

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 V

transitional and final provisions

ARTICLE 37

(1) Upon the entry into force of this Convention the Convention signed at London on 25th July 1957 shall be terminated and shall be replaced by this Convention.

(2) Any right to benefit acquired by a person in accordance with the provisions of the Convention signed at London on 25th July 1957 shall be maintained, and any rights in course of acquisition under that Convention at the date of the entry into force of this Convention shall be settled in accordance with the provisions of this Convention.

(3) Benefit, other than lump sum payments, shall be payable in accordance with the provisions of this Convention in respect of events which happened before the date of its entry into force, except that an accident which occurred or a disease which developed before that date shall not, solely by virtue of this Convention, be treated as an industrial accident or disease if it would not have been so treated under any legislation or Convention having effect at the time of its occurrence or development. For the purpose of determining claims in accordance with the provisions of this Convention, account shall be taken of insurance periods and periods of residence or presence completed before the date of its entry into force.

(4) Paragraph (3) of this Article shall not confer any right to receive payment of benefit for any period before the date of the entry into force of this Convention.

(5) For the purpose of applying paragraph (3) of this Article:

- (a) any right to benefit acquired by a person in accordance with the provisions of the Convention signed at London on 25th July 1957 may, at the request of the person concerned, be determined afresh in accordance with the provisions of this Convention with effect from the date of entry into force of this Convention, provided that the request has been made within two years after that date;
- (b) where the request for the benefit to be determined afresh is made more than two years after the date of entry into force of this Convention payment shall be made from the date determined under the legislation concerned.

(6) In applying the provisions of Article 6(1) no account shall be taken of periods of detachment which commenced before the date of coming into force of this Convention.

ARTICLE 38

This Convention shall be ratified and the instruments of ratification shall be exchanged at London as soon as possible. The Convention shall enter into force on the first day of the third month following the month in which the instruments of ratification are exchanged.

ARTICLE 39

This Convention shall remain in force for an indefinite period. Either Party may denounce it at any time by giving six months' notice in writing to the other Party.

ARTICLE 40

In the event of the termination of this Convention, any right to benefit acquired by a person in accordance with its provisions shall be maintained, and negotiations shall take place for the settlement of any other rights then in course of acquisition by virtue of those provisions.