

visions of paragraph (b) of subsection (1) of section 22 of the Act shall, if his service terminated outside Northern Ireland and he had not returned to Northern Ireland before the expiration of the period during which he continued to be insured, apply to him, as if for the words "being at the date when he last left Northern Ireland" there were substituted the words "being at the date when contributions ceased to be payable by or in respect of him," and as if for the words "the date when he ceases to be insured" there were substituted the words "the expiration of six months from the date when he ceased to be insured."

4.—The Contributory Pensions (Oversea Voluntary Contributors) Order (Northern Ireland), 1930 (S.R. & O. of Northern Ireland, 1930, No. 168), is hereby revoked but without prejudice to anything duly done or suffered, or to any right, privilege, obligation or liability acquired, accrued or incurred, thereunder.

Given under the Official Seal of the National Health Insurance Joint Committee this 14th day of January, in the year nineteen hundred and thirty-eight.

(L.S.)

E. C. MOFFREY,

Secretary to the National Health Insurance  
Joint Committee.

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### Reciprocal Arrangements.

REGULATIONS, DATED DECEMBER 31, 1938, MADE BY THE MINISTRY OF LABOUR FOR NORTHERN IRELAND, IN CONJUNCTION WITH THE MINISTRY OF FINANCE FOR NORTHERN IRELAND, UNDER THE WIDOWS', ORPHANS' AND OLD AGE CONTRIBUTORY PENSIONS ACTS (NORTHERN IRELAND), 1936 AND 1937.

1938. No. 146.

The Ministry of Labour for Northern Ireland, in conjunction with the Ministry of Finance for Northern Ireland, in exercise of the powers conferred on them by section 35 of the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1936, as amended by section 15 of the Widows', Orphans' and Old Age Contributory Pensions (Voluntary Contributors) Act (Northern Ireland), 1937, and of all other powers enabling them in that behalf, hereby make the following Regulations:—

1.—(1) These Regulations may be cited as the Contributory Pensions (Great Britain Reciprocal Arrangements) Regulations (Northern Ireland), 1938, and shall be deemed to have had effect as from the 3rd January, 1938.

(2) Words and expressions in these Regulations shall have the same meaning as in the Memorandum of Reciprocal Arrangements set out in the schedule to these Regulations:

2.—The provisions contained in the Memorandum of Reciprocal Arrangements set out in the Schedule to these Regulations shall have full force and effect so far as the same relate to Northern Ireland, and the Acts shall have effect in Northern Ireland subject to such modifications and adaptations as may be required in the Acts; for the purpose of giving effect to the provisions contained in the said Memorandum.

SCHEDULE.

MEMORANDUM OF RECIPROCAL ARRANGEMENTS RELATING TO WIDOWS', ORPHANS' AND OLD AGE CONTRIBUTORY PENSIONS BETWEEN THE NATIONAL HEALTH INSURANCE JOINT COMMITTEE, WITH THE CONSENT OF THE TREASURY OF THE ONE PART, AND THE MINISTRY OF LABOUR FOR NORTHERN IRELAND, WITH THE CONSENT OF THE MINISTRY OF FINANCE FOR NORTHERN IRELAND, OF THE OTHER PART.

1.—(1) In this Memorandum, unless the context otherwise requires—

“the Acts” mean the Widows', Orphans' and Old Age Contributory Pensions Acts, 1936 and 1937, as amended by any subsequent enactments, or the Widows', Orphans' and Old Age Contributory Pensions Acts (Northern Ireland), 1936 and 1937, as amended by any subsequent enactments;

26 Geo. 5 &  
1 Edw. 8, c. 33  
and 1 Edw. 8 &  
1 Geo. 6, c. 39  
26 Geo. 5 &  
1 Edw. 8, c. 32  
and 1 Edw. 8 &  
1 Geo. 6, c. 23.

“country” means Great Britain or Northern Ireland as the case may be;

“deferred pension” means a pension payable in accordance with the provisions of sub-section (3) of section 5 of the Widows', Orphans' and Old Age Contributory Pensions (Voluntary Contributors) Act, 1937, and of the Widows', Orphans' and Old Age Contributory Pensions (Voluntary Contributors) Act (Northern Ireland), 1937.

1 Edw. 8 &  
1 Geo. 6, c. 23.

(2) Unless the context otherwise requires, expressions in this Memorandum shall have the same meaning as in the Acts.

(3) The Interpretation Act, 1889, applies to the interpretation of this Memorandum as it applies to the interpretation of an Act of Parliament.

