SCHEDULE

CONVENTION ON SOCIAL SECURITY BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE KINGDOM OF NORWAY

PART II

provisions which determine the legislation applicable

ARTICLE 5

(1) Subject to the following provisions of this Article and the provisions of Articles 6 to 9 of this Convention, where a person is gainfully occupied, his liability to be insured shall be determined under the legislation of the Party in whose territory he is so occupied.

(2) Where a person is self-employed in the territory of both Parties, his liability to be insured shall be determined under the legislation of the Party in whose territory he is ordinarily resident. Where the person resides in the territory of Norway, the self-employment shall in all such cases be treated in the same way as self-employment carried out in the territory of Norway.

(3) For the purposes of the provisions of paragraph (2) of this Article "liability to be insured" shall not include liability to pay a Class 4 contribution under the legislation of the United Kingdom.

(4) The insurance liability of persons who are not gainfully occupied shall be determined under the legislation of the Party in whose territory they are ordinarily resident.

ARTICLE 6

(1) Where a person insured under the legislation of one Party, and employed by an employer with a place of business in the territory of that Party, is sent by his employer to work in the territory of the other Party, the legislation of the former Party concerning liability for contributions shall continue to apply to him as if he were employed in the territory of the former Party provided that, at the outset, the employment in the territory of the latter Party is not expected to last for more than three years and the person concerned is paid by or on behalf of that employer. No contributions shall be payable in respect of that employment under the legislation of the latter Party provided that a request for a certificate of continuing liability has been received by the authorities of the former Party within the first four months of the period of detachment and presented to the appropriate insurance authorities of the latter Party within two months of its issue. If either one of the latter conditions is not complied with the legislation of the former Party concerning liability for contributions shall cease to apply from the date of commencement of the period of the employment in the territory of the latter Party.

(2) Non-employed family members accompanying a worker covered by the provisions of paragraph (1) of this Article shall be subject to the same legislation concerning liability for contributions as applies to that worker.

(3) Where a person is gainfully occupied in the United Kingdom but is not ordinarily resident in the United Kingdom and the legislation of Norway does not apply to him in accordance with paragraph (1) of this Article or Article 5 of this Convention, the legislation of the United Kingdom shall apply to him as if he were ordinarily resident in the territory of the United Kingdom.

(4) Where a person ordinarily resident in the United Kingdom is employed in the Continental Shelf Area of Norway or in the Continental Shelf Area of the United Kingdom in connection with the exploration of the sea bed or subsoil of the Continental Shelf Area of Norway or the exploitation of their natural resources and is so employed by an employer who has a place of business in the United Kingdom then the provisions of paragraph (1) of this Article, except that the time limit of

three years shall be disregarded, shall apply to him as if the Continental Shelf Area of one Party were in the territory of that Party.

(5) Where a person ordinarily resident in Norway is employed in the Continental Shelf Area of the United Kingdom or in the Continental Shelf Area of Norway in connection with the exploration of the sea bed or subsoil of the Continental Shelf Area of the United Kingdom or the exploitation of their natural resources and is so employed by an employer who has a place of business in Norway then the provisions of paragraph (1) of this Article, except that the time limit of three years shall be disregarded, shall apply to him as if the Continental Shelf Area of one Party were in the territory of that Party.

(6) Where a person is ordinarily resident in the territory of the United Kingdom and is self-employed in connection with the exploration of the sea bed or subsoil or the exploitation of their natural resources in the Continental Shelf Area of Norway immediately after being liable to pay contributions under the legislation of the United Kingdom, he may continue to pay contributions under those provisions of United Kingdom legislation which relate to self-employed persons notwithstanding that he does not otherwise satisfy the conditions for payment of such contributions.

(a) (7) (a) The provisions of Articles 11 to 14 and 21 to 25 of this Convention shall apply to any person to whom the provisions of paragraphs (4) and (5) of this Article are applicable.

(b) The provisions of Articles 11 to 14 and Article 25 of this Convention shall apply to any person to whom the provisions of paragraph (6) of this Article are applicable.

(8) A person travelling in the course of his employment, in connection with the exploration of the sea bed or subsoil or the exploitation of their natural resources, between the territory of one Party or the Continental Shelf Area of that Party and the Continental Shelf Area of the other Party in either direction or travelling between different parts of the Continental Shelf Area of either Party shall be treated as if he were employed in the territory of the Party whose legislation applies to him as specified in paragraphs (4) or (5) of this Article.

