



Social Security Administration (Northern Ireland) Act 1992

1992 CHAPTER 8

PART XIII

SOCIAL SECURITY SYSTEMS OUTSIDE NORTHERN IRELAND

Reciprocity

[^{F1}154]

Textual Amendments

F1 S. 154 repealed and superseded (2.12.1999) by 1998 c. 47, ss. 87(8)(b), 100(2), **Sch. 15**; S.I. 1999/3209, **art. 2**,

155 Reciprocal agreements with countries outside the United Kingdom.

(1) For the purpose of giving effect—

- (a) to any agreement with the government of a country outside the United Kingdom [^{F2}or an international organisation] providing for reciprocity in matters relating to payments for purposes similar or comparable to the purposes of legislation to which this section applies, or
- (b) to any such agreement as it would be if it were altered in accordance with proposals to alter it which, in consequence of any change in the law of Northern Ireland, the government of the United Kingdom has made to the other government [^{F3}or international organisation] in question,

the Secretary of State may by order make provision for modifying or adapting such legislation in its application to cases affected by the agreement or proposed alterations.

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- (2) An order made by virtue of subsection (1) above may, instead of or in addition to making specific modifications or adaptations, provide generally that legislation to which this section applies shall be modified to such extent as may be required to give effect to the provisions contained in the agreement or, as the case may be, alterations in question.
- (3) The modifications which may be made by virtue of subsection (1) above include provisions—
- (a) for securing that acts, omissions and events having any effect for the purposes of the ^[F4]law in force in the country] in respect of which the agreement is made ^[F5]or has effect] have a corresponding effect for the purposes of this Act ^[F6], the Jobseekers (Northern Ireland) Order 1995^[F7], Chapter II of Part II of the Social Security (Northern Ireland) Order 1998 ^[F8], the State Pension Credit Act (Northern Ireland) 2002^[F9], Part 1 of the Welfare Reform Act (Northern Ireland) 2007^[F10], Part 2 of the Welfare Reform (Northern Ireland) Order 2015^[F11], Part 5 of that Order^[F12], Part 1 of the Pensions Act (Northern Ireland) 2015^[F13], Part 5 of that Act] and the Contributions and Benefits Act (but not so as to confer a right to double benefit);
 - (b) for determining, in cases where rights accrue both under such legislation and under the ^[F14]law in force in that country] , which of those rights is to be available to the person concerned;
 - (c) for making any necessary financial adjustments.
- (4) This section applies—
- (a) to the Contributions and Benefits Act ;
 - ^[F15](aa) to the Jobseekers (Northern Ireland) Order 1995;]
 - ^{F16} ...
 - ^[F17](ab) to Chapter II of Part II of the Social Security (Northern Ireland) Order 1998,^{F18}...]
 - ^[F19](ac) to the State Pension Credit Act (Northern Ireland) 2002;]^{F18}^[F20] ...
 - (ad) to Part 1 of the Welfare Reform Act (Northern Ireland) 2007;]
 - ^[F21](ae) to Part 2 of the Welfare Reform (Northern Ireland) Order 2015;]
 - ^[F22](af) to Part 5 of that Order;]
 - ^[F23](ag) to Part 1 of the Pensions Act (Northern Ireland) 2015;]
 - ^[F24](ah) to Part 5 of the Pensions Act (Northern Ireland) 2015;]
 - ^[F25](ai) to Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, as it forms part of domestic law by virtue of section 3 of the European Union (Withdrawal) Act 2018;
 - (aj) to Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004, as it forms part of domestic law by virtue of section 3 of the European Union (Withdrawal) Act 2018;
 - (ak) to Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, as it forms part of domestic law by virtue of section 3 of the European Union (Withdrawal) Act 2018;
 - (al) to Council Regulation (EEC) No 574/72 of 21 March 1972 laying down the procedure for implementing Regulation (EEC) No 1408/71 on the application

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of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community, as it forms part of domestic law by virtue of section 3 of the European Union (Withdrawal) Act 2018;

(am) to Council Regulation (EC) No 859/2003 of 14 May 2003 extending the provisions of Regulation (EEC) No 1408/71 and Regulation (EEC) No 574/72 to nationals of third countries who are not already covered by those provisions solely on the ground of their nationality, as it forms part of domestic law by virtue of section 3 of the European Union (Withdrawal) Act 2018.]

