

1989 No. 137

SOCIAL SECURITY

**The Social Security (Isle of Man) Order
(Northern Ireland) 1989**

Made 3rd April 1989

Coming into operation 10th April 1989

In exercise of the powers conferred on me by section 134 of the Social Security (Northern Ireland) Act 1975(a) and of all other powers enabling me in that behalf, I hereby make the following order:

Citation, commencement and interpretation

1.—(1) This order may be cited as the Social Security (Isle of Man) Order (Northern Ireland) 1989 and shall come into operation on 10th April 1989.

(2) In this order—

“the principal order” means the Social Security (Isle of Man) Order (Northern Ireland) 1977(b);

“the Principal Agreement” means the Agreement set out in Schedule 1 to the principal order.

Modification of the Social Security (Northern Ireland) Act 1975 and amendment of principal order

2. The Social Security (Northern Ireland) Act 1975 shall be modified and the principal order shall be varied so as to give effect to the Principal Agreement as amended by the Agreement which is set out in the Schedule to this order, so far as the same relate to Northern Ireland.

Dated this 3rd day of April 1989.

Tom King
One of Her Majesty's Principal
Secretaries of State

(a) 1975 c. 15; section 134 was amended by section 20(3) of, and extended by section 20(4) of, the Social Security (Miscellaneous Provisions) Act 1977 (1977 c. 5), and Article 66(2) of the Social Security (Northern Ireland) Order 1986 (S.I. 1986/1888 (N.I. 18)), and subsection (1A) of section 134 was inserted by Article 7(1) of the Social Security (Northern Ireland) Order 1981 (S.I. 1981/1118 (N.I. 25))

(b) S.R. 1977 No. 378

Agreement relating to Social Security between the Secretary of State for Social Security and the Department of Health and Social Services for Northern Ireland of the one part and the Lieutenant-Governor of the Isle of Man, with the advice and consent of the Department of Health and Social Security of the Isle of Man of the other part

1. In this Agreement, "the Principal Agreement" means the Agreement relating to Social Security made in 1977 between the Secretary of State for Social Services and the Department of Health and Social Services for Northern Ireland of the one part and the Lieutenant-Governor of the Isle of Man, with the advice and consent of the Isle of Man Board of Social Security, of the other part.

2. Article 2 of the Principal Agreement shall be amended as follows:

- (a) the words "Subject to paragraph (5) of this Article," shall be inserted at the beginning of paragraph (1) before the word "For" which shall itself be replaced by the word "for";
- (b) a new paragraph shall be added after paragraph (4) which shall read as follows:—

"(5) There shall be excluded from this Agreement all or any of the provisions of the systems of social security established by the Acts relating to mobility allowance except that for the purposes of such of those provisions requiring the completion of periods of presence in the territory of the Act which relates to it:—

- (i) in relation to a person present and ordinarily resident in the United Kingdom, period of residence and presence completed in the Isle of Man by that person before he attains the age of 65 shall be treated as if they were periods of presence completed during the corresponding period in the United Kingdom;
- (ii) in relation to a person present and ordinarily resident in the Isle of Man, periods of residence and presence completed in the United Kingdom by that person before he attains the age of 65 shall be treated as if they were periods of presence completed during the corresponding period in the Isle of Man."

Given under the Official Seal of the Secretary of State for Social Security this 2nd day of March 1989.

John Moore
Secretary of State for
Social Security

Given under the Official Seal of the Department of Health and Social Services for Northern Ireland this 6th day of March 1989.

F. A. Elliott
Permanent Secretary

Given under the hand of the Lieutenant-Governor of the Isle of Man this 3rd day of March 1989.

Laurence New
Lieutenant-Governor

The consent of the Department of Health and Social Security is hereby given to the Agreement:

J. A. Brown
Minister for Health and
Social Security

EXPLANATORY NOTE

(This note is not part of the Order.)

This order gives effect to an Agreement made between the Secretary of State for Social Security and the Department of Health and Social Services for Northern Ireland of the one part and the Lieutenant-Governor of the Isle of Man on the other. The Agreement has the effect of excluding all provisions relating to mobility allowance from the scope of an earlier reciprocal agreement relating to social security entered into by them and their predecessors except for a provision modifying the Social Security (Northern Ireland) Act 1975 so as to permit periods of presence completed in the territory of one country by a person before he attains the age of 65 to be treated as if they were periods of presence in the territory of the other, for the purposes of entitlement to that allowance.