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 the Convention (set out in the Schedule) made between the United Kingdom and Belgium, and modifies the Family Allowances Acts (Northern Ireland), 1945 to 1956; the National Insurance Acts (Northern Ireland), 1946 to 1957, and the National Insurance (Industrial Injuries) Acts (Northern Ireland), 1946 to 1957, in their application to cases affected by the provisions of the Convention.

Reciprocal Agreement with Norway

ORDER IN COUNCIL, DATED 28TH MARCH, 1958, 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.

1958. No. 59 **[NC]**

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND
WAKEHURST

Whereas at London on the twenty-fifth day of July, 1957, a Convention between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Norway on social security (which Convention is set out in the Schedule) was signed on behalf of those Governments:

And whereas by Article 38 of the said 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 said Convention has been ratified by the Governments of the United Kingdom of Great Britain and Northern Ireland and of the Kingdom of Norway and the instruments of ratification were exchanged on the twenty-fifth day of February, 1958, and accordingly the said Convention enters into force on the first day of April, 1958:

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 section eighty-four of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946(c), it is provided that the Governor of Northern Ireland may by Order in Council make provision for modifying or adapting those

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(a) 1946, c. 23. (b) 1956, c. 8. (c) 1946, c. 21.

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 Norway) Order (Northern Ireland), 1958, and shall come into operation on the first day of April, 1958.

2. The provisions contained in the Convention set out in the 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 Norway for reciprocity in any matters specified in either subsection (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, or subsection (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 1956(a), the National Insurance Acts (Northern Ireland), 1946 to 1957(b), and the National Insurance (Industrial Injuries) Acts (Northern Ireland), 1946 to 1957(c), shall have effect subject to such modifications as may be required therein for the purpose of giving effect to the said provisions.

Given at Government House, Hillsborough, this twenty-eighth day of March, one thousand nine hundred and fifty-eight.

Terence O'Neill
Ivan Neill
Robert Moore
W. M. May
Glentoran
J. L. O. Andrews
Alex. R. Gordon

(a) 1945. c. 19; 1952. c. 14; 1956. c. 8.
(b) 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.
(c) 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.

SCHEDULE

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

London, July 25, 1957

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

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, while they are in one country, either to keep any rights which they have acquired under the legislation of the other country or to enjoy corresponding rights under the legislation of the former country,

Have agreed as follows:—

PART I.—DEFINITIONS AND SCOPE

Article 1

For the purpose of the present Convention—

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

(*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 Norway, a Norwegian citizen;

(*d*) "legislation" means, according to the context, the laws and regulations specified in Article 2 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, or the Isle of Man Board of Social Services, as the case may require, and, in relation to Norway, the Ministry responsible for the legislation concerned;

(*f*) "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;

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

(*h*) "dependant" means a person who is treated as a dependant 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, and, in relation to Norway, any benefit in kind provided under the legislation specified in sub-paragraphs (*b*)(iv) and (*b*)(v) 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, and, in relation to Norway, an old age pension payable under the Norwegian general scheme of old age pensions;

(*m*) "vessel" or "aircraft" means, in relation to the United Kingdom, a ship or vessel, registered in the United Kingdom, or any other ship or vessel defined as British for the purpose of the legislation of the United Kingdom, of which the owner (or managing owner, if there is more than one owner) or manager is resident in, or has his principal place of business in, the United Kingdom, or an aircraft registered in that country, of which the owner (or managing owner, if there is more than one owner) is resident in, or has his principal place of business in, that country, and, in relation to Norway, a ship or vessel or aircraft defined as Norwegian for the purpose of the legislation of Norway.

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 Norway, to the legislation of Norway concerning—

(i) the general scheme of old age pensions,

(ii) benefit for blind and crippled persons,

(iii) family allowances,

(iv) health insurance,

(v) industrial injuries insurance,

(vi) unemployment insurance,

(vii) special pension schemes for seamen, forestry workers and government manual workers,

(viii) Government schemes and Government supported schemes for the prevention of invalidity and for the medical and vocational rehabilitation of disabled persons,

(ix) social assistance.

(2) Subject to the provisions of paragraph (3) of this Article, the Convention shall also apply to any law 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 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.

PART II.—GENERAL PROVISIONS

Article 3

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.

Article 4

(1) If a national of either country, not ordinarily resident in Norway, is employed in that country by an employer who is resident in the United Kingdom or has his principal place of business in that country, then, during the first twelve months of his employment in Norway—