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STATUTORY INSTRUMENTS

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**1992 No. 812**

**SOCIAL SECURITY**

**The Social Security (Barbados) Order 1992**

*Made - - - - 16th March 1992*

*Coming into force 1st April 1992*

**THE SOCIAL SECURITY (BARBADOS) ORDER 1992**

1. Citation and commencement
  2. Modification of the Social Security Act 1975
  3. Modification of the Child Benefit Act 1975
- Signature

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SCHEDULE — CONVENTION ON SOCIAL SECURITY BETWEEN  
THE GOVERNMENT OF THE UNITED KINGDOM OF  
GREAT BRITAIN AND NORTHERN IRELAND AND THE  
GOVERNMENT OF BARBADOS

The Government of the United Kingdom of Great Britain and...  
Being resolved to co-operate in the field of social affairs...  
Wishing to promote the welfare of persons moving between or...  
Wishing to ensure that persons from both countries shall enjoy...  
Wishing to make arrangements for insurance periods completed under the...  
Wishing further to make arrangements for enabling persons moving  
between...  
Have agreed as follows:

PART I — GENERAL PROVISIONS

ARTICLE 1

*DEFINITIONS*

1. For the purpose of this Convention except where the context...
2. Other words and expressions which are used in this Convention...
3. Any reference in this Convention to “Article” means an Article...

*Status: This is the original version (as it was originally made).*

## ARTICLE 2

### *SCOPE OF LEGISLATION*

1. The provisions of this Convention shall apply,
2. Subject to the provisions of paragraphs (3) and (4), this...
3. This Convention shall apply, unless the Parties agree otherwise, only...
4. This Convention shall not apply to legislation on social security...

## ARTICLE 3

### *EQUAL TREATMENT*

A person, together with his dependants and survivors, who is,...

## ARTICLE 4

### *REFUGEES AND STATELESS PERSONS*

This Convention shall apply to refugees, as defined by the...

## ARTICLE 5

### *PROVISIONS FOR THE EXPORT OF BENEFIT*

1. Subject to the provisions of paragraph (2) and Articles 15...
2. A person who is entitled to receive a retirement pension...
3. (a) In this paragraph “Party” and “territory” shall mean in...
4. Subject to the provisions of Article 12(2) and (3), a...
5. Where a person is entitled to receive invalidity benefit under...
6. Subject to the provisions of Article 12(2), a person who...
7. Where, under the legislation of the United Kingdom, an increase...

### **PART II — PROVISIONS WHICH DETERMINE THE LEGISLATION APPLICABLE CONCERNING CONTRIBUTION LIABILITY**

## ARTICLE 6

### *GENERAL PROVISIONS*

1. Subject to the following paragraphs and the provisions of Articles...
2. Where a person is employed in the territory of both...
3. Where a person is self-employed in the territory of both...
4. Where a person is employed in the territory of one...
5. No provision of this Article shall affect a person’s liability...
6. Where a person is not gainfully employed, any liability for...
7. Where, but for the provisions of this paragraph, a person...
8. Where under the provision of Articles 7, 8(a) or (b),...
9. Where a person is gainfully employed in the territory of...

## ARTICLE 7

### *DETACHED WORKERS*

Subject to the provisions of Article 8, where a person...

## ARTICLE 8

### *TRAVELLING PERSONNEL*

The following provisions shall apply to any person employed as...

## ARTICLE 9

### *DIPLOMATS, GOVERNMENT SERVANTS AND CONSULAR EMPLOYEES*

1. This Convention shall not apply to persons who are exempted...
2. Subject to the provisions of paragraph (1), where any person...
3. Subject to the provisions of paragraphs (1) and (2), where...

## ARTICLE 10

### *MODIFICATION PROVISIONS*

Exceptionally, the competent authorities of the Parties may agree to...

