

2005 No. 2765

SOCIAL SECURITY

The Social Security (Reciprocal Agreements) Order 2005

Made - - - - - *12th October 2005*

Coming into force - - - *5th December 2005*

At the Court at Buckingham Palace, the 12th day of October 2005

Present,

The Queen's Most Excellent Majesty in Council

Whereas the Orders in Council specified in Schedule 2 modified or adapted certain enactments so as to give effect to the agreements set out in the Schedules to those Orders:

And Whereas Her Majesty's Government in consequence of changes in the law of Great Britain have proposed to each of the parties with whom the United Kingdom has made such an agreement alterations to the agreement:

And Whereas by virtue of section 179(1)(b) and (2) of the Social Security Administration Act 1992(a) it is provided that for the purpose of giving effect to any such agreement as it would be if it was so altered in accordance with such proposals, Her Majesty may by Order in Council make provision for modifying or adapting the Social Security Administration Act and the Social Security Contributions and Benefits Act 1992(b) in their application to cases affected by the proposed alterations:

Now, therefore, Her Majesty, in pursuance of the said section 179(1)(b) and (2) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation and commencement

1. This Order may be cited as the Social Security (Reciprocal Agreements) Order 2005 and shall come into force on 5th December 2005.

(a) 1992 c.5.
(b) 1992 c.4.

Modification of Acts

2. The Social Security Administration Act 1992 and the Social Security Contributions and Benefits Act 1992 shall be modified to such extent as may be required to give effect to the alterations set out in Schedule 1 which are proposed to the agreements set out in the Orders in Council specified in Schedule 2.

A.K.Galloway
Clerk of the Privy Council

SCHEDULE 1

Article 2

PROPOSED ALTERATIONS TO EXISTING AGREEMENTS

Where in the agreements set out in the Schedule to an Order in Council specified in Schedule 2 there are references to the terms set out in column 1, such references shall for the purposes of applying the relevant legislation of the United Kingdom be altered to be replaced by the corresponding terms set out in column 2, and pronouns used in such agreements in relation to those terms shall be altered as necessary to include both the masculine and feminine gender.

| <i>Column 1</i> | <i>Column 2</i> |
|--|---|
| Woman (other than in the expression “married woman”) | Person |
| Man | Person |
| Husband (other than in the expression “wife or husband”) | Spouse or civil partner |
| Wife (other than in the expression “wife or husband”) | Spouse or civil partner |
| Spouse | Spouse or civil partner |
| Married woman | Married person or civil partner |
| Wife or husband | Spouse or civil partner |
| Marriage | Marriage or civil partnership |
| Widow (other than in the expressions “widow or widower”, “widow’s benefit”, “widow’s payment”, “widow’s pension” or “widowed mother’s allowance” ^(a)) | Widow, widower or surviving civil partner |
| Widow or widower | Widow, widower or surviving civil partner |
| Divorce | Divorce or dissolution of a civil partnership |
| Widowhood | Death of a spouse or civil partner |

(a) See S.I. 2001/407.

SCHEDULE 2

Article 2

ORDERS IN COUNCIL MODIFIED BY THIS ORDER

| <i>Title of Order in Council</i> | <i>Reference</i> | <i>Previously modified by</i> |
|---|-------------------|--|
| The National Insurance and Industrial Injuries (Reciprocal Agreement with Italy) Order 1953 | S.I. 1953/884 | The Social Security (Reciprocal Agreements) Order 1976(a), the Social Security (Reciprocal Agreements) Order 1979(b), the Social Security (Reciprocal Agreements) Order 1988(c), the Social Security (Reciprocal Agreements) Order 1995(d), the Social Security (Reciprocal Agreements) Order 1996(e) and the Social Security (Reciprocal Agreements) Order 2001(f). |
| The National Insurance and Industrial Injuries (Luxembourg) Order 1955 | S.I. 1955/420 | The Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1979, the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995 and the Social Security (Reciprocal Agreements) Order 2001. |
| The National Insurance and Industrial Injuries (Netherlands) Order 1955 | S.I. 1955/874 | The Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1979, the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The National Insurance and Industrial Injuries (Israel) Order 1957 | S.I. 1957/1879 | The Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1979, the Social Security (Israel) Order 1984(g), the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995 and the Social Security (Reciprocal Agreements) Order 2001. |
| The National Insurance and Industrial Injuries (France) Order 1958 | S.I. 1958/597 | The Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1979, the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Family Allowances, National Insurance and Industrial Injuries (Belgium) Order 1958 | S.I. 1958/771 | The Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1979, the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |

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- (a) S.I. 1976/225.
 (b) S.I. 1979/290.
 (c) S.I. 1988/591.
 (d) S.I. 1995/767.
 (e) S.I. 1996/1928.
 (f) S.I. 2001/407.
 (g) S.I. 1984/354.

