EXPLANATORY NOTE

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

This Order gives effect in England, Wales and Scotland to the Convention (set out in the Schedule) made between the Governments of the United Kingdom and Italy, and modifies the National Insurance Acts, 1946 to 1952, and the National Insurance (Industrial Injuries) Acts, 1946 to 1952, in their application to persons affected by that agreement.

1953 No. 395

The National Insurance and Industrial Injuries (Reciprocal Agreement with the Republic of Ireland) Order, 1953

Made - - - -	11*th March*, 1953
Coming into Operation	16*th March*, 1953

At the Court at Buckingham Palace, the 11th day of March, 1953

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in pursuance of section 64 of the National Insurance Act, 1946(a), and section 85 of the National Insurance (Industrial Injuries) Act, 1946(b), 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, commencement and interpretation

1.—(1) This Order may be cited as the National Insurance and Industrial Injuries (Reciprocal Agreement with the Republic of Ireland) Order, 1953, and shall come into operation on the 16th March, 1953.

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

Modification of Acts

2. The provisions contained in the Agreement relating to Insurance and Workmen's Compensation set out in Schedule A to this Order shall have full force and effect so far as the same relate to Great Britain, and the National Insurance Acts, 1946 to 1952, and the National Insurance (Industrial Injuries) Acts, 1946 to 1952, 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.

Revocations

3. The Orders specified in Schedule B to this Order are hereby revoked, but without prejudice to anything duly done or suffered, or to any right, privilege, obligation or liability acquired, accrued or incurred, thereunder.

W. G. Agnew.

(a) 9 & 10 Geo. 6. c. 67. (b) 9 & 10 Geo. 6. c. 62. (c) 52 & 53 Vict. c. 63.

SCHEDULE A

Article 2

AGREEMENT RELATING TO INSURANCE AND WORKMEN'S COMPENSATION MADE THIS THE TWENTY-EIGHTH DAY OF JANUARY IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND FIFTY THREE BETWEEN THE MINISTER OF NATIONAL INSURANCE OF THE ONE PART AND THE MINISTER FOR SOCIAL WELFARE OF THE OTHER PART

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

" the Great Britain Act " means the National Insurance Act, 1946(**a**) ;

" the Great Britain Acts " means the National Insurance Acts, 1946(**b**) ;

" the Act of the Republic of Ireland " means the Social Welfare Act, 1952(**c**) ;

" the Acts of the Republic of Ireland " means the Social Welfare Act, 1952 and the Workmen's Compensation Act, 1934(**d**) ;

" country " means Great Britain or the Republic of Ireland, as the case may require ;

" sickness benefit " means, as the case may require, sickness benefit under the Great Britain Act or disability benefit under the Act of the Republic of Ireland ;

" maternity benefit " means maternity benefit other than maternity allowance (whether under the Great Britain Act or the Act of the Republic of Ireland) ;

" widow's benefit " means widow's benefit under the Great Britain Act, or widow's pension under any enactment repealed by that Act, or widow's (contributory) pension under the Act of the Republic of Ireland or any enactment repealed by that Act, and includes any allowance payable therewith in respect of a child ;

" contributions of the appropriate class " means contributions (whether under the Great Britain Act or the Act of the Republic of Ireland or under any enactment repealed by either of these Acts) having effect for the purposes, as the case may be, of sickness benefit or of maternity benefit ;

" non-domiciled mariner " means, for the purposes of the Great Britain Acts, a person employed on board any ship or vessel who neither is domiciled nor has a place of residence in the United Kingdom, and, for the purposes of the Acts of the Republic of Ireland, a person so employed who neither is domiciled nor has a place of residence in the Republic of Ireland ;

" radio officer " means a person to whom Part III of this Agreement applies who is employed on board any ship or vessel in connection with the radio apparatus thereof ;

" the Great Britain Fund " means the National Insurance Fund established under the Great Britain Act ; and

" the Fund of the Republic of Ireland " means the Social Insurance Fund established under the Act of the Republic of Ireland.

(2) (*a*) References in this Agreement to the Act in force in a particular country shall be construed as references to the Great Britain Act or the Act of the Republic of Ireland, as the case may require.

(a) 9 & 10 Geo. 6. c. 67. (b) 9 & 10 Geo. 6. c. 62 and 9 & 10 Geo. 6. c. 67.
(c) No. 11 of 1952. (d) No. 9 of 1934.

(*b*) References in this Agreement to the Acts in force in a particular country shall be construed as references to the Great Britain Acts or the Acts of the Republic of Ireland, as the case may require.