### PART III — SPECIAL PROVISIONS

## ARTICLE 11

### *CONVERSION FORMULAE FOR CONTRIBUTIONS*

1. For the purpose of calculating entitlement under the legislation of...
2. For the purpose of calculating entitlement under the legislation of...
3. Subject to the provisions of paragraph (4), for the purpose...
4. For the purposes of calculating entitlement to additional pension under...
5. For the purposes of the calculation in Article 16(2), where:...
6. For the purpose of calculating the appropriate contribution factor to...
7. For the purpose of calculating entitlement to any benefit in...
8. For the purpose of calculating entitlement to a pension under...
9. For the purpose of converting to an insurance period any...  
The result shall be expressed as a whole number, any...  
The result shall be expressed as a whole number, any...

### PART IV — BENEFIT PROVISIONS

## ARTICLE 12

### *SICKNESS BENEFIT AND MATERNITY ALLOWANCE*

1. Where a person is employed in the territory of one...
2. Subject to the provisions of paragraph (7) and Article 32,...  
The authorisation required in accordance with sub-paragraph (b) may be...

## ARTICLE 13

### *MATERNITY GRANT UNDER THE LEGISLATION OF JERSEY, GUERNSEY OR BARBADOS*

1. “Party” in this Article shall mean Jersey, Guernsey, or Barbados....
2. For the purpose of a claim for maternity grant under...
3. Where a woman would be entitled to a maternity grant...
4. Maternity grant may also be paid under the legislation of...

*Status: This is the original version (as it was originally made).*

## ARTICLE 14

### *INVALIDITY BENEFIT*

1. Where a person would be entitled to receive for the...
2. If under paragraph (1) payment is made under the legislation...

## ARTICLE 15

### *RETIREMENT PENSION AND WIDOWS' BENEFIT*

1. Subject to the provisions of paragraphs (2) to (4), where...
2. Notwithstanding paragraph (1), a person entitled to a Category B...
3. Notwithstanding paragraph (1), a person entitled to a Category B...
4. Entitlement to a retirement pension in the circumstances referred to...

## ARTICLE 16

### *PRO—RATA PENSIONS*

1. Subject to the provisions of Articles 17 to 20, the...
2. In accordance with the provisions of Article 11, the competent...  
The proportionate amount thus calculated shall be the rate of...

## ARTICLE 17

### *INSURANCE PERIODS TO BE TAKEN INTO ACCOUNT*

For the purpose of applying the provisions of Article 16...

## ARTICLE 18

### *OVERLAPPING PERIODS*

For the purpose of applying the provisions of Article 16:...

## ARTICLE 19

### *BENEFITS TO BE EXCLUDED*

For the purpose of applying the provisions of Article 16,...

## ARTICLE 20

### *PRE—SCHEME CONTRIBUTIONS*

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

## ARTICLE 21

### *NON—SIMULTANEOUS ENTITLEMENT*

Where a person does not simultaneously satisfy the conditions for...

## ARTICLE 22

### *WIDOW'S BENEFIT*

1. The provisions contained in Articles 15 to 21 shall also...
2. Where widow's benefit would be payable under the legislation of...

## ARTICLE 23

### *BENEFITS FOR INDUSTRIAL ACCIDENTS AND INDUSTRIAL DISEASES*

1. Where a person is employed in the territory of one...
2. Where a person leaves the territory of one Party to...
3. Where because of a death resulting from an industrial accident...

## ARTICLE 24

### *DUAL ATTRIBUTION AND AGGRAVATION OF AN INDUSTRIAL DISEASE*

1. Where a person contracts an industrial disease, after having been...
2. Where a person has suffered an aggravation of an industrial...

## ARTICLE 25

### *DUAL ENTITLEMENT*

1. Where, but for the provisions of this Article, and subject...
2. A person shall not be entitled, whether by virtue of...

## ARTICLE 26

### *ORPHAN'S BENEFIT*

1. In relation to the territory of the United Kingdom, "Party"...
2. Where orphan's benefit would be payable to a person under...

## ARTICLE 27

### *CHILD BENEFIT*

1. Subject to the provisions of paragraph (2), where a person...
2. In the case of Jersey, family allowance shall be paid...

