

SCHEDULE 2

PROTOCOL

Part 2

Article 4

Administrative Arrangements

(1) In cases arising under Articles 7 and 9(2) of the Convention, the competent authority of the Party whose legislation is being applied shall issue to the insured person or to his employer, on application, a certificate showing that the insured person remains liable for contributions under that legislation.

(2) Where the last sentence of Article 9(2), or Article 11 of the Convention, applies and the employer has made an application to the competent authority whose legislation is being applied for an extension of the period of liability, the application shall be dealt with by correspondence between the competent authorities of the two Parties.

(3) Where a person is employed in the territory of one Party but chooses that the legislation of the other Party shall apply to him in accordance with Article 10(3) of the Convention, the competent authority of the latter Party shall notify the competent authority of the former Party of the choice the person has made.

Article 5

Application of the Special Provisions for Invalidity Pension

(1) For the implementation of Article 13 of the Convention, the competent authority of one Party shall provide the competent authority of the other Party with such information as may be required.

(2) When a person claims Invalidity Pension under the legislation of one Party and Article 13(3) of the Convention may apply, the competent authority which received the claim shall satisfy itself whether or not a claim for Invalidity Pension has been made under the legislation of the other Party.

Article 6

Application of the Special Provisions for Retirement Pensions

(1) Where a claim to benefit under Articles 14, 15 and 21 of the Convention is received by the competent authority of one Party and the person declares that insurance has been paid under the legislation of the other Party, details of the claim and all relevant information shall be issued to other interested competent authorities as follows:

- (i) Where the claim is made to one of the competent authorities in the United Kingdom that competent authority shall:
 - (a) send two copies of the appropriate liaison form to the competent authority in Jamaica;
 - (b) liaise with any other competent authority in the United Kingdom under whose legislation the claimant has been insured.

The latter competent authority, or competent authorities, in the United Kingdom shall send two copies of the appropriate liaison form to the competent authority in Jamaica;

- (c) the competent authority in Jamaica shall return one copy of the liaison forms which it receives to the competent authority which issued the form and provide the information requested.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (ii) Where the claim is made to the competent authority in Jamaica that competent authority shall:
 - (a) send two copies of the appropriate liaison form to each of the competent authorities in the United Kingdom with which the claimant has been insured;
 - (b) where necessary, each of the competent authorities in the United Kingdom shall liaise to exchange insurance records;
 - (c) each of the competent authorities in the United Kingdom shall return one copy of the liaison form to the competent authority in Jamaica and provide the information requested.
 - (2) Information on liaison forms about the claimants, the insured person and any dependants shall, where necessary, be verified by the issuing competent authority.
 - (3) The competent authority of each Party shall thereafter notify each other of any fact relevant to the determination of the claim.
 - (4) The decision on a pension claim shall be sent direct to the claimant by the competent authority.
- Article 7

Application of the Special Provisions for Industrial Accidents and Industrial Diseases

- (1) For the implementation of Articles 22, 23 and 24 of the Convention, the competent authority of one Party shall provide the competent authority of the other Party with such information as may be required or as may be possible to be secured.
 - (2) Where a person resident in the territory of one Party claims benefit in respect of an industrial accident or industrial disease under the legislation of the other Party, and Article 23 of the Convention may apply, the competent authority of the latter Party shall enquire, from the competent authority of the former Party, whether a claim to benefit in respect of an industrial accident or industrial disease has been made to that Party.
- Article 8

Application of the Special Provisions for Orphan's Benefit

For the implementation of Article 25 of the Convention, the competent authority of one Party shall provide the competent authority of the other Party with such information as may be required.

Article 9

Application of the Special Provisions for Death Grant under the Legislation of (i) Jersey and Guernsey, and (ii) Jamaica

- (1) For the implementation of Article 26(2) of the Convention, the competent authority of one Party shall, on request, provide the competent authority of the other Party with such information regarding periods of insurance as may be required.
 - (2) Where a person resident in the territory of one Party claims Death Grant under the legislation of the other Party, and Article 26(4) of the Convention may apply, the competent authority of the latter Party shall enquire, from the competent authority of the former Party, whether a claim to Death Grant has been made to that Party.
- Article 10

Recovery of Overpaid Benefit

- (1) For the implementation of Article 27 of the Convention the competent authority which has overpaid an amount of benefit and wishes to recover that overpayment from the arrears of benefit

held by the other Party, shall notify the latter Party of its request either by the appropriate form or by letter.

(2) The arrears of benefit available when the request is received, or which later become available after the request, shall be sent to the competent authority which is to make the recovery. After recovering the appropriate amount under Article 27 the balance of the arrears shall be paid to the beneficiary. Confirmation of the amount received and the amount paid to the beneficiary shall be notified to the competent authority which sent the arrears.

Article 11

Medical Examination

(1) The competent authority of one Party wishing to have a person medically examined whilst resident in the territory of the other Party shall provide the competent authority of the latter Party with details of the medical examination it requires to be made.

(2) The competent authority of the latter Party shall make the necessary arrangements for the medical examination of the person and forward the resulting reports to the competent authority of the former Party.

Article 12

Miscellaneous Provisions

(1) Any claim or appeal to the competent authorities of the territory in which a person resides but proper to the competent authorities of the other Party shall be endorsed with the date of its receipt and sent to the competent authorities of the other Party.

(2) The competent authority of one Party shall obtain, where necessary, from the competent authority of the other Party, any declaration or other information which may be required concerning any person for the purpose of the application of the Convention.

(3) Where a competent authority of one Party is unable to collect contributions from an employer (or person) in the territory of the other Party, the competent authority of the latter Party shall provide assistance to collect the contributions. The assistance shall be limited to passing the demand for contributions, with instructions on how the contributions can be paid, to the liable employer (or person).