(b) to this Act,

except in relation to the following benefits—

- (i) payments out of the social fund;
- (ii) Christmas bonus;
- (iii) statutory sick pay; and
- (iv) statutory maternity pay.

(5) The power conferred by subsection (1) above shall also be exercisable in relation to regulations made under the Contributions and Benefits Act [^{F26}, this Act or Part 1 of the Welfare Reform Act (Northern Ireland) 2007][^{F27} or Part 1 of the Pensions Act (Northern Ireland) 2015][^{F28} or section 29 of that Act] and concerning—

- [^{F29}(za) universal credit;]
- (a) income support;
- [^{F30}(aa) jobseeker’s allowance;]
- [^{F31}(ab) state pension credit;]
- [^{F32}(ac) employment and support allowance;]
- [^{F33}(ad) state pension under Part 1 of the Pensions Act (Northern Ireland) 2015;]
- [^{F34}(ae) bereavement support payment;]
- ^{F35}(b)
- ^{F35}(c)
- (d) housing benefit; or
- (e) child benefit.

[^{F36}(6) In this section, “international organisation” means an organisation of which—

- (a) two or more sovereign powers are members, or
- (b) the governments of two or more sovereign powers are members.]

Textual Amendments

- F2** Words in s. 155(1)(a) inserted (16.12.2020) by The Social Security Co-ordination (Revocation of Retained Direct EU Legislation and Related Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1508), reg. 1(2), **Sch. para. 2(2)(a)**
- F3** Words in s. 155(1)(b) inserted (16.12.2020) by The Social Security Co-ordination (Revocation of Retained Direct EU Legislation and Related Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1508), reg. 1(2), **Sch. para. 2(2)(a)**
- F4** Words in s. 155(3)(a) substituted (16.12.2020) by The Social Security Co-ordination (Revocation of Retained Direct EU Legislation and Related Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1508), reg. 1(2), **Sch. para. 2(3)(a)(i)**
- F5** Words in s. 155(3)(a) inserted (16.12.2020) by The Social Security Co-ordination (Revocation of Retained Direct EU Legislation and Related Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1508), reg. 1(2), **Sch. para. 2(3)(a)(ii)**

