Reciprocal Agreement with the Isle of Man

ORDER IN COUNCIL, DATED 25TH APRIL, 1949, MADE UNDER SECTION 61 OF THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1949. No. 83

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND

GRANVILLE

I, WILLIAM SPENCER, EARL GRANVILLE, Knight Commander of the Royal Victorian Order, Companion of the Most Honourable Order of the Bath, Companion of the Distinguished Service Order, Vice-Admiral, Governor of Northern Ireland, in pursuance of section 61 of the National Insurance 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.—(1) This Order may be cited as the National Insurance (Isle of Man Reciprocal Agreement) Order (Northern Ireland), 1949, and shall be deemed to have had effect from the 5th July, 1948.

(2) In this Order, unless the context otherwise requires—

"the Act" means the National Insurance Act (Northern Ireland), 1946;

"the Isle of Man Act" means the National Insurance (Isle of Man) Act, 1948;

"the Ministry" means the Ministry of Labour and National Insurance for Northern Ireland;

and other expressions have the same meanings as in the Act.

(3) References in this Order to any enactment shall include references to such enactment as amended by any subsequent enactment, order or regulations.

(4) The Interpretation Act, 1889, applies for the purpose of the interpretation of this Order in like manner as it applies for the purpose of the interpretation of an Act of the Parliament of Northern Ireland.

2. The provisions contained in the Agreement relating to National Insurance set out in the First Schedule to this Order shall have full force and effect so far as the same relate to Northern Ireland, and the Act shall have effect subject to such modifications as may be required therein for the purpose of giving effect to the provisions contained in the said Agreement.

3. In particular but without prejudice to the generality of the foregoing Article, the provisions of the Act and regulations specified or referred to in Part I of the Second Schedule to this Order shall

apply for the purposes of the Isle of Man Act as they apply for the purposes of the Act, subject to the modifications relating thereto specified in Part II of that schedule.

Given at Government House, Hillsborough, this twenty-fifth day of April, 1949.

Edmond Warnock
W. V. McCleery
S. H. Hall-Thompson
Brian Maginess
William Grant

FIRST SCHEDULE

Article 2.

AGREEMENT RELATING TO NATIONAL INSURANCE BETWEEN THE MINISTRY OF LABOUR AND NATIONAL INSURANCE FOR NORTHERN IRELAND OF THE ONE PART AND THE LIEUTENANT-GOVERNOR OF THE ISLE OF MAN, WITH THE ADVICE AND CONSENT OF THE ISLE OF MAN BOARD OF SOCIAL SERVICES CONSTITUTED UNDER THE ISLE OF MAN BOARD OF SOCIAL SERVICES ACT, 1948, OF THE OTHER PART.

1.—(1) In this Agreement, unless the context otherwise requires—

"the Acts" means, in relation to Northern Ireland, the National Insurance Act (Northern Ireland), 1946, and, in relation to the Isle of Man, the National Insurance (Isle of Man) Act, 1948, in each case as amended by any subsequent enactment or by any order or regulations;

"country" means Northern Ireland or the Isle of Man, as the case may require;

"the Ministry" means the Ministry of Labour and National Insurance for Northern Ireland;

"the Governor" means the Lieutenant-Governor or the Deputy Lieutenant-Governor of the Isle of Man;

"the Board" means the Isle of Man Board of Social Services constituted under the Isle of Man Board of Social Services Act, 1948;

and other expressions have the same meanings as in the Acts.

(2) The Interpretation Act, 1889, applies to the interpretation of this Agreement as it applies to the interpretation of an Act of Parliament.

2. For the purposes of all or any of the provisions of the systems of insurance established by the Acts, acts, omissions and events having effect for all or any of those purposes in one country shall be treated as if they had been respectively such acts, omissions and events in the other country, and in particular insurance, residence, employment, contributions paid (including contributions credited or treated as paid), exceptions from liability to pay contributions, and benefit paid or claimed in one country shall be treated as if they had been respectively insurance, residence, employment, contributions paid (including contributions credited or treated as paid), exceptions from liability to pay contributions and benefit paid or claimed in the other country:

Provided that—

(*a*) any appeal from a decision of any question arising under or in connection with the Acts, including any claim for benefit, shall be made, and any question with a view to the review of any such decision shall be raised, in the country in which such decision was given;

(*b*) this Article shall not confer a right to double benefit or a right to receive unemployment benefit in the Isle of Man in respect of any day of unemployment occurring before the 3rd January, 1949.

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