## ARTICLE 28

### *DEATH GRANT UNDER THE LEGISLATION OF JERSEY, GUERNSEY OR BARBADOS*

1. "Party" in this Article shall mean Jersey, Guernsey or Barbados....
2. Where a person dies in the territory of Jersey, Guernsey...
3. Where there would otherwise be entitlement to death grant under...

## ARTICLE 29

### *RECOVERY OF ADVANCE PAYMENTS AND OVERPAYMENTS OF BENEFIT*

1. Where a competent authority of one Party has made a...
2. Where a person has received social assistance under the legislation...

## PART V — MISCELLANEOUS PROVISIONS

### ARTICLE 30

#### *ARRANGEMENTS FOR ADMINISTRATION AND CO—OPERATION*

1. The competent authorities of the two Parties shall establish the...
2. The competent authorities of the two Parties shall communicate to...
3. The competent authorities of the two Parties shall establish liaison...
4. The competent authorities of the two Parties shall assist one...
5. Where any benefit is payable under the legislation of one...
6. Where a person who is in the territory of one...
7. Where the legislation of one Party provides that any certificate...
8. All statements, documents and certificates of any kind required to...
9. Unless disclosure is required under the legislation of a Party,...

### ARTICLE 31

#### *SUBMISSION OF CLAIM OR APPEAL*

1. Any claim or appeal which should, for the purposes of...
2. Any claim for benefit submitted under the legislation of one...

### ARTICLE 32

#### *CURRENCY AND METHOD OF PAYMENT*

1. Where the competent authority of the United Kingdom makes a...
2. Where the competent authority of Barbados makes a payment of...
3. In the application of paragraphs (2)(b) and (c), the conversion...
4. Where a person in the territory of one Party, is...

### ARTICLE 33

#### *RESOLUTION OF DISPUTES*

1. The competent authorities of the two Parties to this Convention...
2. If any dispute cannot be resolved as in paragraph (1)...
3. The decision of the arbitration tribunal, which shall be binding...

## PART VI — TRANSITIONAL AND FINAL PROVISIONS

### ARTICLE 34

#### *PRIOR ACQUISITION OF RIGHTS*

1. No provision of this Convention shall diminish any rights or...
2. Any rights in course of acquisition at the date of...
3. Benefit, other than lump sum payments, shall be payable in...
4. Paragraph (3) shall not confer any right to receive payment...
5. For the purpose of applying the first sentence of paragraph...
6. Where, under the legislation of Barbados, an old age contributory...

## ARTICLE 35

### *RATIFICATION*

This Convention shall be ratified and the instruments of ratification...  
The Convention shall enter into force on the first day...

## ARTICLE 36

### *LIFE OF THE CONVENTION*

This Convention shall remain in force for an indefinite period....

## ARTICLE 37

### *RIGHTS ON TERMINATION OF THIS CONVENTION*

In the event of the termination of this Convention, when...  
In witness whereof the undersigned, duly authorised by their respective...  
Done in duplicate at London this 7th day of January...  
For the Government of the United Kingdom of Great Britain...  
Mark Lennox-Boyd  
For the Government of Barbados:  
Sir William Douglas  
— PROTOCOL CONCERNING HEALTH CARE  
At the time of signing the Convention on Social Security...

## ARTICLE 1

1. For the purpose of this Protocol: (a) “medical treatment” means:...
2. Other expressions have the same meaning as in the Convention....

## ARTICLE 2

1. When a resident of either Party needs immediate medical treatment...
2. The provisions of paragraph (1) shall not apply to a...

## ARTICLE 3

1. The competent authorities for the implementation of this Protocol are:...
2. The Parties shall send to each other as soon as...

## ARTICLE 4

This Protocol shall enter into force at the same time...  
In witness whereof, the undersigned duly authorised thereto by their...  
For the Government of the United Kingdom of Great Britain...  
Mark Lennox-Boyd  
For the Government of Barbados:  
Sir William Douglas

Explanatory Note