



# Social Security Administration Act 1992

## 1992 CHAPTER 5

### PART XIV

#### SOCIAL SECURITY SYSTEMS OUTSIDE GREAT BRITAIN

##### *Co-ordination*

##### **177 Co-ordination with Northern Ireland**

- (1) The Secretary of State may with the consent of the Treasury make arrangements with the Northern Ireland Department (“the joint arrangements”) for co-ordinating the operation of the legislation to which this section applies with a view to securing that, to the extent allowed for in the arrangements, it provides a single system of social security for the United Kingdom.
- (2) The Joint Authority consisting of the Secretary of State and the Head of the Northern Ireland Department shall continue in being by that name for the purposes of the enactments mentioned in subsection (5) below; and Schedule 8 to this Act has effect with respect to the Joint Authority.
- (3) The responsibility of the Joint Authority shall include that of giving effect to the joint arrangements, with power—
  - (a) to make any necessary financial adjustments between the National Insurance Fund and the Northern Ireland National Insurance Fund; and
  - (b) to discharge such other functions as may be provided under the joint arrangements.
- (4) The Secretary of State may make regulations for giving effect to the joint arrangements; and any such regulations may for the purposes of the arrangements provide—
  - (a) for adapting legislation (including subordinate legislation) for the time being in force in Great Britain so as to secure its reciprocal operation with Northern Ireland;

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- (b) without prejudice to paragraph (a) above, for securing that acts, omissions and events having any effect for the purposes of the enactments in force in Northern Ireland have a corresponding effect in relation to Great Britain (but not so as to confer any double benefit); and
  - (c) for determining, in cases where rights accrue both in relation to Great Britain and in relation to Northern Ireland, which of those rights shall be available to the person concerned.
- (5) This section applies—
- (a) to the Contributions and Benefits Act and this Act; and
  - (b) to the Northern Ireland Contributions and Benefits Act and the Northern Ireland Administration Act,
- except in relation to the following benefits—
- (i) income support;
    - (ii) family credit;
    - (iii) disability working allowance;
    - (iv) housing benefit;
  - (v) child benefit;
    - (vi) Christmas bonus;
    - (vii) statutory sick pay; and
    - (viii) statutory maternity pay.

### *Reciprocity*

## **178 Reciprocal arrangements with Northern Ireland - income-related benefits and child benefit**

- (1) The Secretary of State may with the consent of the Treasury make reciprocal arrangements with the authority administering any scheme in force in Northern Ireland and appearing to him to correspond substantially with a scheme contained in the Contributions and Benefits Act and this Act concerning any of the benefits to which this section applies for co-ordinating the operation of those schemes, and such arrangements may include provision for making any necessary financial adjustments.
- (2) This section applies to the following benefits—
- (a) income support;
  - (b) family credit;
  - (c) disability working allowance;
  - (d) housing benefit; or
  - (e) child benefit.
- (3) Regulations may make provision for giving effect to any such arrangements; and such regulations may in particular provide—
- (a) for modifying any provision of this Act or the Contributions and Benefits Act concerning any of the benefits to which this section applies or any regulations made under such a provision;
  - (b) without prejudice to paragraph (a) above, for securing that acts, omissions and events having any effect for the purposes of the scheme in force in Northern Ireland shall have a corresponding effect for the purposes of this Act and the Contributions and Benefits Act (but not so as to confer any double benefit);

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- (c) for determining, in cases where rights accrue both under that scheme and under this Act and the Contributions and Benefits Act, which of those rights shall be available to the person concerned.

## **179 Reciprocal agreements with countries outside the United Kingdom**

- (1) For the purpose of giving effect—
  - (a) to any agreement with the government of a country outside the United Kingdom providing for reciprocity in matters relating to payments for purposes similar or comparable to the purposes of legislation to which this section applies, or
  - (b) to any such agreement as it would be if it were altered in accordance with proposals to alter it which, in consequence of any change in the law of Great Britain, the government of the United Kingdom has made to the other government in question,

Her Majesty may by Order in Council make provision for modifying or adapting such legislation in its application to cases affected by the agreement or proposed alterations.

- (2) An Order made by virtue of subsection (1) above may, instead of or in addition to making specific modifications or adaptations, provide generally that legislation to which this section applies shall be modified to such extent as may be required to give effect to the provisions contained in the agreement or, as the case may be, alterations in question.
- (3) The modifications which may be made by virtue of subsection (1) above include provisions—
  - (a) for securing that acts, omissions and events having any effect for the purposes of the law of the country in respect of which the agreement is made have a corresponding effect for the purposes of this Act and the Contributions and Benefits Act (but not so as to confer a right to double benefit);
  - (b) for determining, in cases where rights accrue both under such legislation and under the law of that country, which of those rights is to be available to the person concerned;
  - (c) for making any necessary financial adjustments.

- (4) This section applies—
  - (a) to the Contributions and Benefits Act; and
  - (b) to this Act,

except in relation to the following benefits—

- (i) community charge benefits;
  - (ii) payments out of the social fund;
  - (iii) Christmas bonus;
  - (iv) statutory sick pay; and
  - (v) statutory maternity pay.
- (5) The power conferred by subsection (1) above shall also be exercisable in relation to regulations made under the Contributions and Benefits Act or this Act and concerning—
    - (a) income support;
    - (b) family credit;
    - (c) disability working allowance;

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- (d) housing benefit; or
- (e) child benefit.