

## SCHEDULE

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

## PART IV

### BENEFIT PROVISIONS

#### ARTICLE 16

##### *PRO—RATA PENSIONS*

(1) Subject to the provisions of Articles 17 to 20, the provisions of this Article shall apply for the purpose of determining entitlement to retirement pension, including any increase for dependants, in respect of a person under the legislation of any part of either Party under which there is no entitlement in respect of that person in accordance with the provisions of Article 15.

(2) In accordance with the provisions of Article 11, the competent authority of any part of either Party shall determine:

- (a) the amount of the theoretical pension which would be payable if all the relevant insurance periods completed under the legislation of both Parties had been completed under its own legislation;
- (b) the proportion of such theoretical pension which bears the same relation to the whole as the total of the insurance periods completed under the legislation of that part of either Party bears to the total of all the relevant insurance periods completed under the legislation of both Parties.

The proportionate amount thus calculated shall be the rate of pension actually payable by the competent authority.

(3) For the purpose of the calculation in paragraph (2):

- (a) where all the insurance periods completed by any person under the legislation of:
  - (i) either Great Britain, Northern Ireland or the Isle of Man amount to less than one reckonable year or, as the case may be, one qualifying year, or relate only to periods before 6 April 1975 and in aggregate amount to less than 50 weeks, or
  - (ii) Jersey amount to less than an annual contribution factor of 1.00, or
  - (iii) Guernsey amount to less than 50 weeks, those periods shall be treated as if they had been completed under the legislation of any other part of the United Kingdom under which a pension is, or if such periods are taken into account would be, payable, or, where two such pensions are or would be payable, under the legislation of that part which, at the date on which entitlement first arose or arises, is paying or would pay the greater amount. Where no such pension is or would be payable by any other part of the United Kingdom, the periods shall be treated as if they had been completed under the legislation of Barbados;
- (b) where all the insurance periods completed by any person under the legislation of Barbados amount to less than 50 weeks those periods shall be treated as if they had been completed under the legislation of that part of the United Kingdom under which a pension is, or if such periods are taken into account would be, payable, or where such a pension is or would be payable under the legislation of two or more parts of the United Kingdom, under

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the legislation of that part which, at the date on which entitlement first arose or arises, is paying or would pay the greater or greatest amount.