
S T A T U T O R Y I N S T R U M E N T S

1973 No. 763

SOCIAL SECURITY

The National Insurance (Canada) Order 1973

Made - - - *18th April 1973*

At the Court at Windsor Castle, the 18th day of April 1973

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 105(1) of the National Insurance Act 1965(a), 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 interpretation

1.—(1) This Order may be cited as the National Insurance (Canada) Order 1973.

(2) The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(b) shall apply in relation to this Order as if this Order were an Act of Parliament.

Modification of Acts

2. The provisions contained in the Letters set out in the Schedule to this Order shall have full force and effect, so far as the same relate to England, Wales and Scotland and provide for reciprocity in any matters specified in section 105(1) of the National Insurance Act 1965; and the National Insurance Acts 1965 to 1972 shall have effect subject to such modifications as may be required therein for the purpose of giving effect to any such provisions.

W. G. Agnew.

SCHEDULE

LETTERS EXCHANGED ON THE 9TH MARCH, 1973, BETWEEN THE HIGH COMMISSIONER
FOR THE UNITED KINGDOM IN CANADA AND THE CANADIAN MINISTER OF
NATIONAL HEALTH AND WELFARE

No. 1

THE HIGH COMMISSIONER FOR THE UNITED KINGDOM IN CANADA TO THE
CANADIAN MINISTER OF NATIONAL HEALTH AND WELFARE

9 March 1973

1. As you know our officials have been considering whether the arrangements concerning social security agreed in the letters which passed between the Govern-

(a) 1965 c. 51.

(b) 1889 c. 63.

ments of the United Kingdom and of Canada on the 8th and 10th December, 1959(a), as amended by the Exchange of Letters of the 7th and 30th November, 1961(b), require to be modified in view of the recent changes made in Canadian Social Security legislation.

2. The Government of the United Kingdom now proposes that:—

(a) the provisions set out in paragraph 16(a) of Sir Saville Garner's letter of the 8th December, 1959 (which in certain circumstances enable a person to be treated as having paid contributions under the legislation of the United Kingdom for weeks of residence in Canada) should apply, for the purpose of any claim to receive a retirement pension under the legislation of the United Kingdom, to a person aged 65 or over; and

(b) paragraph 16(a)(ii) of the said letter should be amended to read as follows:

"throughout the last year of that ten-year period and throughout earlier periods after attaining the age of 18 which in the aggregate are at least three times as long as any parts of that ten-year period during which he has not been resident in the United Kingdom;"

3. If the Government of Canada agrees to the above proposals, I suggest that they shall take effect on the first day of the second month following the month in which your letter in that sense is received by me.

P. T. Hayman.

No. 2

THE CANADIAN MINISTER OF NATIONAL HEALTH AND WELFARE TO THE HIGH
COMMISSIONER FOR THE UNITED KINGDOM IN CANADA

March 9, 1973

My dear High Commissioner:

I am replying to your letter of March 9, 1973, concerning modification of the arrangements on social security benefits contained in the Exchange of Letters of the 8th and 10th December, 1959, as amended by the Exchange of Letters of the 7th and 30th November, 1961.

The Government of Canada accepts the proposals set out in paragraphs 2(a) and (b) of your letter and agrees that the modifications shall take effect as set out in paragraph 3 of your letter.

Yours truly,

Marc Lalonde.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order gives effect in England, Wales and Scotland to provisions which have been arranged between the United Kingdom and Canada in the Letters set out in the Schedule to the Order, in so far as they relate to matters for which provision is made by the National Insurance Acts 1965 to 1972.

(a) See the Schedule to the Family Allowances and National Insurance (Canada) Order 1959 (S.I. 1959/2216 (1959 II, p. 1898)).

(b) See the Schedule to the National Insurance (Canada) Order 1962 (S.I. 1962/173 (1962, p. 181)).

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