
STATUTORY RULES OF NORTHERN IRELAND

1992 No. 269

SOCIAL SECURITY

The Social Security (Australia) Order (Northern Ireland) 1992

Made - - - - - *4th June 1992*

Coming into operation *29th June 1992*

**THE SOCIAL SECURITY (AUSTRALIA)
ORDER (NORTHERN IRELAND) 1992**

1. Citation and commencement
 2. Modification of the Social Security (Northern Ireland) Act 1975
 3. Modification of the Child Benefit (Northern Ireland) Order 1975
 4. Revocation and variation of orders
- Signature

SCHEDULE
1 AGREEMENT ON SOCIAL SECURITY BETWEEN
THE GOVERNMENT OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF AUSTRALIA
The Government of the United Kingdom of Great Britain and...
Wishing to strengthen the existing friendly relations between the
two...
Having established reciprocity in the field of social security by...
Wishing to consolidate the above Agreements and their extensions
and...
Wishing to extend and modify the scope of that reciprocity...
Have agreed as follows:
Part I — General Provisions

ARTICLE 1

Definitions

1. For the purpose of this Agreement, unless the context otherwise...
2. In the application by a Party of this Agreement in...
3. Any reference in this Agreement to “Article” means an Article...

Status: This is the original version (as it was originally made).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

ARTICLE 2

Scope of Legislation

1. The provisions of this Agreement shall apply:
2. Subject to the provisions of paragraphs (3) and (4) this...
3. This Agreement shall not affect any benefits payable under the...
4. This Agreement shall not apply to legislation on social security...
5. Subject to the provisions of paragraph (2), this Agreement shall...

Part II — Retirement Pensions, Age Pensions and Benefits for Widows

ARTICLE 3

Retirement Pensions

1. For the purpose of determining entitlement to retirement pension under...
2. Where: (a) a woman claiming retirement pension by virtue of...
3. Where a person who is permanently resident in any part...
4. Any pension which is awarded by virtue of this Article...
5. Any pension which is awarded by virtue of this Article...
6. Where a person is entitled to receive a benefit by...

ARTICLE 4

Age Pensions

1. Where a person is qualified to receive an age pension...
2. For the purpose of any claim by a person to...
3. For the purpose of applying paragraph (2), any period during...
4. For the purpose of applying paragraph (2), a period when...
5. A person who receives from Australia a wife's pension or...

ARTICLE 5

UK Benefits for Widows

1. For the purpose of determining entitlement to widow's benefit under...
2. Where a widow who is permanently resident in any part...
3. Any pension which is awarded by virtue of this Article...
4. Any widow's benefit which is awarded by virtue of this...
5. Where a person is entitled to receive a benefit by...
6. The provisions contained in this Article shall apply, in an...
7. In the case of widows' benefits payable under the legislation...
8. In the case of widow's benefit payable under the legislation...

ARTICLE 6

UK Widowed Mother's Allowance-Child in Australia

Where a woman would be qualified under the legislation of...

ARTICLE 7

Australian Benefits for Widows

1. Where a person is qualified to receive a pension payable...
2. For the purpose of any claim to receive a pension...
3. For the purpose of applying paragraph (2), any period when...

ARTICLE 8

Conversion of Australian Residence

1. For the purpose of calculating entitlement under the legislation of...
2. For the purpose of calculating entitlement under the legislation of...
3. Notwithstanding the provisions of paragraph (2), where residence in Australia...
4. For the purpose of calculating entitlement under the legislation of...
5. For the purpose of calculating entitlement under the legislation of...
6. Where it is not possible to determine accurately the periods...
7. For the purpose of calculating the rate of any benefit...
8. Notwithstanding the provisions of paragraph (7), where a person referred...

ARTICLE 9

Conversion of UK Earnings Factors or Contribution Factors

In order to convert to a period of contributions or...

The result shall be expressed as a whole number, any...

Part III — UK Family Allowance and Guardian's Allowance

ARTICLE 10

Family Allowance

1. Where a person who has been resident in Australia becomes...
2. For the purpose of any claim to family allowance under...
3. In the case of Jersey, family allowance shall only be...

ARTICLE 11

Guardian's Allowance

1. Where a person who is permanently resident in the territory...
 2. If either parent of a child referred to in paragraph...
- Part IV — Sickness Benefits and Invalidity Benefits

ARTICLE 12

Australian Sickness Benefit

Where a person who is temporarily absent from any part...

