
STATUTORY INSTRUMENTS

1995 No. 767

SOCIAL SECURITY

The Social Security (Reciprocal Agreements) Order 1995

Made - - - - - *15th March 1995*

Coming into force - - - - - *13th April 1995*

At the Court at Buckingham Palace, the 15th day of March 1995

Present,

The Queen's Most Excellent Majesty in Council

Whereas the Orders in Council specified in Schedules 2 and 3 to this Order modified certain enactments so as to give effect to the agreements set out in the Schedules to those Orders:

And Whereas Her Majesty's Government in consequence of changes in the law of Great Britain have proposed to each of the parties with whom the United Kingdom has made such an agreement alterations to the agreement:

And Whereas by virtue of section 179(1)(b) and (2) of the Social Security Administration Act 1992(1) 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 Administration Act 1992 and the Social Security Contributions and Benefits Act 1992(2) in their application to cases affected by the proposed alterations:

Now, therefore, Her Majesty, in pursuance of the said section 179(1)(b) and (2) 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 1995 and shall come into force on 13th April 1995.

(1) 1992 c. 5.
(2) 1992 c. 4.

Modification of Acts

2. The Social Security Administration Act 1992 and the Social Security Contributions and Benefits Act 1992 shall be modified to such extent as may be required to give effect to the alterations set out in Schedule 1 to this Order which are proposed to the agreements set out in the Orders in Council specified in Schedules 2 and 3 to this Order.

N. H. Nicholls
Clerk of the Privy Council

SCHEDULE 1

Article 2

PROPOSED ALTERATIONS TO EXISTING AGREEMENTS

1. Subject to paragraph 2, where in the agreement set out in the Schedule to an Order in Council specified in Schedule 2 to this Order there are references to sickness benefit, invalidity benefit or invalidity pension under the legislation of the United Kingdom or any specified part thereof, such references shall be altered to include a reference to short-term incapacity benefit or long-term incapacity benefit, as the case may be, under the legislation of the United Kingdom or any specified part thereof.

2. Where in the agreement set out in the Schedule to an Order in Council specified in Schedule 3 to this Order there are provisions relating to the calculation or payment of sickness benefit, invalidity benefit or invalidity pension under the legislation of the United Kingdom or any specified part thereof, the following alterations shall be made:—

- (a) For the purposes of the calculation or payment of invalidity benefit or invalidity pension after a specified period of sickness benefit or incapacity for work the provision shall be altered so as to apply also to long-term incapacity benefit payable under the legislation of the United Kingdom or any specified part thereof after a period of 364 days of incapacity for work; and
- (b) For the purposes of the calculation or payment of sickness benefit the provision shall be altered so as to apply also to short-term incapacity benefit payable under the legislation of the United Kingdom or any specified part thereof for the period of up to and including the first 364 days of incapacity for work.

SCHEDULE 2

Article 2

ORDERS IN COUNCIL MODIFIED BY THIS ORDER

Title of Order in Council	Reference	Previously modified by
The National Insurance and Industrial Injuries (Reciprocal Agreement with Italy) Order 1953	S.I. 1953/884	The Social Security (Reciprocal Agreements) Order 1976 ⁽³⁾ , the Social Security (Reciprocal Agreements) Order 1979 ⁽⁴⁾ and the Social Security (Reciprocal Agreements) Order 1988 ⁽⁵⁾
The National Insurance and Industrial Injuries (Luxembourg) Order 1955	S.I. 1955/420	ditto
The National Insurance and Industrial Injuries (Netherlands) Order 1955	S.I. 1955/874	ditto

⁽³⁾ S.I. [1976/225](#).

⁽⁴⁾ S.I. [1979/290](#).

⁽⁵⁾ S.I. [1988/591](#).

Status: This is the original version (as it was originally made).

Title of Order in Council	Reference	Previously modified by
The National Insurance and Industrial Injuries (Malta) Order 1956	S.I. 1956/1897	ditto
The National Insurance and Industrial Injuries (Israel) Order 1957	S.I. 1957/1879	ditto
The National Insurance and Industrial Injuries (France) Order 1958	S.I. 1958/597	ditto
The Family Allowances, National Insurance and Industrial Injuries (Belgium) Order 1958	S.I. 1958/771	ditto
The National Insurance and Industrial Injuries (Malta) Order 1958	S.I. 1958/772	ditto
The Family Allowances, National Insurance and Industrial Injuries (Yugoslavia) Order 1958	S.I. 1958/1263	ditto
The Family Allowances, National Insurance and Industrial Injuries (Denmark) Order 1960	S.I. 1960/211	ditto
The National Insurance and Industrial Injuries (Republic of Ireland) Order 1960	S.I. 1960/707	ditto
The National Insurance and Industrial Injuries (Turkey) Order 1961	S.I. 1961/584	ditto
The Family Allowances, National Insurance and Industrial Injuries (Germany) Order 1961	S.I. 1961/1202	ditto
The Family Allowances, National Insurance and Industrial Injuries (Switzerland) Order 1969	S.I. 1969/384	ditto
The National Insurance (Republic of Ireland) Order 1971	S.I. 1971/1742	ditto
The National Insurance and Industrial Injuries (Jamaica) Order 1972	S.I. 1972/1587	ditto

