

No. 45621 *

**Ireland
and
United Kingdom of Great Britain and Northern Ireland**

Convention on social security between the Government of Ireland and the Government of the United Kingdom of Great Britain and Northern Ireland (with exchange of letters, London, 03 July 2007). Dublin, 14 December 2004

Entry into force: *1 October 2007 by the exchange of instruments of ratification, in accordance with article 37*

Authentic texts: *English*

Registration with the Secretariat of the United Nations: *Ireland, 5 January 2009*

**Irlande
et
Royaume-Uni de Grande-Bretagne et d'Irlande du Nord**

Convention de sécurité sociale entre le Gouvernement de l'Irlande et le Gouvernement du Royaume-Uni de Grande-Bretagne et d'Irlande du Nord (avec échange de lettres, Londres, 03 juillet 2007). Dublin, 14 décembre 2004

Entrée en vigueur : *1er octobre 2007 par échange des instruments de ratification, conformément à l'article 37*

Textes authentiques : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Irlande, 5 janvier 2009*

* *The text reproduced below is the original text of the agreement as submitted. For ease of reference, it was sequentially paginated. The final UNTS version of it is not yet available.*

Le texte reproduit ci-dessous est le texte authentique de l'accord tel que soumis pour enregistrement. Pour référence, il a été présenté sous forme de la pagination consécutive. La version finale RTNU n'est pas encore disponible.

[ENGLISH TEXT – TEXTE ANGLAIS]

**Convention on Social Security between the Government
of Ireland and Government of the United Kingdom of
Great Britain and Northern Ireland, and the amendments
to this Agreement**

Done at Dublin on 14 December 2004

Amendments to this Agreement done by an exchange of letters dated 3 July 2007

Instruments of ratification exchanged on 3 July 2007 and 3 July 2007

Entered into force on 1 October 2007

Presented to Dáil Éireann by the Minister for Foreign Affairs

**CONVENTION ON SOCIAL SECURITY BETWEEN THE GOVERN-
MENT OF IRELAND AND THE GOVERNMENT OF THE UNITED
KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND
THE AMENDMENTS TO THIS AGREEMENT**

The Government of Ireland and the Government of the United Kingdom of Great
Britain and Northern Ireland;

Having established reciprocity in the field of social security by means of the Agreements which were signed on their behalf at London on 29 March 1960 (which Agreement did not include Northern Ireland), at Dublin on 28 February 1966, at Dublin on 3 October 1968 and at London on 14 September 1971 and also including the arrangements made on 22 July 1964 between the Ministry of Labour and National Insurance in relation to Northern Ireland and the Minister for Social Welfare in relation to Ireland;

Wishing to consolidate the earlier Agreements and their extension and modification into a new convention;

Wishing to extend and modify the scope of that reciprocity and to take account of changes in their legislation;

HAVE AGREED as follows:

PART I GENERAL PROVISIONS

Article 1 *Definitions*

(1) For the purpose of this Convention the following definitions apply, except where the context otherwise requires:

“additional pension” payable under the legislation of Great Britain, Northern Ireland or the Isle of Man means any additional pension based on the payment of insurance contributions above the level required for entitlement to basic pension;

“benefit” means, as appropriate, any benefit, pension, allowance or grant to which this Convention applies and includes any increases of, or any additional amount payable with, such benefit, pension, allowance or grant respectively;

“benefits for industrial accidents and industrial diseases” means –

- (i) a pension or benefit payable to a person for loss of physical or mental faculty as a result of an industrial accident or an industrial disease arising out of, and in the course of, employed earner’s employment under the legislation of Great Britain, Northern Ireland or the Isle of Man, and accident benefit payable under the legislation of Jersey, or
- (ii) a benefit payable to a person for personal injury or for loss of physical or mental faculty as a result of an accident arising out of, and in the course of, an insured person’s employment or self-employment, or an industrial disease under the legislation of Guernsey, or
- (iii) occupational injuries benefit payable under the legislation of Ireland;

