

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.

Modification of Orders

2.—(1) Any Order in Council specified in the Schedule to this Order(d) 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.

(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.

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

(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:—

- (a) for the purposes of such calculation, any additional component 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 component 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 component calculated in accordance with sub-paragraph (b) above shall be payable.

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

SCHEDULE

Article 2(1)

ORDERS IN COUNCIL FURTHER MODIFIED BY THIS ORDER

Title of Order in Council	Reference
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	S.I. 1955/420
The National Insurance and Industrial Injuries (Netherlands) Order 1955	S.I. 1955/874
The National Insurance and Industrial Injuries (Malta) Order 1956	S.I. 1956/1897
The National Insurance and Industrial Injuries (Sweden) Order 1957	S.I. 1957/856
The National Insurance and Industrial Injuries (Israel) Order 1957	S.I. 1957/1879
The Family Allowances and National Insurance (Australia) Order 1958	S.I. 1958/422
The Family Allowances, National Insurance and Industrial Injuries (Norway) Order 1958	S.I. 1958/423
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	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	S.I. 1960/211

Title of Order in Council	Reference
The Family Allowances, National Insurance and Industrial Injuries (Finland) Order 1960	S.I. 1960/212
The National Insurance and Industrial Injuries (Republic of Ireland) Order 1960	S.I. 1960/707
The National Insurance and Industrial Injuries (Turkey) Order 1961	S.I. 1961/584
The Family Allowances, National Insurance and Industrial Injuries (Germany) Order 1961	S.I. 1961/1202
The Family Allowances and National Insurance (Australia) Order 1962	S.I. 1962/1869
The Family Allowances, National Insurance and Industrial Injuries (Switzerland) Order 1969	S.I. 1969/384
The National Insurance and Industrial Injuries (Cyprus) Order 1969	S.I. 1969/1494
The National Insurance and Industrial Injuries (Bermuda) Order 1969	S.I. 1969/1686
The Family Allowances and National Insurance (New Zealand) Order 1970	S.I. 1970/150
The National Insurance (Republic of Ireland) Order 1971	S.I. 1971/1742
The Family Allowances, National Insurance and Industrial Injuries (Austria) Order 1972	S.I. 1972/1586
The National Insurance and Industrial Injuries (Jamaica) Order 1972	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 component of retirement pension, widow's benefit and invalidity pension introduced by that Act.

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