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| The Family Allowances, National Insurance and Industrial Injuries (Yugoslavia) Order 1958 | S.I. 1958/1263 | The Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1979, the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Family Allowances, National Insurance and Industrial Injuries (Denmark) Order 1960 | S.I. 1960/211 | The Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1979, the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The National Insurance and Industrial Injuries (Republic of Ireland) Order 1960 | S.I. 1960/707 | The Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1979, the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The National Insurance and Industrial Injuries (Turkey) Order 1961 | S.I. 1961/584 | The Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1979, the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Family Allowances, National Insurance and Industrial Injuries (Germany) Order 1961 | S.I. 1961/1202 | The Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1979, the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The National Insurance (Republic of Ireland) Order 1966 | S.I. 1966/270 | The Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Family Allowances, National Insurance and Industrial Injuries (Switzerland) Order 1969 | S.I. 1969/384 | The Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1979, the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995 and the Social Security (Reciprocal Agreements) Order 2001. |
| The National Insurance and Industrial Injuries (Bermuda) Order 1969 | S.I. 1969/1686 | The Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1979, the Social Security (Reciprocal Agreements) Order 1988 and the Social Security (Reciprocal Agreements) Order 2001. |
| The National Insurance (Republic of Ireland) Order 1971 | S.I. 1971/1742 | The Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1979, the Social Security (Reciprocal Agreements) Order 1988, |

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| | | the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Family Allowances, National Insurance and Industrial Injuries (Spain) Order 1975 | S.I. 1975/415 | The Social Security (Spain) Order 1976(a), the Social Security (Reciprocal Agreements) Order 1976, the Social Security (Reciprocal Agreements) Order 1979, the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (Portugal) Order 1979 | S.I. 1979/921 | The Social Security (Reciprocal Agreements) Order 1982(b), the Social Security (Portugal) Order 1987(c), the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (Austria) Order 1981 | S.I. 1981/605 | The Social Security (Austria) Order 1987(d), the Social Security (Reciprocal Agreements) Order 1988, the Social Security (Austria) Order 1992(e), the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (Mauritius) Order 1981 | S.I. 1981/1542 | The Social Security (Reciprocal Agreements) Order 1988 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (Cyprus) Order 1983 | S.I. 1983/1698 | The Social Security (Reciprocal Agreements) Order 1988, the Social Security (Cyprus) Order 1994(f), the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (New Zealand) Order 1983 | S.I. 1983/1894 | The Social Security (Reciprocal Agreements) Order 1988, the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (Finland) Order 1984 | S.I. 1984/125 | The Social Security (Reciprocal Agreements) Order 1988, the Social Security (Finland) Order 1992(g), the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (United States of America) Order 1984 | S.I. 1984/1817 | The Social Security (United States of America) Order 1997(h) and the Social Security (Reciprocal Agreements) Order 2001. |

(a) S.I. 1976/1916.
(b) S.I. 1982/1528.
(c) S.I. 1987/1831.
(d) S.I. 1987/1830.
(e) S.I. 1992/3209.
(f) S.I. 1994/1646.
(g) S.I. 1992/3210.
(h) S.I. 1997/1778.

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|--|-------------------|---|
| The Social Security (Iceland) Order 1985 | S.I. 1985/1202 | The Social Security (Reciprocal Agreements) Order 1988, the Social Security (Iceland) Order 1992(a), the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (Sweden) Order 1988 | S.I. 1988/590 | The Social Security (Reciprocal Agreements) Order 1988, the Social Security (Sweden) Order 1992(b), the Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (Philippines) Order 1989 | S.I. 1989/2002 | The Social Security (Reciprocal Agreements) Order 1995 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (Norway) Order 1991 | S.I. 1991/767 | The Social Security (Norway) Order 1992(c)The Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (Barbados) Order 1992 | S.I. 1992/812 | The Social Security (Reciprocal Agreements) Order 1995 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (Jersey and Guernsey) Order 1994 | S.I. 1994/2802 | The Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (Canada) Order 1995 | S.I. 1995/2699 | The Social Security (Reciprocal Agreements) Order 1996 and the Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (Malta) Order 1996 | S.I. 1996/1927 | The Social Security (Reciprocal Agreements) Order 2001. |
| The Social Security (Jamaica) Order 1997 | S.I. 1997/871 | The Social Security (Reciprocal Agreements) Order 2001. |

(a) S.I. 1992/3211.
(b) S.I. 1992/3213.
(c) S.I. 1992/3212.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for social security legislation to be modified, to reflect changes made to the benefit entitlement of spouses and civil partners by the Welfare Reform and Pensions Act 1999 and the Civil Partnership Act 2004, in relation to the Orders in Council listed in Schedule 2 (which give effect to agreements made between the Governments of the United Kingdom and other countries providing for reciprocity in certain social security matters).

This Order does not impose any costs on business.

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The Social Security (Reciprocal Agreements) Order 2005

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