

SCHEDULE

AGREEMENT ON SOCIAL SECURITY BETWEEN THE SECRETARY OF STATE FOR SOCIAL SECURITY, THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES FOR NORTHERN IRELAND AND THE LIEUTENANT-GOVERNOR OF THE ISLE OF MAN, WITH THE ADVICE AND CONSENT OF THE ISLE OF MAN DEPARTMENT OF HEALTH AND SOCIAL SECURITY, OF THE FIRST PART, THE SOCIAL SECURITY COMMITTEE, WITH THE CONSENT OF THE STATES OF JERSEY, OF THE SECOND PART, AND THE GUERNSEY SOCIAL SECURITY AUTHORITY, WITH THE CONSENT OF THE STATES OF GUERNSEY, OF THE THIRD PART

PART V

MISCELLANEOUS PROVISIONS

ARTICLE 31

Recovery of Advance Payments and Overpayments of Benefit

Where a competent authority of one Party has made a payment of any benefit to a person for any period, or event, in advance of the period, or event, to which it relates or has paid him any benefit for a period, or event, whether by virtue of this Agreement or otherwise, and the competent authority of any other Party afterwards decides that the person is entitled to benefit for that period, or event, under its legislation, the competent authority of that Party, at the request of the competent authority of the former Party, shall deduct from the benefit due for that period, or event, under its legislation any overpayment which, by virtue of this Agreement, results from the advance payment of benefit, or from the benefit paid, by the competent authority of the former Party and shall, where appropriate, transmit this sum to the competent authority of the former Party.

ARTICLE 32

Arrangements for Administration and Co-operation

(1) The competent authorities of the Parties shall establish the administrative measures necessary for the application of this Agreement.

(2) The competent authorities of the Parties shall communicate to each other, as soon as possible, all information about the measures taken by them for the application of this Agreement or about changes in their national legislation in so far as these changes affect the application of this Agreement.

(3) The competent authorities of the Parties shall establish liaison offices for the purpose of facilitating the implementation of this Agreement.

(4) The competent authorities of the Parties shall assist one another on any matter relating to the application of this Agreement as if the matter were one affecting the application of their own legislation. This assistance shall be free of charge.

(5) Where any benefit is payable under the legislation of one Party to a person in the territory of any other Party, arrangements for the payment may be made by the competent authority of the latter Party, at the request of the competent authority of the former Party, and the former Party shall reimburse the latter Party.

(6) Where a person who is in the territory of one Party has claimed, or is receiving, benefit under the legislation of any other Party and a medical examination is necessary, the competent authority of the former Party, at the request of the competent authority of the latter Party, shall arrange for this

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

examination. The cost of such examination shall be met by the competent authority of the former Party.

(7) A medical board appointed by the competent authority of any other Party, at the request of the competent authority of Guernsey, shall be treated as a medical board for determination of disablement questions under the legislation of Guernsey.

(8) Where the legislation of one Party provides that any certificate or other document which is submitted under the legislation of that Party shall be exempt, wholly or partly, from any taxes, legal dues or administrative charges, that exemption shall apply to any certificate or other document which is submitted under the legislation of any other Party or in accordance with this Agreement.

(9) No certificate, document or statement of any kind written in an official language of any Party shall be rejected on the ground that it is written in a foreign language.

(10) Unless disclosure is required under the legislation of a Party, any information about an individual which is sent in accordance with, and for that purposes of, this Agreement to that Party by any other Party is confidential and shall be used only for the purpose of implementing this Agreement and the legislation t(which this Agreement applies.

ARTICLE 33

Submission of Claim or Appeal

(1) Any claim or appeal which should, for the purposes of the legislation of on Party, have been submitted within a prescribed period to the competent authority of that Party, shall be treated as if it had been submitted to that competent authority if it is submitted within the same period to the competent authority of any other Party.

(2) Any claim to benefit submitted under the legislation of one Party shall also be deemed to be a claim for the corresponding benefit under the legislation of any other Party in so far as this corresponding benefit is payable in accordance with this Agreement.

ARTICLE 34

Method of Payment

Where a person in the territory of one Party, is receiving benefit under the legislation of any other Party, it shall be payable by whatever method the competent authority of that Party deems appropriate, except that in the case of a person who c27 July 1992 was residing in Jersey or Guernsey and was being paid a retirement pension or widow's benefit by serial order under the legislation of the United Kingdom, that person shall be entitled to continue to receive that benefit by serial order.

ARTICLE 35

Resolution of Disputes

(1) The competent authorities of the Parties to this Agreement shall make reasonable efforts to resolve through agreement between them any dispute about i interpretation or application.

(2) If any dispute cannot be resolved as in paragraph (1) it shall be submitted, by the competent authority of any Party, to an arbitration tribunal. Each Party shall appoint an arbitrator within one month from receipt of the demand for arbitration. The three arbitrators shall appoint two more arbitrators within two months from the date which the Party which was the last to appoint its arbitrator has notified the other Parties of the appointment.

(3) The decision of the arbitration tribunal, which shall be binding on all Parties shall be by majority vote. The arbitration tribunal shall determine its own rules procedure, and its costs shall be borne equally by all Parties.