52 & 53 Vict. 63

2.—For the purposes of all or any of the provisions of the pensions scheme or schemes in force in Great Britain or Northern Ireland as the case may be

(a) employment or insurance, contributions paid (including contributions deemed to have been paid), pensions paid or residence in one country, shall be treated as if they had been respectively employment or insurance, contributions paid (including contributions deemed to have been paid), pensions paid or residence in the other country;

(b) any title to pay contributions at a reduced rate, or to a deferred pension, which a person may have acquired under the Acts in force in one country shall, whilst resident in the other country, become a corresponding title to pay contributions at a reduced rate, or to a deferred pension, under the Acts in force in such other country;

- (c) employment of a person which for the purposes of the Acts in force in one country is, or had the rate of his remuneration not exceeded two hundred and fifty pounds a year would have been, an excepted employment entailing the payment of no contributions or of contributions at less than the ordinary rates shall be treated as if it had been respectively an excepted employment entailing the payment of no contributions or of contributions at less than the ordinary rates under the Acts in force in the other country.

3.—A person who, had he remained resident in one country, would not have been entitled to become a special voluntary contributor under the Acts in force in that country, or would only have been entitled to become a special voluntary contributor thereunder for the purposes of widows' and orphans' pensions, shall not, if he has become resident in the other country, be entitled to become a special voluntary contributor under the Acts in force in such other country or shall only be entitled, subject to the provisions thereof, to become a special voluntary contributor thereunder for the purpose of widows' and orphans' pensions as the case may require.

4.—(a) Subject to the provisions of the Acts as modified by this Memorandum, a claim for a pension shall be made to the pensions authority for the country in which the person in respect of whose insurance or employment the pension is claimed was last insured or employed, as the case may be, and pensions (which expression for the purposes of this Memorandum includes additional allowances) payable by one country shall, whilst a person is resident in the other country, become payable under or by virtue of the Acts in force in such other country; and any qualification, disqualification or other provision which would, had the pension continued to be payable under or by virtue of the Acts in force in the one country, have been applicable thereto, shall be treated as if it were the corresponding qualification, disqualification or other provision applicable to the pension under or by virtue of the Acts in force in the other country:

(b) Where pensions are payable to or in respect of persons outside the United Kingdom, such pensions shall be paid by the country by which the pension was being paid when the person to or in respect of whom the pension was payable left the United Kingdom.

5.—Application to become a special voluntary contributor shall be made to the pensions authority for the country in which the applicant is living and, if he is living outside Great Britain and Northern Ireland, it shall be made to the country in which he claims to be resident at the time of application.

6.—A voluntary contributor who is separately insured for pension purposes in one country shall, if he becomes resident in the other country, continue to be subject to the provisions of the Acts in force in the former country until the end of the contribution half-year next after that in which he became resident in the other country, and from the commencement of the contribution half-year next following the first mentioned contribution half-year his insurance for pension purposes shall be transferred to, and he shall be subject to the provisions of the Acts in force in, the country in which he has become resident.

7.—Notwithstanding anything contained in this Memorandum:—

- (a) Nothing herein shall authorise payment under the Acts in force in one country of a pension to or in respect of a person for any period in respect of which a pension is payable to or in respect of that person under the Acts in force in the other country;
- (b) A person who is a voluntary contributor under the pensions scheme or schemes in force in one country shall not be entitled to be or become a voluntary contributor at the same time under the pensions scheme or schemes in force in the other country.

8.—The National Health Insurance Joint Committee with the consent of the Treasury, and the Ministry of Labour for Northern Ireland with the consent of the Ministry of Finance for Northern Ireland shall make such financial adjustments as they may agree to be necessary for the purposes of these arrangements.

9.—This Memorandum of arrangements shall be deemed to have been in operation as from the 3rd January, 1938, but the said Joint Committee or the said Ministry of Labour may terminate the arrangements herein contained at the end of any contribution half-year on giving not less than three months previous notice in writing to the other party.

Given under the Official Seal of the National Health Insurance Joint Committee this twenty-fourth day of November, in the year One Thousand Nine Hundred and Thirty-eight.

(L.S.)

H. N. HOWORTH,  
Secretary to the National Health  
Insurance Joint Committee.

Given under the Official Seal of the Ministry of Labour for Northern Ireland this twenty-fourth day of November, in the year One Thousand Nine Hundred and Thirty-eight.

(L.S.)

W. A. B. ILIFF,  
Assistant Secretary, Ministry of Labour  
for Northern Ireland.

We Consent.

PATRICK MUNRO,  
STEPHEN N. FURNESS,  
Two of the Lords Commissioners of  
His Majesty's Treasury.

The Ministry of Finance for Northern Ireland hereby consents.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this twenty-fourth day of November, in the year One Thousand Nine Hundred and Thirty-eight.

(L.S.)

G. C. DUGGAN,  
Assistant Secretary, Ministry of  
Finance for Northern Ireland.

Given under the Official Seal of the Ministry of Labour for Northern Ireland this 31st day of December, nineteen hundred and thirty-eight.

(L.S.)

H. CONACHER,  
Secretary, Ministry of Labour  
for Northern Ireland.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 31st day of December, nineteen hundred and thirty-eight.

(L.S.)

G. C. DUGGAN,  
Assistant Secretary, Ministry of Finance  
for Northern Ireland.