
STATUTORY RULES OF NORTHERN IRELAND

1994 No. 427

SOCIAL SECURITY

**The Social Security (Jersey and
Guernsey) Order (Northern Ireland) 1994**

Made - - - - 2nd November 1994

Coming into operation 2nd November 1994

**THE SOCIAL SECURITY (JERSEY AND
GUERNSEY) ORDER (NORTHERN IRELAND) 1994**

1. Citation and commencement
 2. Modification of the Contributions and Benefits Act and the Administration Act
 3. Revocation and amendment of regulations and orders
- Signature

SCHEDULE AGREEMENT ON SOCIAL SECURITY BETWEEN THE SECRETARY OF STATE FOR SOCIAL SECURITY, THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR NORTHERN IRELAND AND THE LIEUTENANT-GOVERNOR OF THE ISLE OF MAN, WITH THE ADVICE AND CONSENT OF THE ISLE OF MAN DEPARTMENT OF HEALTH AND SOCIAL SECURITY, OF THE FIRST PART, THE SOCIAL SECURITY COMMITTEE, WITH THE CONSENT OF THE STATES OF JERSEY, OF THE SECOND PART, AND THE GUERNSEY SOCIAL SECURITY AUTHORITY, WITH THE CONSENT OF THE STATES OF GUERNSEY, OF THE THIRD PART

PART I — GENERAL PROVISIONS

ARTICLE I

Definitions

1. For the purpose of this Agreement, except where the context...
2. Other words and expressions which are used in this Agreement...

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

3. Any reference in this Agreement to “Article” means an Article...

ARTICLE 2

Scope of Legislation

1. This Agreement shall apply, (a) in relation to the United...
2. Subject to paragraphs (3) and (4), this Agreement shall apply...
3. This Agreement shall apply, unless the Parties agree otherwise, only...
4. This Agreement shall not apply to legislation on social security...

ARTICLE 3

Equal Treatment

ARTICLE 4

Refugees and Stateless Persons

ARTICLE 5

Provisions for the Export of Benefit

1. Subject to Articles 15, 17 to 26 and 34, a...
2. Subject to Article 13(3), (4) and (6), a person who...
3. Subject to Article 13(3), (5) and (6), a person who...
4. Subject to Article 13(3), (5) and (6), a person who...
5. Where, under the legislation of one Party, an increase of...

PART II — PROVISIONS WHICH DETERMINE, THE LEGISLATION APPLICABLE CONCERNING CONTRIBUTION LIABILITY

ARTICLE 6

General Provisions

1. Subject to paragraphs (2) to (13) and Articles 7 to...
2. Where a person is employed in the territory of more...
3. Where a person is self-employed in the territory of more...
4. Where a person is employed in the territory of one...
5. No provision of this Article shall affect a person’s liability...
6. Where a person is not gainfully employed, any liability for...
7. Where, but for this paragraph, a person would be entitled...
8. Where under Articles 7, 8(a) or (b), or 9(2), a...
9. Where a person is gainfully employed in the territory of...
10. A person who is entitled to receive sickness benefit, maternity...
11. A person who is entitled to receive widow’s benefit under...
12. A woman who is entitled to receive widow’s benefit under...
13. For the purpose of determining whether a person is entitled...

ARTICLE 7

Detached Workers

ARTICLE 8

Travelling Personnel

ARTICLE 9

Mariners and others Employed on Board a Ship or Vessel

1. Subject to paragraphs (2) to (4), where a person is...
2. Where a person who is insured under the legislation of...
3. Where a person who is not normally employed at sea...
4. Where a person who is ordinarily resident in the territory...

ARTICLE 10

Government Servants

ARTICLE 11

Modification Provisions

PART III — SPECIAL PROVISIONS

ARTICLE 12

Conversion Formulae for Contributions

1. For the purpose of calculating entitlement under the legislation of...
2. For the purpose of calculating entitlement under the legislation of...
3. Subject to paragraph (4), for the purpose of calculating an...
4. For the purpose of calculating entitlement to additional pension under...
5. For the purposes of the calculation in Article 18(2), where...
6. For the purpose of calculating the appropriate contribution factor to...
7. For the purpose of calculating entitlement to any benefit in...
8. For the purpose of converting to a contribution period any...
9. For the purpose of converting to a contribution period any...
10. For the purpose of converting insurance periods completed under the...

PART IV — BENEFIT PROVISIONS

SECTION I

Provisions for Sickness, Maternity, Invalidity and Unemployment

ARTICLE 13

Sickness Benefit and Maternity Allowance

1. Where a person has, since his last arrival in the...

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2. Where a person is employed in the territory of one...
3. Subject to paragraph (5), where a person would be entitled...
4. Subject to paragraph (5), where a person would, if he...
5. Nothing in this Article shall permit the payment of statutory...
6. Where a person who is resident in the territory of...
7. Where, but for this paragraph, a person would be entitled...

ARTICLE 14

Maternity Grant under the Legislation of Jersey and Guernsey

1. In this Article "Party" means Jersey or Guernsey, as the...
2. For the purpose of a claim to maternity grant under...
3. Where a woman would be entitled to a maternity grant under the legislation of both Parties in respect of the same confinement, whether by...
4. Where a woman would not be entitled to a maternity...