“Category A retirement pension” means either, or both, a basic retirement pension and an additional pension based on a person’s own insurance contributions or, for certain persons whose marriages have ended by divorce or widowhood, a basic retirement pension based on the former spouse’s insurance contributions, payable under the legislation of Great Britain, Northern Ireland or the Isle of Man, and an old age pension based on a person’s own contributions or, for certain persons whose marriages have ended by divorce or widowhood, based on the former spouse’s contributions, payable under the legislation of Jersey or Guernsey;

“Category B retirement pension” means a basic retirement pension payable to a married woman on her husband’s contributions or, for a widow or widower, either, or both, a basic retirement pension and an additional pension based on the late spouse’s contributions, payable under the legislation of Great Britain, Northern Ireland or the Isle of Man, and an old age pension payable under the legislation of Jersey or Guernsey to a married woman by virtue of the contributions of her husband while he is alive;

“competent authority” means, in relation to the territory of the United Kingdom, the Department for Work and Pensions for Great Britain, the Commissioners of Inland Revenue or their authorized representative, the Department for Social Development for Northern Ireland, the Department of Health and Social Security of the Isle of Man, the Employment and Social Security Committee of the States of Jersey or the Guernsey Social Security Authority as the case may require, and, in relation to Ireland, the Department of Social and Family Affairs;

“contribution period” means a period in respect of which contributions appropriate to the benefit in question are payable, have been paid or treated as paid under the legislation concerned or, in the case of Ireland, a period in respect of which a person has qualifying contributions appropriate to the benefit in question;

“death grant” means a death grant payable under the legislation of Jersey, Guernsey and bereavement grant under the legislation of Ireland;

“dependant” means a person who would be treated as such for the purpose of any claim for an increase of benefit in respect of a dependant under the legislation concerned;

“earlier agreements” means the Agreements on Social Security signed on behalf of the Governments of the two Parties at London on 29 March 1960 (which Agreement did not include Northern Ireland), at Dublin on 28 February 1966, at Dublin on 3 October 1968 and at London on 14 September 1971 and also includes the arrangements made on 22 July 1964 between the Ministry of Labour and National Insurance in relation to Northern Ireland and the Minister for Social Welfare in relation to Ireland;

“EEA Agreement” means the Agreement establishing the European Economic Area dated 2 May 1992 made between the European Community its Member States and the Member States of the European Free Trade Association and any amendments or modifications thereto;

“EC Treaty” means the Treaty establishing the European Community, signed at Rome on 25 March 1957;

“employed person” means –

- (i) except for the purposes of Articles 25 to 27, a person who, in the applicable legislation, comes within the definition of an employed earner or of an employed person or is treated as such, and
- (ii) for the purposes of Articles 25 to 27, a person who, under the legislation of Great Britain, Northern Ireland or the Isle of Man comes within the definition of an employed earner or an employed person, or is treated as such, or an employed or self-employed person under the legislation of Jersey or Guernsey, and
- (iii) in relation to Ireland, an employed contributor within the meaning given by Section 9 of the Social Welfare (Consolidation) Act 1993, and the words “person is employed” shall be construed accordingly;

“employment” means employment as an employed person and the words “employ”, “employed” or “employer” shall be construed accordingly;

“equivalent period” means a period for which contributions appropriate to the benefit in question have been credited under the legislation in question;

“gainfully employed” means employed or self-employed and, in relation to Ireland, insurably employed or insurably self-employed;

“Guernsey” means the Islands of Guernsey, Alderney, Herm and Jethou;

“Implementing Regulation” means the Regulation (EEC) No 574/72 of the Council laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, including its application to the European Economic Area, and includes amendments and adaptations from time to time applicable thereto;

“income tax year” means —

- (i) in relation to the United Kingdom, the Isle of Man, Jersey and Guernsey the twelve months beginning with 6 April in any year; and
- (ii) in relation to Ireland:
 - (a) in respect of a period prior to 6 April 2001, the twelve months beginning with 6 April in one year and ending on 5 April in the following year, and
 - (b) the period beginning on 6 April 2001 and ending on 31 December 2001, and