(*c*) References in this Agreement to the Fund of a particular country shall be construed as references to the Great Britain Fund or the Fund of the Republic of Ireland, as the case may require.

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

2. Nothing in this Agreement shall confer a right to double benefit.

3. The said Minister of National Insurance and the said Minister for Social Welfare shall from time to time determine the procedure appropriate for the purposes of this Agreement, and all matters of an incidental and supplementary nature which in their opinion are relevant for the purpose of giving effect thereto.

4. This Agreement shall have effect from 5th January, 1953, but the said Minister of National Insurance or the said Minister for Social Welfare may terminate it on giving not less than six months previous notice in writing.

PART I

INSURANCE FOR SICKNESS BENEFIT AND MATERNITY BENEFIT

5.—(1) Subject to the provisions of Article 6 and of the following paragraphs of this Article, where a person insured under the Act in force in one country is on the 5th January, 1953 in the other country or thereafter goes to the other country, that person shall, in respect of any period for which he is in that other country occurring after the said date and before the expiration of six months from the date on which he last arrived in that other country, be treated for the purposes of his right to receive sickness benefit or maternity benefit as if he were in the first mentioned country during that period:

Provided that:—

(*a*) for the purpose of calculating the said period of six months the temporary absence of a person from Great Britain or the Republic of Ireland, as the case may be, shall be disregarded and the question whether the absence of a person is or is not to be treated as temporary for the said purpose shall be determined under Article 3; and

(*b*) the said Minister of National Insurance or the said Minister for Social Welfare, as the case may be, may extend the said period of six months by not more than seven days in the circumstances of any particular case or class of cases.

(2) The rate at which any sickness benefit (apart from any increase) shall be payable to any person by virtue of this Article shall not exceed the maximum rate of that benefit (apart from any increase) appropriate to that person under the provisions of the Act in force in the country in which that person is.

(3) In determining, in relation to any person to whom this Article applies, any question whether any such person is entitled to sickness benefit or maternity benefit under the Act in force in the said first-mentioned country and for the purpose of any such question, the number of contributions paid by or in respect of him, any contributions of the appropriate class paid by or in respect of that person for any weeks in a period to which this Article applies and which is current at the date when that question arises shall be taken into account.

(4) Subject to the provisions of Article 8, this Article shall not confer any right to receive an increase of benefit under the Great Britain Act for a child or an adult dependant who is absent from Great Britain.

6. A member of the Defence Forces of the Republic of Ireland who is insured under the Great Britain Act shall not be entitled to sickness benefit under that Act, and a member of the United Kingdom forces who is insured under the Act of the Republic of Ireland shall not be entitled to sickness benefit under that Act, in respect of any period during which he is a member of such forces.

7. Where a person insured under the Act in force in one country is in the other country at the expiration of the period during which the provisions of Article 5 applied to him, then for the purpose of sickness benefit and maternity benefit—

(*a*) the provisions of the Act in force in the first-mentioned country shall cease to apply in his case ; and

(*b*) in the application to him of the provisions of the Act in force in the other country, insurance, employment, contributions of the appropriate class paid (including such contributions credited or treated as paid) and benefits paid or claimed in the said first-mentioned country shall be treated as if they had been respectively insurance, employment, contributions of the appropriate class paid (including contributions credited or treated as paid) and benefits paid or claimed in that other country:

Provided that, in the case of a person who has been insured under the Act of the Republic of Ireland and is in Great Britain, unless and until not less than thirteen such contributions have been paid by or in respect of him under the Great Britain Act since the beginning of the said period, the rate at which any such benefit (including any increase) shall be payable, shall not exceed the rate at which it would have been payable to him at the end of that period under the provisions of the Act of the Republic of Ireland.

8. Where the wife or husband of a person insured under the Act in force in one country is in the other country, such wife or husband shall be treated for the purpose of the right of that person to receive an increase of any sickness benefit to which that person may be entitled in respect of a wife or husband as if she or he were in the first-mentioned country.

9. Where a person insured under the Act in force in one country who has gone to the other country returns to the first-mentioned country, then unless the period applicable to him under the provisions of Article 5 had terminated before his departure from the other country, any contributions of the appropriate class paid by or in respect of him in the other country during that period shall, for the purpose of sickness and maternity benefit in the first-mentioned country, be treated as such contributions so paid in the first-mentioned country.