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

ARTICLE 13

UK Sickness Benefit and Invalidity Benefit

1. Where a person who is permanently resident in the territory...
2. For the purpose of calculating entitlement under the legislation of...
3. For the purpose of calculating an earnings factor for assessing...
4. For the purpose of calculating entitlement under the legislation of...
5. For the purpose of calculating entitlement under the legislation of...
6. For the purpose of calculating entitlement under the legislation of...
7. Where a person who is permanently resident in the territory...
8. For the purpose of any claim to invalidity benefit under...
9. Nothing in this Article shall diminish any right which a...
10. Where a person is entitled to receive a benefit by...

Part V — UK Unemployment Benefit

ARTICLE 14

1. Where a person who is permanently resident in the territory...
2. Periods of gainful occupation as an employed person in Australia...
3. For the purpose of calculating an earnings factor for assessing...
4. For the purpose of calculating entitlement to unemployment benefit under...
5. A person shall be treated as if he or she...
6. Nothing in this Article shall diminish any right which a...
7. The provisions of this Article shall not apply to a...

Part VI — Miscellaneous Provisions

ARTICLE 15

Temporary Absences

1. A benefit which is payable to a person by Australia...
2. Where a person, who is qualified to receive any benefit...

ARTICLE 16

Calculation of Australian Benefits

1. Subject to paragraph (5), the provisions of this Article shall...
2. Subject to the provisions of paragraph (3), where a person...
3. Where a married person is, or both that person and...
4. If a person would receive an Australian benefit except for...
5. The reference in paragraph (4) to a payment under the...
6. For the purpose of this Article “benefit” includes any additional...

ARTICLE 17

Dual Entitlement in Australia Where:

a claim is made for a benefit payable by Australia,...

ARTICLE 18

Dual Entitlement in UK

Where a person is qualified to receive a benefit under...

ARTICLE 19

Recovery of Benefit

(1) Where a benefit is payable by a Party to...
Any balance shall be paid by the former Party direct...

ARTICLE 20

Meaning of Permanently Resident

For the purpose of applying the provisions of this Agreement,...

ARTICLE 21

Gainful Occupation in Australia

For the purpose of Articles 13 and 14, a person...
Part VII — Administration

ARTICLE 22

Administrative Arrangements

The competent authorities of the United Kingdom of Great Britain...

ARTICLE 23

Disclosure of Information

1. The competent authorities may supply to each other such information...
2. Any information received by a competent authority pursuant to paragraph...
3. In no case shall the provisions of paragraphs (1) and...
4. The competent authorities shall notify each other of legislation that...
5. The appropriate competent authority shall also provide copies of the...

Part VIII — Transitional and Final Provisions

ARTICLE 24

Transitional Provisions

1. No provision of this Agreement shall confer any right to...
2. Any contribution which a person has paid or earnings or...
3. Subject to paragraph (4), where, on the date on which...
4. The rate of a benefit which is payable by virtue...

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

ARTICLE 25

Entry Into Force

1. The Agreement shall enter into force on a date to...
2. Subject to the provisions of Article 24, the former Agreement...

ARTICLE 26

Termination Provisions

1. Subject to paragraph (2), this Agreement shall remain in force...
 2. In the event that this Agreement is terminated in accordance...
- SCHEDULE 2
FIRST EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF AUSTRALIA

[No. 1]

The British High Commission present their compliments to the Department...

The High Commission have the honour to propose that, if...

The High Commission avail themselves of this opportunity to renew...

22 April 1992

British High Commission

CANBERRA

[No. 2]

The Department of Foreign Affairs and Trade presents its compliments...

(the Note here sets out the text of No. 1)

CANBERRA

23 April 1992

- SCHEDULE 3
SECOND EXCHANGE OF NOTES BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF AUSTRALIA

[No. 1]

The British High Commission present their compliments to the Department...

The British High Commission now have the honour to propose...

If the foregoing proposals are acceptable to the Government of...

The British High Commission avail themselves of this opportunity to...

22 April 1992

British High Commission

CANBERRA

[No. 2]

The Department of Foreign Affairs and Trade presents its compliments...

(the Note here sets out the text for No. 1)

CANBERRA

22 April 1992

Explanatory Note