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- F6** Words in s. 155(3) inserted (3.5.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2**, para. 48(2); S.R. 1996/180, **art. 2**
- F7** Words in s. 155(3)(a) inserted (5.7.1999, 6.9.1999, 5.10.1999, 18.10.1999 and 29.11.1999 for different purposes, otherwise prosp.) by S.I. 1998/1506 (N.I. 10), arts. 1(2), 78(1), **Sch. 6 para. 84(1)**; S.R. 1999/310, art. 2(1)(b), **Sch. 1** (with arts. 4, 14); S.R. 1999/371, art. 2(b), **Sch. 1** (with arts. 4, 18); S.R. 1999/407, art. 2(b), **Sch.** (with art. 4); S.R. 1999/428, art. 2(b), **Sch. 1** (with arts. 4, 16) and S.R. 1999/472, art. 2(1), **Sch. 1** (with arts. 20-22) (subject to art. 2(2) of the said S.R. 1999/472)
- F8** Words in s. 155(3)(a) inserted (2.12.2002 for certain purposes, 6.10.2003 in so far as not already in force) by State Pension Credit Act (Northern Ireland) 2002 (c. 14), ss. 14, 21(2), **Sch. 2 Pt. 2 para. 19(a)**; S.R. 2002/366, **art. 2(1)**; S.R. 2003/373, art. 2
- F9** Words in s. 155(3)(a) inserted (27.10.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 3 para. 4(25)(a)**; S.R. 2008/276, art. 2(2)(d), Sch. Pt. 2
- F10** Words in s. 155(3)(a) inserted (2.5.2016 for specified purposes, 27.9.2017 in so far as not already in force) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006), art. 2(2), **Sch. 2 para. 23(2)**; S.R. 2016/215, art. 2(2)(c)(v)(dd); S.R. 2017/190, art. 4(1)(2)(g)(ii)
- F11** Words in s. 155(3)(a) inserted (20.6.2016) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006), art. 2(2), **Sch. 9 para. 24(2)**; S.R. 2016/215, art. 3(2)
- F12** Words in s. 155(3)(a) inserted (14.9.2015) by Pensions Act (Northern Ireland) 2015 (c. 5), s. 53(3), **Sch. 12 para. 21(2)**; S.R. 2015/329, art. 2(2)(c)
- F13** Words in s. 155(3)(a) inserted (9.2.2017) by Pensions Act (Northern Ireland) 2015 (c. 5), s. 53(1), **Sch. 16 para. 31(2)**; S.R. 2017/37, art. 2(c)
- F14** Words in s. 155(3)(b) substituted (16.12.2020) by The Social Security Co-ordination (Revocation of Retained Direct EU Legislation and Related Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1508), reg. 1(2), **Sch. para. 2(3)(b)**
- F15** S. 155(4)(aa) inserted (3.5.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2**, para. 48(3); S.R. 1996/180, **art. 2**
- F16** Word in s. 155(4) repealed (6.10.2003) by State Pension Credit Act (Northern Ireland) 2002 (c. 14), s. 21(2), **Sch. 3**; S.R. 2003/373, **art. 2**
- F17** S. 155(4)(ab) inserted (5.7.1999, 6.9.1999, 5.10.1999, 18.10.1999 and 29.11.1999 for different purposes, otherwise prosp.) by S.I. 1998/1506 (N.I. 10), arts. 1(2), 78(1), **Sch. 6 para. 84(2)**; S.R. 1999/310, art. 2(1)(b), **Sch. 1** (with arts. 4, 14); S.R. 1999/371, art. 2(b), **Sch. 1** (with arts. 4, 18); S.R. 1999/407, art. 2(b), **Sch.** (with art. 4); S.R. 1999/428, art. 2(b), **Sch. 1** (with arts. 4, 16) and S.R. 1999/472, art. 2(1), **Sch. 1** (with arts. 20-22) (subject to art. 2(2) of the said S.R. 1999/472)
- F18** Word in s. 155(4)(aa)-(ac) omitted (2.5.2016 for specified purposes, 27.9.2017 in so far as not already in force) by virtue of The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006), art. 2(2), **Sch. 2 para. 23(3)**; S.R. 2016/215, art. 2(2)(c)(v)(dd); S.R. 2017/190, art. 4(1)(2)(g)(ii)
- F19** S. 155(4)(ac) inserted (2.12.2002 for certain purposes, 6.10.2003 in so far as not already in force) by State Pension Credit Act (Northern Ireland) 2002 (c. 14), ss. 14, 21(2), **Sch. 2 Pt. 2 para. 19(b)**; S.R. 2002/366, **art. 2(1)**; S.R. 2003/373, art. 2
- F20** S. 155(4)(ad) and word inserted (27.10.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 3 para. 4(25)(b)**; S.R. 2008/276, art. 2(2)(d), Sch. Pt. 2
- F21** S. 155(4)(ae) inserted (2.5.2016 for specified purposes, 27.9.2017 in so far as not already in force) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006), art. 2(2), **Sch. 2 para. 23(4)**; S.R. 2016/215, art. 2(2)(c)(v)(dd); S.R. 2017/190, art. 4(1)(2)(g)(ii)
- F22** S. 155(4)(af) inserted (20.6.2016) by The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006), art. 2(2), **Sch. 9 para. 24(3)**; S.R. 2016/215, art. 3(2)
- F23** S. 155(4)(ag) inserted (14.9.2015) by Pensions Act (Northern Ireland) 2015 (c. 5), s. 53(3), **Sch. 12 para. 21(3)**; S.R. 2015/329, art. 2(2)(c)
- F24** Words in s. 155(4)(ah) inserted (9.2.2017) by Pensions Act (Northern Ireland) 2015 (c. 5), s. 53(1), **Sch. 16 para. 31(3)**; S.R. 2017/37, art. 2(c)
- F25** S. 155(4)(ai)-(am) inserted (16.12.2020) by The Social Security Co-ordination (Revocation of Retained Direct EU Legislation and Related Amendments) (EU Exit) Regulations 2020 (S.I. 2020/1508), reg. 1(2), **Sch. para. 2(4)**