10. Where a woman insured under the Act of the Republic of Ireland marries either—

(*a*) outside Great Britain, otherwise than during a period during which she is treated under the provisions of Article 5 as if she were in Great Britain ; or

(*b*) in Great Britain, during a period during which she is treated under the provisions of Article 5 as if she were in the Republic of Ireland ;

then for the purpose of marriage benefit under that Act all contributions of the appropriate class paid in either country shall be taken into account.

11.—(1) Where the wife of a person insured under the Act in force in one country is, or is confined, in the other country, such wife shall be treated for the purpose of maternity benefit by virtue of her husband's insurance as if she were, or as if she had been confined, in the first-mentioned country.

(2) Where a woman is in the Republic of Ireland during any period within the four weeks beginning with the date of her confinement, and if she had been in Great Britain, she would (apart from making a claim therefor) have been entitled to a maternity allowance in respect of that period, she shall, if the relevant conditions relating to attendance allowance are satisfied in her case, be entitled to an attendance allowance for that period in lieu of maternity allowance for the same period.

12. Where a person in one country is incapable of work by reason of an injury or disease in respect of which he is entitled to a payment of benefit under the National Insurance (Industrial Injuries) Act, 1946(a), or a payment of workmen's compensation under the Workmen's Compensation Act, 1934, then, for the purpose of sickness benefit, any such payment of workmen's compensation under the latter Act shall be treated in Great Britain as if it were a payment of injury benefit of equal amount under the former Act, and any such payment of benefit under the former Act shall be treated in the Republic of Ireland as if it were a payment of workmen's compensation of equal amount under the latter Act.

13. Such financial adjustments between the Great Britain Fund and the Fund of the Republic of Ireland as may be agreed from time to time in connection with this Part of this Agreement shall be made by the said Minister of National Insurance and the said Minister for Social Welfare.

Part II

Insurance for Unemployment Benefit

14.—(1) Where a person who satisfies the contribution conditions applicable in his case for unemployment benefit under the Act of one country and has not exhausted his right to that benefit under that Act, is in the other country and makes a claim for unemployment benefit under the Act of that other country at any time before he has satisfied the contribution conditions for that benefit under that Act or after he has exhausted his right to such benefit, then, provided that he satisfies the condition that he has had not less than twelve days of unemployment in a period of interruption of employment within the meaning of the Act of that other country, he shall, for the purpose of his right to receive unemployment benefit under that Act, be treated, subject to the provisions of paragraph (2) of this Article, as if the said conditions were satisfied or as if he had not exhausted his right to such benefit as the case may be.

(2) Where a person has been entitled by virtue of the provisions of paragraph (1) of this Article to unemployment benefit for twenty-six days in the period commencing with the date in respect of which a transfer was made in respect of him under Article 15, he shall not thereafter be entitled to unemployment benefit by virtue of those provisions unless a further transfer is made in respect of him in accordance with the provisions of Article 16.

(3) Nothing in this Article shall be construed as authorising or requiring contributions paid by or in respect of any person under the Act of the first-mentioned country to be treated as contributions paid by that person under the Act of the other country.

(a) 9 & 10 Geo. 6. c. 62.

15.—(1) Subject to the provisions of paragraph (3) of this Article and of Article 16, there shall be transferred from the Fund of one country to the Fund of the other country in respect of any person in respect of each occasion on which he is treated under Article 14 as having satisfied the contribution conditions under the Act of the other country, or as not having exhausted his right, a sum equal to the amount obtained by multiplying by twenty-six the part attributable to unemployment benefit of the appropriate contributions under the Great Britain Act as defined in the next following paragraph.

(2) For the purpose of the preceding paragraph " the appropriate contributions " means—

(*a*) in relation to a transfer from the Great Britain Fund to the Fund of the Republic of Ireland, the contributions paid under the Great Britain Act on behalf and in respect of the person concerned by his employer for the last week for which such contributions were paid before the date in respect of which the transfer is made, or, in a case where no such contributions have been payable, the contributions which would have been payable under the Great Britain Act on behalf and in respect of the person concerned by his employer for the last week for which a contribution was paid in respect of him as an insured contributor under the Unemployment Insurance Act, 1935(a), if that person had then been employed by that employer in an employed contributor's employment within the meaning of the Great Britain Act and the appointed day under that Act had preceded that week ; and

(*b*) in relation to a transfer from the Fund of the Republic of Ireland to the Great Britain Fund, the contributions which would have been payable under the Great Britain Act on behalf and in respect of the person concerned by his employer for the week for which the last contribution which that person has in the Fund of the Republic of Ireland was paid (being the last contribution before the date in respect of which the transfer is made), if that person had then been employed by that employer in an employed contributor's employment within the meaning of the Great Britain Act and (where that week preceded the appointed day under that Act) that appointed day had preceded that week, or, if he was in fact so employed, the contributions which were so payable.

