(2) ISLE OF MAN

The National Insurance (Industrial Injuries) (Isle of Man Reciprocal Agreement) Order, 1948

1948 No. 2350

Made - - - - 25th October, 1948
Coming into Operation 28th October, 1948

At the Court at Buckingham Palace, the 25th day of October, 1948

Present,

The King's Most Excellent Majesty in Council

His Majesty, in pursuance of section 85 of the National Insurance (Industrial Injuries) Act, 1946, and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:— 9 & 10 Geo. 6. c. 62.

1.—(1) This Order may be cited as the National Insurance (Industrial Injuries) (Isle of Man Reciprocal Agreement) Order, 1948, and shall come into operation on the 28th day of October, 1948. Citation, commencement and interpretation.

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

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

" the Isle of Man Act " means the National Insurance (Industrial Injuries) (Isle of Man) Act, 1948; 11 & 12 Geo. VI.

" the Minister " means the Minister of National Insurance;

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 to the interpretation of this Order as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

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 Great Britain, 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.

E. C. E. Leadbitter.

Article 2.

FIRST SCHEDULE

AGREEMENT RELATING TO INDUSTRIAL INJURIES BETWEEN THE MINISTER OF NATIONAL INSURANCE 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 Great Britain, the National Insurance (Industrial Injuries) Act, 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 Great Britain or the Isle of Man, as the case may require;

"the Minister" means the Minister of National Insurance;

"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 shall have the same meanings as in the Acts.

52 & 53 Vict. c. 63.

(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 Minister 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 Minister, with the consent of the Treasury, 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 come into operation on the fifth day of July, 1948, but the Minister or the Governor may terminate it on giving not less than six months previous notice in writing.

Given under the official seal of the Minister of National Insurance this fourth day of July, nineteen hundred and forty-eight.

JAMES GRIFFITHS,
Minister of National Insurance.

Given under the hand of the Lieutenant-Governor of the Isle of Man this fifth day of July, nineteen hundred and forty-eight.

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 three ...	Penalty for not paying contributions.
Subsection (2) of section four ...	Penalty for unlawful deduction of employer's contribution.
Section twenty-six	Obligations of employers.
Section twenty-eight	Benefit to be inalienable.
Subsections (2) to (6) of section sixty-two.	Powers of inspectors.
Section sixty-three	Proof of age, marriage and death.
Section sixty-seven...	General provisions as to offences and penalties.
Section sixty-eight	General provisions as to prosecutions.
Section sixty-nine	Recovery of contributions on prosecutions.
Section seventy	Civil proceedings to recover sums due to Industrial Injuries Fund.
Section seventy-one	Priority of contributions in winding up and bankruptcy.
Section seventy-two	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, 1945, shall be construed as including references to the Family Allowances (Isle of Man) Act, 1946; 8 & 9 Geo. 6. c. 41. 9 & 10 Geo. VI.

(*c*) references to the Minister 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; 11 & 12 Geo. VI.

(*d*) references to the 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.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order gives effect in Great Britain to the reciprocal agreement (set out in the First Schedule to the Order) made between the Minister of National Insurance and the Lieutenant-Governor of the Isle of Man, and modifies the National Insurance (Industrial Injuries) Act, 1946, in its application to persons affected by that agreement and makes the provisions as to administration and enforcement contained in that Act or in regulations made thereunder which are referred to in the Second Schedule to the Order applicable also for the purposes of the National Insurance (Industrial Injuries) (Isle of Man) Act, 1948.

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(3) NORTHERN IRELAND

The National Insurance (Industrial Injuries) (Northern Ireland Reciprocal Arrangements) Regulations, 1948

1948 No. 1300

Made - - - -	18*th June*, 1948
Laid before Parliament	21*st June*, 1948
Coming into Operation	24*th June*, 1948

M.N.I./I.I. 106.

The Minister of National Insurance, in exercise of the powers conferred by section 84 of the National Insurance (Industrial Injuries) Act, 1946, and of all other powers enabling him in that behalf, hereby makes the following regulations:— 9 & 10 Geo. 6. c. 62.

1.—(1) These regulations may be cited as the National Insurance (Industrial Injuries) (Northern Ireland Reciprocal Arrangements) Regulations, 1948, and shall come into operation on 24th June, 1948.

(2) In these regulations, unless the context otherwise requires—

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