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- F26** Words in s. 155(5) substituted (31.10.2011) by [The Social Security \(Miscellaneous Amendments No. 2\) Regulations \(Northern Ireland\) 2011 \(S.R. 2011/357\)](#), regs. 1(1), **3**
- F27** Words in s. 155(5) inserted (14.9.2015) by virtue of [Pensions Act \(Northern Ireland\) 2015 \(c. 5\)](#), s. 53(3), **Sch. 12 para. 21(4)(a)**; S.R. 2015/329, art. 2(2)(c)
- F28** Words in s. 155(5) inserted (9.2.2017) by [Pensions Act \(Northern Ireland\) 2015 \(c. 5\)](#), s. 53(1), **Sch. 16 para. 31(4)(a)**; S.R. 2017/37, art. 2(c)
- F29** S. 155(5)(za) inserted (2.5.2016 for specified purposes, 27.9.2017 in so far as not already in force) by [The Welfare Reform \(Northern Ireland\) Order 2015 \(S.I. 2015/2006\)](#), art. 2(2), **Sch. 2 para. 23(5)**; S.R. 2016/215, art. 2(2)(c)(v)(dd); S.R. 2017/190, art. 4(1)(2)(g)(ii)
- F30** S. 155(5)(aa) inserted (3.5.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2 para. 48(4)**; S.R. 1996/180, **art. 2**
- F31** S. 155(5)(ab) inserted (2.12.2002 for certain purposes, 6.10.2003 in so far as not already in force) by [State Pension Credit Act \(Northern Ireland\) 2002 \(c. 14\)](#), ss. 14, 21(2), **Sch. 2 Pt. 2 para. 19(c)**; S.R. 2002/366, **art. 2(1)**; S.R. 2003/373, art. 2
- F32** S. 155(5)(ac) inserted (27.10.2008) by [Welfare Reform Act \(Northern Ireland\) 2007 \(c. 2\)](#), s. 60(1), **Sch. 3 para. 4(25)(c)**; S.R. 2008/276, art. 2(2)(d), Sch. Pt. 2
- F33** S. 155(5)(ad) inserted (14.9.2015) by [Pensions Act \(Northern Ireland\) 2015 \(c. 5\)](#), s. 53(3), **Sch. 12 para. 21(4)(b)**; S.R. 2015/329, art. 2(2)(c)
- F34** S. 155(5)(ae) inserted (9.2.2017) by [Pensions Act \(Northern Ireland\) 2015 \(c. 5\)](#), s. 53(1), **Sch. 16 para. 31(4)(b)**; S.R. 2017/37, art. 2(c)
- F35** S. 155(5)(b)(c) repealed (8.4.2003) by [Tax Credits Act 2002 \(c. 21\)](#), s. 61, **Sch. 6**; S.I. 2003/962, art. 2(4)(e), Sch. 2 (with art. 3)
- F36** S. 155(6) inserted (16.12.2020) by [The Social Security Co-ordination \(Revocation of Retained Direct EU Legislation and Related Amendments\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1508\)](#), reg. 1(2), **Sch. para. 2(5)**

Modifications etc. (not altering text)

- C1** S. 155(5) modified (9.9.2021) by [The Social Security \(Switzerland\) Order \(Northern Ireland\) 2021 \(S.R. 2021/277\)](#), arts. 1(2), 2(2)(j), **Sch.**
- C2** S. 155(5) modified (19.10.2023) by [The Social Security \(Iceland\) \(Liechtenstein\) \(Norway\) Order \(Northern Ireland\) 2023 \(S.R. 2023/181\)](#), arts. 1(1), 2, **Sch.**

