(*b*) in the case of a person entitled to industrial injury benefit or weekly payments by way of compensation, immediately before the termination of the employment in respect of which such benefit or compensation is payable.

23.—(1) In determining for the purposes of Part I of this Agreement relating to insurance for sickness benefit and maternity benefit whether a person is in Northern Ireland or Eire, any period of employment on board a ship or vessel which is employment to which the provisions of the Northern Ireland Acts apply shall be treated as if it were a period during which that person was in Northern Ireland and any period of employment on board a ship or vessel which is employment to which the provisions of the Eire Acts apply shall be treated as if it were a period during which that person was in Eire.

(2) The limitation imposed by paragraph (3) of Article 6 of Part I of this Agreement on the rate of sickness benefit payable by virtue of that Article shall not apply in the case of any person to whom this Part of this Agreement applied immediately before he became entitled to that benefit.

PART IV

Contributions and insurance in the case of persons who are employed in Northern Ireland and in Eire in the same contribution week

24. Where a person is employed both in Northern Ireland and in Eire by the same employer in the same contribution week insurance contributions for that week shall, if the person is resident in Northern Ireland, be payable only under the Acts in force in Northern Ireland and he shall be insured by virtue of the employment in Northern Ireland only and, if the person is resident in Eire, be payable only under the Acts in force in Eire and he shall be insured by virtue of the employment in Eire only:

Provided that this provision shall not apply in relation to contributions and insurance under the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946.

Given under the Official Seal of the Ministry of Labour and National Insurance on the day and year first herein appearing.

(L.S.) *Brian Maginess,*
Minister of Labour and National Insurance.

Given under the Official Seal of the Minister for Social Welfare on the day and year first herein appearing.

(L.S.) *William Norton,*
Minister for Social Welfare.

Reciprocal Agreement with the Isle of Man

ORDER IN COUNCIL, DATED 25TH APRIL, 1949, MADE UNDER SECTION 84 OF THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT (NORTHERN IRELAND), 1946.

1949. No. 84

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND

GRANVILLE

I, WILLIAM SPENCER, EARL GRANVILLE, Knight Commander of the Royal Victorian Order, Companion of the Most Honourable Order

of the Bath, Companion of the Distinguished Service Order, Vice-Admiral, Governor of Northern Ireland, in pursuance of section 84 of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, and of all other powers enabling me in that behalf, by and with the advice of the Privy Council of Northern Ireland, do hereby order as follows :—

1.—(1) This Order may be cited as the National Insurance (Industrial Injuries) (Isle of Man Reciprocal Agreement) Order (Northern Ireland), 1949, and shall be deemed to have had effect from the 5th July, 1948.

(2) In this Order, unless the context otherwise requires —

" the Act " means the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946 ;

" the Isle of Man Act " means the National Insurance (Industrial Injuries) (Isle of Man) Act, 1948 ;

" the Ministry " means the Ministry of Labour and National Insurance for Northern Ireland ;

and other expressions have the same meanings as in the Act.

(3) References in this Order to any enactment shall include references to such enactment as amended by any subsequent enactment, order or regulations.

(4) The Interpretation Act, 1889, applies for the purpose of the interpretation of this Order in like manner as it applies for the purpose of the interpretation of an Act of the Parliament of Northern Ireland.

2. The provisions contained in the Agreement relating to Industrial Injuries set out in the First Schedule to this Order shall have full force and effect so far as the same relate to Northern Ireland, and the Act shall have effect subject to such modifications as may be required therein for the purpose of giving effect to the provisions contained in the said Agreement.

3. In particular but without prejudice to the generality of the foregoing Article, the provisions of the Act specified or referred to in Part I of the Second Schedule to this Order shall apply for the purposes of the Isle of Man Act as they apply for the purposes of the Act, subject to the modifications relating thereto specified in Part II of that schedule.

Given at Government House, Hillsborough, this twenty-fifth day of April, 1949.

Edmond Warnock
W. V. McCleery
S. H. Hall-Thompson
Brian Maginess
William Grant

FIRST SCHEDULE

Article 2.

AGREEMENT RELATING TO INDUSTRIAL INJURIES BETWEEN THE MINISTRY OF LABOUR AND NATIONAL INSURANCE FOR NORTHERN IRELAND OF THE ONE PART, AND THE LIEUTENANT-GOVERNOR OF THE ISLE OF MAN, WITH THE ADVICE AND CONSENT OF THE ISLE OF MAN BOARD OF SOCIAL SERVICES CONSTITUTED UNDER THE ISLE OF MAN BOARD OF SOCIAL SERVICES ACT, 1948, OF THE OTHER PART.