(9) The provisions of paragraphs (4), (5), (6), (7) and (8) of this Article shall not apply to any person to whom the provisions of Article 7 of this Convention are applicable.

(10) The following provisions shall apply to any person employed as a member of the travelling personnel of an undertaking engaged in the transport of passengers or goods by road or air, whether for another undertaking or on its own account:

(a) where a person is ordinarily resident in the territory of one Party and is employed wholly or mainly in that territory, the legislation of that Party concerning liability for contributions shall apply to him, even if the undertaking which employs him does not have its principal place of business or a branch or any agency in that territory;

(b) where the provisions of sub-paragraph (a) of this paragraph do not apply and the undertaking has a branch or agency in the territory of one Party and a person is employed by that branch or agency, the legislation of that Party concerning liability for contributions shall apply to him;

(c) where neither the provisions of sub-paragraph (a) nor those of sub-paragraph (b) apply and a person is employed by an undertaking which has its principal place of business in the territory of one Party, the legislation of that Party concerning liability for contributions shall apply to him as if he were employed in its territory even if he is employed in the territory of the other Party.

ARTICLE 7

(1) Subject to the provisions of paragraphs (2), (3) and (4) of this Article, where a person is employed on board a ship or vessel of one Party, the legislation of that Party shall not apply to him unless he is ordinarily resident in the territory of that Party.

(2) Subject to the provisions of paragraphs (3) and (4) of this Article, where a person who is ordinarily resident in the territory of either Party is employed in employed earner's employment on board a ship or vessel of one Party the legislation of that Party concerning industrial injuries insurance shall apply to him as if he were resident in the territory of that Party.

(3) Where a person who is ordinarily resident in the territory of one Party and insured under the legislation of that Party, and employed either in the territory of that Party or on board any ship or vessel of that Party, is sent by an employer in the territory of that Party to work on board a ship or vessel of the other Party, the legislation of the former Party concerning liability for contributions shall continue to apply to him provided that the employee continues to be employed and paid by that employer. No contributions shall be payable in respect of that employment under the legislation of the latter Party provided that a request for a certificate of continuing liability has been received by the authorities of the former Party within the first four months of the period of detachment and presented to the appropriate insurance authorities of the latter Party within two months of its issue. If either one of the latter conditions is not complied with the legislation of the former Party concerning liability for contributions shall cease to apply from the date of commencement of the period of employment on board a ship or vessel of the latter Party.

(4) Where a person who is not normally employed at sea is employed other than as a member of the crew on board a ship or vessel of one Party in the territorial waters of, or at a port of, the other Party, the legislation of the latter Party concerning liability for contributions shall apply to him as if any conditions relating to residence were satisfied in his case provided that he is ordinarily resident in the territory of either Party.

ARTICLE 8

(1) This Convention shall not apply to established members of the Diplomatic Service of either Party.

(2) Subject to the provisions of paragraph (1) of this Article, where any person who is in the Government Service of one Party or in the service of any public corporation of that Party, is employed in the territory of the other Party, the legislation of the former Party concerning liability for contributions shall apply to him as if he were employed in its territory.

(3) Subject to the provisions of paragraphs (1) and (2) of this Article, where a person is employed in a diplomatic mission or consular post of Norway in the territory of the United Kingdom, or in the private service of an official of such a mission or post, the legislation of the United Kingdom shall apply to him if he is a national of the United Kingdom or if he ordinarily resides in the United Kingdom. In the latter case, however, if the person who ordinarily resides in the United Kingdom is a national of Norway, the legislation of Norway shall apply to him unless within six months of the entry into force of this Convention, or within six months of the beginning of the employment in the territory of the United Kingdom whichever is the later, he chooses to be insured under the legislation of the United Kingdom provided that he was so insured immediately before the commencement of the employment at the mission or post.

(4) Subject to the provisions of paragraphs (1) and (2) of this Article, where a person is employed in a diplomatic mission or consular post of the United Kingdom in the territory of Norway, or in the private service of an official of such a mission or post, the legislation of Norway shall apply to him unless within six months of the entry into force of this Convention, or within six months of the beginning of the employment in the territory of Norway, whichever is the later, he chooses to be insured under the legislation of the United Kingdom, provided that he was so insured immediately before the commencment of the employment at the mission or post.

(5) Non-employed family members accompanying a worker covered by the provisions of paragraphs (2), (3) and (4) of this Article shall be subject to the same legislation concerning liability for contributions as applies to that worker.

ARTICLE 9

The competent authorities of the two Parties may agree to modify the provisions of Articles 5 to 8 of this Convention.