[^{F37}155A Exchange of information with overseas authorities

- (1) This section applies where it appears to the Department—
- that there are arrangements in force for the exchange of relevant information between the Department and any authorities in a country outside the United Kingdom ('the overseas country'); and
 - that the arrangements and the law in force in the overseas country are such as to ensure that there are adequate safeguards in place against any improper use of information disclosed by the Department under this section
- (2) For the purpose of facilitating the carrying out by authorities in the overseas country of any function relating to anything corresponding to, or in the nature of, a social security benefit, the Department may make any such disclosure of relevant information to authorities in the overseas country as the Department considers necessary to give effect to the arrangements.
- (3) It shall be the duty of the Department to take all such steps as may be reasonable for securing that relevant information disclosed to it in accordance with the arrangements is not used for any purpose in which its use is not expressly or impliedly authorised by or under the arrangements.

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- (4) This section does not apply where provision is in force under section 155 above for giving effect to the arrangements in question.
- (5) The purposes for which information may be required to be disclosed to the Department under section 116D above or section 122D of the Great Britain Administration Act (information required from authorities administering housing benefit or council tax benefit) shall be deemed to include the further disclosure of that information in accordance with this section.
- (6) In this section 'relevant information' means any information held by the Department or any authorities in a country outside the United Kingdom for the purposes of any functions relating to, or to anything corresponding to or in the nature of, a social security benefit.]

Textual Amendments

F37 S. 155A inserted (14.2.2003) by [2001 c. 11](#) , ss. 5(2), 20; [S.I. 2003/273](#), [art. 2](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to legislation.gov.uk. [S.I. 2018/1125, reg. 8](#) omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))
- Act modified by [S.R. 2019/211 art. 2\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. Affecting Order revoked (19.12.2020) without ever being in force by [S.R. 2020/347, arts. 1\(1\), 2](#))

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 101(1)(4)(5)s. 101(6)(a)(b) words repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 2A(9) added by [2010 c. 13 \(N.I.\) Sch. 1 para. 24](#)
- s. 2G(1)(d) inserted by [S.I. 2015/2006 \(N.I.\) art. 65\(5\)](#)
- s. 5(1A)-(1C) inserted by [2010 c. 13 \(N.I.\) s. 18\(2\)\(c\)](#)
- s. 31A(1A) words substituted by [S.I. 2015/2006 \(N.I.\) Sch. 4 para. 11\(a\)\(ii\)](#)
- s. 104A(1A)-(1C) inserted by [2007 c. 2 \(N.I.\) s. 42\(3\)](#)
- s. 110A inserted by [2007 c. 2 \(N.I.\) s. 43](#)
- s. 110A repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 110A heading word inserted by [S.I. 2015/2006 \(N.I.\) art. 114\(4\)](#)
- s. 110A(2) words substituted by [S.I. 2015/2006 \(N.I.\) art. 114\(5\)\(a\)](#)
- s. 110A(2)(b) words substituted by [S.I. 2015/2006 \(N.I.\) art. 114\(5\)\(b\)](#)
- s. 110A(4)(b) words substituted by [S.I. 2015/2006 \(N.I.\) art. 114\(6\)](#)
- s. 110ZA inserted by [S.I. 2015/2006 \(N.I.\) art. 114\(2\)](#)
- s. 110ZA repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 116E and cross-heading inserted by [2010 c. 13 \(N.I.\) s. 16\(3\)](#)
- s. 126(2)-(2B) substituted for s. 126(2) by [2007 c. 2 \(N.I.\) s. 35](#)
- s. 130AB inserted by [2008 c. 13 \(N.I.\) Sch. 3 para. 14](#)
- s. 140C inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 20](#)
- s. 166(2)(ac) inserted by [2010 c. 13 \(N.I.\) s. 17](#)