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

"the Acts" means, in relation to Northern Ireland, the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, and, in relation to the Isle of Man, the National Insurance (Industrial Injuries) (Isle of Man) Act, 1948, in each case as amended by any subsequent enactment or by any order or regulations;

"country" means Northern Ireland or the Isle of Man, as the case may require;

"the Ministry" means the Ministry of Labour and National Insurance for Northern Ireland;

"the Governor" means the Lieutenant-Governor or the Deputy Lieutenant-Governor of the Isle of Man;

"the Board" means the Isle of Man Board of Social Services constituted under the Isle of Man Board of Social Services Act, 1948;

and other expressions have the same meanings as in the Acts.

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

2. For the purposes of all or any of the provisions of the systems of insurance established by the Acts, acts, omissions and events having effect for all or any of those purposes in one country shall be treated as if they had been respectively such acts, omissions and events in the other country, and in particular insurance, residence, employment, the occurrence of an accident or the development of any disease, contributions paid and benefit paid or claimed in one country shall be treated as if they had been respectively insurance, residence, employment, the occurrence of an accident or the development of any disease, contributions paid and benefit paid or claimed in the other country:

Provided that—

(*a*) subject to the next following proviso any question arising on a review of or an appeal from a decision of a question under the Acts shall be determined in the country in which that decision was given;

(*b*) an assessment of the extent of disablement may be reviewed in one country on account of a substantial and unforeseen aggravation of the results of the relevant injury, notwithstanding that the assessment was made in the other country;

(*c*) this Article shall not confer a right to double benefit.

3. The Ministry and the Board shall from time to time determine the procedure appropriate for the purposes of this Agreement, including all matters of an incidental and supplementary nature which in their opinion are relevant for the purpose of giving effect thereto.

4. The Ministry, with the consent of the Ministry of Finance for Northern Ireland, and the Governor, with the advice and consent of the Board, shall make such financial adjustments between the respective Industrial Injuries Funds as they may agree to be necessary for the purposes of this Agreement.

5. This Agreement shall have effect as from the 5th July, 1948, but the Ministry or the Governor may terminate it on giving not less than six months previous notice in writing.

Given under the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 14th day of April, nineteen hundred and forty-nine.

(L.S.)

W. V. McCleery,
Minister of Labour and National Insurance for Northern Ireland.

Given under the hand of the Lieutenant-Governor of the Isle of Man this 14th day of April, nineteen hundred and forty-nine.

G. R. Bromet,
Lieutenant-Governor.

The consent of the Isle of Man Board of Social Services is hereby given to this Agreement.

Richard Kneen,
Chairman,
Isle of Man Board of Social Services.

SECOND SCHEDULE

Article 3.

PART I

PROVISIONS OF THE ACT APPLYING FOR THE PURPOSES OF THE ISLE OF MAN ACT

Provision	Subject matter
Subsection (4) of section 3	Penalty for not paying contributions.
Subsection (2) of section 4	Penalty for unlawful deduction of employer's contribution.
Section 26	Obligations of employers.
Section 28	Benefit to be inalienable.
Subsections (2) to (6) of section 60 ..	Powers of inspectors.
Section 61	Proof of age, marriage and death.
Section 66	General provisions as to offences and penalties.
Section 67	General provisions as to prosecutions.
Section 68	Recovery of contributions on prosecutions.
Section 69	Civil proceedings to recover sums due to Industrial Injuries Fund.
Section 70	Priority of contributions in winding up and bankruptcy.
Section 71	Decisions to be conclusive for purposes of proceedings under Act.

PART II

MODIFICATIONS

In the provisions of the Act referred to in Part I of this schedule (including any regulations for the time being in force thereunder)—

(*a*) references to the Act shall be construed as including references to the Isle of Man Act;

(*b*) references to the Family Allowances Act (Northern Ireland), 1945, shall be construed as including references to the Family Allowances (Isle of Man) Act, 1946;

(*c*) references to the Ministry shall be construed as including references to the Isle of Man Board of Social Services constituted under the Isle of Man Board of Social Services Act, 1948;

(*d*) references to the Northern Ireland Industrial Injuries Fund shall be construed as including references to the Isle of Man Industrial Injuries Fund;

(*e*) references to contributions shall be construed as including references to contributions under the Isle of Man Act;

(*f*) references to insured persons, benefit, beneficiaries, insurance stamps, insurance cards and regulations shall be construed as including references to insured persons, benefit, beneficiaries, insurance stamps, insurance cards and regulations respectively within the meaning of the Isle of Man Act.