Title of Order in Council	Reference	Previously modified by
The Family Allowances, National Insurance and Industrial Injuries (Spain) Order 1975	S.I. 1975/415	ditto
The National Insurance (Republic of Ireland) Order 1966	S.I. 1966/270	The Social Security (Reciprocal Agreements) Order 1976 and the Social Security (Reciprocal Agreements) Order 1988
The National Insurance and Industrial Injuries (Republic of Ireland) Order 1968	S.I. 1968/1655	ditto
The Social Security (Portugal) Order 1979	S.I. 1979/921	The Social Security (Reciprocal Agreements) Order 1982(6) and the Social Security (Reciprocal Agreements) Order 1988
The Social Security (Austria) Order 1981	S.I. 1981/605	The Social Security (Reciprocal Agreements) Order 1988
The Social Security (New Zealand) Order 1983	S.I. 1983/1894	ditto
The Social Security (Finland) Order 1984	S.I. 1984/125	ditto
The Social Security (Israel) Order 1984	S.I. 1984/354	ditto
The Social Security (United States of America) Order 1984	S.I. 1984/1817	ditto
The Social Security (Iceland) Order 1985	S.I. 1985/1202	ditto
The Social Security (Austria) Order 1987	S.I. 1987/1830	ditto
The Social Security (Portugal) Order 1987	S.I. 1987/1831	ditto
The Social Security (Sweden) Order 1988	S.I. 1988/590	ditto
The Social Security (Cyprus) Order 1983	S.I. 1983/1698	
The Social Security (Philippines) Order 1989	S.I. 1989/2002	
The Social Security (Norway) Order 1991	S.I. 1991/767	

(6) S.I. [1982/1528](#).

Status: This is the original version (as it was originally made).

Title of Order in Council	Reference	Previously modified by
The Social Security (Barbados) Order 1992	S.I. 1992/812	
The Social Security (Australia) Order 1992	S.I. 1992/1312	
The Social Security (Cyprus) Order 1994	S.I. 1994/1646	
The Social Security (Jersey and Guernsey) Order 1994	S.I. 1994/2802	

SCHEDULE 3

Article 2

ORDERS IN COUNCIL MODIFIED BY THIS ORDER

Title of Order in Council	Reference	Previously modified by
The National Insurance and Industrial Injuries (Reciprocal Agreement with Italy) Order 1953	S.I. 1953/884	The Social Security (Reciprocal Agreements) Order 1976(7), the Social Security (Reciprocal Agreements) Order 1979(8) and the Social Security (Reciprocal Agreements) Order 1988(9)
The National Insurance and Industrial Injuries (Luxembourg) Order 1955	S.I. 1955/420	ditto
The National Insurance and Industrial Injuries (Netherlands) Order 1955	S.I. 1955/874	ditto
The National Insurance and Industrial Injuries (France) Order 1958	S.I. 1958/597	ditto
The Family Allowances, National Insurance and Industrial Injuries (Belgium) Order 1958	S.I. 1958/771	ditto
The Family Allowances, National Insurance and Industrial Injuries (Yugoslavia) Order 1958	S.I. 1958/1263	ditto

(7) S.I. [1976/225](#).(8) S.I. [1979/290](#).(9) S.I. [1988/591](#).

Title of Order in Council	Reference	Previously modified by
The National Insurance and Industrial Injuries (Turkey) Order 1961	S.I. 1961/584	ditto
The Family Allowances, National Insurance and Industrial Injuries (Switzerland) Order 1969	S.I. 1969/384	ditto
The Social Security (Portugal) Order 1979	S.I. 1979/921	The Social Security (Reciprocal Agreements) Order 1982(10) and the Social Security (Reciprocal Agreements) Order 1988
The Social Security (Finland) Order 1984	S.I. 1984/125	The Social Security (Reciprocal Agreements) Order 1988
The Social Security (United States of America) Order 1984	S.I. 1984/1817	ditto
The Social Security (Barbados) Order 1992	S.I. 1992/812	
The Social Security (Jersey and Guernsey) Order 1994	S.I. 1994/2802	

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for social security legislation to be modified, to take account of changes made by the Social Security (Incapacity for Work) Act 1994 (c. 18) replacing sickness benefit and invalidity benefit by incapacity benefit, in relation to the Orders in Council listed in Schedules 2 and 3 (which give effect to agreements made between the Governments of the United Kingdom and other countries providing for reciprocity in certain social security matters).

(10) S.I. [1982/152](#).