ARTICLE 15

Invalidity Benefit

ARTICLE 16

Unemployment Benefit under the Legislation of the United Kingdom And Guernsey

1. In this Article "Party" means the United Kingdom or Guernsey,...
2. Where a person has, since his last arrival in the...
3. Where paragraph (2) applies, any unemployment benefit paid to a...
4. Periods of employment in the territory of one Party shall...
5. This Article shall not apply to a person who claims...

SECTION 2

Retirement Pension and Widow's Benefit

ARTICLE 17

General Provisions

1. Subject to paragraphs (2) to (4), where a person is...
2. Notwithstanding paragraph (1), a person entitled to a Category B...
3. Notwithstanding paragraph (1), a married woman entitled to a retirement...
4. Entitlement to a retirement pension in the circumstances referred to...

ARTICLE 18

Pro-rata Pensions

1. Subject to Articles 17 and 19 to 21, this Article...
2. In accordance with Article 12, the competent authority of any...
3. For the purpose of the calculation in paragraph (2), where...
4. Insurance periods under paragraph (3) shall be treated as follows:...
5. Where no pension is, or would be, payable under paragraph...
6. Any increase of benefit payable under the legislation of the...

ARTICLE 19

Insurance Periods to be taken into Account

ARTICLE 20

Overlapping Periods

ARTICLE 21

Benefits to be Excluded

ARTICLE 22

Non-simultaneous Entitlement

ARTICLE 23

Widow's Benefit

1. Articles 17 to 22 shall also apply, with such modifications...
2. Where widow's benefit would be payable under the legislation of...

SECTION 3

Benefits for Industrial Accidents and Industrial Diseases

ARTICLE 24

General Provisions

1. Where a person is employed in the territory of one...
2. Where a person leaves the territory of one Party to...
3. Where, because of a death resulting from an industrial accident...

ARTICLE 25

Dual Attribution and Aggravation of an Industrial Disease

1. In this Article "Party" means the United Kingdom or Guernsey,...
2. Subject to paragraph i(3), where a person contracts an industrial...
3. Where a person has suffered an aggravation of an industrial...

ARTICLE 26

Dual Entitlement

SECTION 4

Family Benefits

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ARTICLE 27

Orphan's Benefit under the Legislation of the United Kingdom and Guernsey

1. In this Article "Party" means the United Kingdom or Guernsey,...
2. For the purpose of any claim for orphan's benefit under...
3. For the purpose of any claim for orphan's benefit under...
4. Where orphan's benefit would be payable to a person under...
5. Where, but for this paragraph, a person would be entitled...

ARTICLE 28

Child Benefit

1. Subject to paragraph (6), where a person is present or...
2. Where a person is resident in the territory of one...
3. Where a person is resident in the territory of one...
4. Where, but for this paragraph, child benefit would be payable...
5. Subject to paragraph (1), a person who claims child benefit...
6. Child benefit shall not be payable under the legislation of...
7. For the purpose of any claim to child benefit under...

SECTION 5

Attendance Benefit and Death Grant

ARTICLE 29

Attendance Benefit

1. For the purpose of determining entitlement to attendance benefit under...
2. Where, but for this paragraph, a person would be entitled...

ARTICLE 30

Death Grant under the Legislation of Jersey or Guernsey

1. In this Article "Party" means Jersey or Guernsey, as the...
2. For the purpose of any claim to death grant under...
3. Where a person dies in the territory of either Party...
4. Where there would be entitlement to death grant under the...

PART V — MISCELLANEOUS PROVISIONS

ARTICLE 31

Recovery of Advance Payments and Overpayments of Benefit

ARTICLE 32

Arrangements for Administration and Co-operation

1. The competent authorities of the Parties shall establish the administrative...
2. The competent authorities of the Parties shall communicate to each...

3. The competent authorities of the Parties shall establish liaison offices...
4. The competent authorities of the Parties shall assist one another...
5. Where any benefit is payable under the legislation of one...
6. Where a person who is in the territory of one...
7. A medical board appointed by the competent authority of any...
8. Where the legislation of one Party provides that any certificate...
9. No certificate, document or statement of any kind written in...
10. Unless disclosure is required under the legislation of a Party,...

ARTICLE 33

Submission of Claim or Appeal

1. Any claim or appeal which should, for the purposes of...
2. Any claim to benefit submitted under the legislation of one...

ARTICLE 34

Method of Payment

ARTICLE 35

Resolution of Disputes

1. The competent authorities of the Parties to this Agreement shall...
2. If any dispute cannot be resolved as in paragraph (1)...
3. The decision of the arbitration tribunal, which shall be binding...

PART VI — TRANSITIONAL AND FINAL PROVISIONS

ARTICLE 36

Prior Acquisition of Rights — Former Agreement Replaced by this Agreement

1. Upon the entry into force of this Agreement the former...
2. Any right to benefit acquired by a person in accordance...
3. Any rights in course of acquisition under the former Agreements...
4. Where, from the date of entry into force of this...
5. Benefit, other than lump sum payments, shall be payable in...
6. Paragraph (5) shall not confer any right to receive payment...
7. For the purpose of applying the first sentence of paragraph...
8. No provision of this Agreement shall diminish any rights or...

ARTICLE 37

Coming into Force and Life of the Agreement

ARTICLE 38

Rights on Termination of this Agreement not Replaced by Another

Explanatory Note