

1979 No. 290

SOCIAL SECURITY

**The Social Security (Reciprocal Agreements) Order
1979**

Made - - - - 14th March 1979
Coming into Operation 6th April 1979

At the Court at Buckingham Palace, the 14th day of March 1979

Present,

The Queen's Most Excellent Majesty in Council

Whereas the Orders in Council specified in the Schedule to this Order modified certain enactments so as to give effect to the agreements set out in the Schedules to those Orders:

And Whereas those Orders were modified by either the Social Security (Australia) Order 1975(a) or the Social Security (Reciprocal Agreements) Order 1976(b):

And Whereas Her Majesty's Government have proposed to each of the parties with whom the United Kingdom has made a relevant agreement set out in a Schedule to the Orders in Council mentioned in the Schedule to this Order to enter into agreements with them for altering the existing agreements in consequence of changes in the legislation of the United Kingdom but without otherwise altering the effect of the existing agreements:

And Whereas by virtue of section 143(1) of the Social Security Act 1975(c) it is provided that for the purpose of giving effect to any such agreement as it would be if it were so altered in accordance with such proposals, Her Majesty may by Order in Council make provision for modifying or adapting the Social Security Act 1975 in its application to cases affected by the proposed alterations:

Now, therefore, Her Majesty, in pursuance of the said section 143(1) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:-

Citation and commencement

1. This Order may be cited as the Social Security (Reciprocal Agreements) Order 1979 and shall come into operation on 6th April 1979.

(a) S.I. 1975/812.

(b) S.I. 1976/225.

(c) 1975 c. 14; amended by section 20(1) of the Social Security (Miscellaneous Provisions) Act 1977 c. 5.

Modification of Orders

2.—(1) Any Order in Council specified in the Schedule to this Order^(a) shall, for the purposes of section 143 of the Social Security Act 1975, have effect subject to the further modifications contained in the following provisions of this Order.

(2) Any such Order in Council shall have effect as if the agreement proposed by Her Majesty's Government for modifying the agreement set out in the Schedule to such Order, so as to take account of changes in the legislation of the United Kingdom without otherwise altering the effect of such agreement, had been entered into.

(3) Where in any agreement set out in the Schedule to any such Order in Council there are provisions relating to the calculation of retirement pension, widow's benefit or invalidity pension under the legislation of the United Kingdom, the following modifications shall have effect:—

Words substituted (6.4.87)
by Social Security
Act 1986 (c. 50) s. 18(1)

- (a) for the purposes of such calculation, any ►additional pension◄ of those benefits payable under the legislation of the United Kingdom shall be treated as a separate benefit; and
- (b) in calculating the amount of any such ►additional pension◄ account shall be taken only of contributions actually paid under the legislation of the United Kingdom; and
- (c) the full amount of any such ►additional pension◄ calculated in accordance with sub-paragraph (b) above shall be payable.

N. E. Leigh,
Clerk of the Privy Council.

(a) See S.I. 1975/812, 1976/225.

SCHEDULE

Article 2(1)

ORDERS IN COUNCIL FURTHER MODIFIED BY THIS ORDER

<i>Title of Order in Council</i>	<i>Reference</i>
The National Insurance and Industrial Injuries (Reciprocal Agreement with Italy) Order 1953	S.I. 1953/884
The National Insurance and Industrial Injuries (Luxembourg) Order 1955 [Reference to S.I. 1955/874 (Netherlands) revoked by S.I. 2007/631.]	S.I. 1955/420
The National Insurance and Industrial Injuries (Malta) Order 1956 [The above S.I. 1956/1897 was revoked by S.I. 1996/1927.] [Reference to S.I. 1957/856 (Sweden) deleted by S.I. 1988/590, Art. 4(2).]	S.I. 1956/1897
The National Insurance and Industrial Injuries (Israel) Order 1957 [Reference to S.I. 1958/422 (Australia) deleted by S.I. 1992/1312, Art. 3(3).] [Reference to S.I. 1958/423 (Norway) deleted by S.I. 1991/767, Art. 4(2).]	S.I. 1957/1879
The National Insurance and Industrial Injuries (France) Order 1958	S.I. 1958/597
The Family Allowances, National Insurance and Industrial Injuries (Belgium) Order 1958	S.I. 1958/771
The National Insurance and Industrial Injuries (Malta) Order 1958 [The above S.I. 1958/772 was revoked by S.I. 1996/1927.]	S.I. 1958/772
The Family Allowances, National Insurance and Industrial Injuries (Yugoslavia) Order 1958	S.I. 1958/1263
The Family Allowances, National Insurance and Industrial Injuries (Denmark) Order 1960 [Reference to S.I. 1960/212 (Finland) deleted by S.I. 1984/125, Art. 4(2).] [Reference to S.I. 1960/707 (Republic of Ireland) omitted by S.I. 2007/2122, Art 3(2).]	S.I. 1960/211
The National Insurance and Industrial Injuries (Turkey) Order 1961	S.I. 1961/584
The Family Allowances, National Insurance and Industrial Injuries (Germany) Order 1961 [Reference to S.I. 1962/1869 (Australia) deleted by S.I. 1992/1312, Art. 3(3).]	S.I. 1961/1202
The Family Allowances, National Insurance and Industrial Injuries (Switzerland) Order 1969 [Reference to S.I. 1969/1494 (Cyprus) deleted by S.I. 1983/1698, Art. 3(2).]	S.I. 1969/384

RECIPROCAL AGREEMENTS**SOCIAL SECURITY (RECIPROCAL AGREEMENTS) ORDER 1979**
SCHEDULE—*continued*

<i>Title of Order in Council</i>	<i>Reference</i>
The National Insurance and Industrial Injuries (Bermuda) Order 1969 [Reference to S.I. 1970/150 (New Zealand) deleted by S.I. 1983/1894, Art. 4(2).] [Reference to S.I. 1971/1742 (Republic of Ireland) omitted by S.I. 2007/2122, Art 3(2).]	S.I. 1969/1686
The Family Allowances, National Insurance and Industrial Injuries (Austria) Order 1972 [The above S.I. 1972/1586 was revoked by S.I. 19881/605.]	S.I. 1972/1586
The National Insurance and Industrial Injuries (Jamaica) Order 1972 [The above S.I. 1972/1587 was revoked by S.I. 1997/871.]	S.I. 1972/1587
The Family Allowances, National Insurance and Industrial Injuries (Spain) Order 1975	S.I. 1975/415

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides for the Orders in Council listed in the Schedule (which give effect to agreements made between the Government of the United Kingdom and other countries providing for reciprocity in certain social security matters) to have effect subject to modifications to take account of changes in social security law made by the Social Security Pensions Act 1975 (c. 60). The modifications make provision for the treatment in those agreements of the additional pension of retirement pension, widow's benefit and invalidity pension introduced by that Act.