the Minister of Pensions and National Insurance, the Minister of Health, the Secretary of State for Scotland, the Ministry of Labour and National Insurance for Northern Ireland, the Ministry of Health and Local Government for Northern Ireland, the Isle of Man Board of Social Services or the Isle of Man Health Services Board, as the case may require, and, in relation to Denmark, the Minister of Social Affairs;

(*f*) "sickness fund" means a sickness fund, continuation fund or sickness insurance society, approved by the Government of Denmark for the purpose of the legislation of Denmark concerning sickness insurance;

(*g*) "child" means, in relation to any person, a child, within the meaning of the legislation which is being applied, who is treated under that legislation as being a child of that person or included in his family;

(*h*) "parent" includes a person who is treated as a parent under the legislation which is being applied;

(*i*) "employed person" means a person who comes within the definition of an employed person (or a person who is treated as an employed person) in the legislation which is being applied; "employment" means employment as an employed person, and the words "employ" and "employer" refer to such employment;

(*j*) "benefit" means any pension, allowance or other cash benefit payable under the legislation of one (or the other) country and includes any additional allowance payable therewith and any increase payable for a dependant;

(*k*) "medical benefit" means, in relation to the United Kingdom, any benefit provided under the legislation specified in sub-paragraph (*a*) (iii) of paragraph (1) of Article 2 of the Convention, and, in relation to Denmark, any medical benefit provided under the legislation specified in sub-paragraph (*b*) (i) of that paragraph;

(*l*) "old age pension" means, in relation to the United Kingdom, a retirement pension or contributory old age pension, as defined by the legislation of the United Kingdom;

(*m*) "assistance" means, in relation to the United Kingdom, assistance provided under the legislation specified in sub-paragraph (*a*) (iv) of paragraph (1) of Article 2 of the Convention and, in relation to Denmark, public assistance.

(*n*) "vessel" means, in relation to the United Kingdom, a ship or vessel which is registered in the United Kingdom and not owned in the Republic of Ireland or any other British ship or vessel which is owned in the United Kingdom, and, in relation to Denmark, a ship or vessel which is registered in Denmark;

(*o*) "aircraft" means, in relation to the United Kingdom, an aircraft which is registered and owned in the United Kingdom, and, in relation to Denmark, an aircraft registered in Denmark.

ARTICLE 2

(1) The provisions of the present Convention shall apply—

(*a*) in relation to the United Kingdom, to—

(i) the National Insurance Act, 1946, the National Insurance Act (Northern Ireland), 1946, the National Insurance (Isle of Man) Act, 1948, and the legislation in force before the 5th July, 1948, which was replaced by those Acts;

(ii) the National Insurance (Industrial Injuries) Act, 1946, the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, and the National Insurance (Industrial Injuries) (Isle of Man) Act, 1948;

(iii) the National Health Service Act, 1946, the National Health Service (Scotland) Act, 1947, the Health Services Act (Northern Ireland), 1948, and the National Health Service (Isle of Man) Act, 1948;

(iv) those provisions of the National Assistance Act, 1948, and the National Assistance Act (Northern Ireland), 1948, which concern the giving of assistance to persons who are in need of assistance;

(v) those provisions of the National Assistance Act, 1948, and the Welfare Services Act (Northern Ireland), 1949, which concern arrangements for the welfare (other than employment) of persons who are blind, deaf or dumb, and other persons who are substantially and permanently handicapped by illness, injury or congenital deformity;

(vi) the Family Allowances Act, 1945, the Family Allowances Act (Northern Ireland), 1945, and the Family Allowances (Isle of Man) Act, 1946;

(*b*) in relation to Denmark, to the legislation of Denmark concerning—

(i) sickness insurance;

(ii) old age pensions;

(iii) invalidity insurance;

(iv) industrial injuries insurance;

(v) unemployment insurance;

(vi) widows' pensions;

(vii) allowances in respect of orphans and the children of widows and widowers;

(viii) family allowances;

(ix) prophylactic care of mothers and children;

(x) maternity aid institutions;

(xi) public assistance.

(2) Subject to the provisions of paragraphs (3), (4) and (5) of this Article, the Convention shall apply also to any law, order or regulation which amends, supplements or consolidates the legislation specified in paragraph (1) of this Article.

(3) The Convention shall apply, only if the Contracting Parties so agree, to any law, order or regulation which amends or supplements the legislation specified in paragraph (1) of this Article for the purpose of giving effect to any reciprocal agreement on social security which one (or the other) Party has made with a third party.

(4) The Convention shall apply to any law, order or regulation of one (or the other) Party which extends insurance to a new class of persons unless either Party objects and gives notice to the other to that effect within three months of the official communication of the said law, order or regulation in accordance with paragraph (iii) of Article 32 of the Convention.

(5) The Convention shall apply, only if the Parties so agree, to any law, order or regulation of one (or the other) Party which relates to a new branch of social security.

PART II—GENERAL PROVISIONS

ARTICLE 3

(1) Subject to the provisions of the present Convention, a national of one country shall be subject to the obligations, and entitled to enjoy the advantages, of the legislation of the other country under the same conditions as a national of the latter country.