(3) If at any time during the operation of this Agreement the rates of unemployment benefit or contributions under the Great Britain Act or the Act of the Republic of Ireland are varied, such financial adjustments between the Great Britain Fund and the Fund of the Republic of Ireland as may be agreed shall be made by the said Minister of National Insurance and the said Minister for Social Welfare.

16. Where a transfer has been made from the Fund of one country to the Fund of the other country in respect of any person under Article 15, no further transfer shall be made under that Article from the Fund of the first-mentioned country in respect of that person unless since the date in respect of which the transfer was made—

(*a*) he has received unemployment benefit under the Act of the other country by virtue of Article 14 for an aggregate of twenty-six days ; and

(*b*) twenty-six contributions as an employed person have been paid on behalf of him under the Act of the first-mentioned country.

17.—(1) Where any person in the Republic of Ireland in respect of whom a transfer has been made from the Great Britain Fund under Article 15, returns to Great Britain, there shall be disregarded for the purposes of his

(a) 25 & 26 Geo. 5. c. 8.

right to receive unemployment benefit under the Great Britain Act the last twenty-six contributions paid on behalf or in respect of him under that Act before the date in respect of which such transfer was made.

(2) In paragraph 1 of this Article, the expression "contributions" means, in relation to the Great Britain Act, only contributions as an employed person under that Act and contributions as an insured contributor under the Unemployment Insurance Act, 1935.

(3) Where any person in Great Britain in respect of whom a transfer has been made from the Fund of the Republic of Ireland under Article 15 returns to the Republic of Ireland and makes a claim to unemployment benefit under the Act of the Republic of Ireland, then,

(*a*) such transfer shall be disregarded in determining the satisfaction by such person of the contribution conditions for the receipt of unemployment benefit under that Act; and

(*b*) the number of days of such benefit to which such person may be entitled as a result of such claim shall be reduced by the number of days of unemployment benefit which such person obtained in Great Britain by virtue of such transfer.

18.—(1) Where a person in respect of whom a transfer has been made from the Great Britain Fund to the Fund of the Republic of Ireland under Article 15, returns to Great Britain—

(*a*) that person shall not be entitled to unemployment benefit under the Great Britain Act (otherwise than in accordance with the provisions of Article 14) unless twenty-six contributions as an employed person have been paid on behalf of him under the Great Britain Act in respect of the period between the day on which he returned to Great Britain and the day for which benefit is claimed; and

(*b*) for the purpose of his right to receive unemployment benefit under the Great Britain Act contributions as an employed person shall be credited to him for the period between the beginning of the contribution year last preceding that in which he returned to Great Britain and the day on which he returned and, subject to the provisions of the next succeeding paragraph, any contributions paid or credited in his case, other than contributions credited by virtue of this paragraph, in respect of that period shall be disregarded; and

(*c*) for the purpose of any regulations for the time being in force under the Great Britain Act relating to qualification for additional days of unemployment benefit all the contributions paid on behalf of him as an employed person under that Act or paid in respect of him as an insured contributor under the Unemployment Insurance Act, 1935, shall be taken into account, except any contributions which are to be disregarded by reason of the provisions of Article 17.

(2) The provisions of sub-paragraphs (*b*) and (*c*) of the preceding paragraph shall also apply in the case of a person insured under the Act of the Republic of Ireland who returns to Great Britain after having been absent therefrom in the Republic of Ireland for a period of not less than twenty-eight days if twenty-six contributions as an employed person have been paid on behalf of him under the Great Britain Act in respect of the period between the day on which he returned to Great Britain and the day for which benefit is claimed.

19. Where the wife or husband of a person entitled to unemployment benefit under the Act in force in one country is in the other country, such wife or husband shall be treated for the purposes of the right of that person to receive an increase of that benefit in respect of a wife or husband as if she or he were in the first-mentioned country.

PART III

INSURANCE AND WORKMEN'S COMPENSATION FOR MASTERS AND MEMBERS OF THE CREWS OF SHIPS AND VESSELS

20. The provisions of this Part of this Agreement shall apply as respects any person who is employed under a contract of service as master or a member of the crew of any ship or vessel.

21. For the purposes of the Great Britain Acts, a person shall not be treated as a non-domiciled mariner if he is domiciled or has a place of residence in the Republic of Ireland and for the purposes of the Acts of the Republic of Ireland a person shall, notwithstanding the Social Welfare (Modifications of Insurance) Regulations, 1952(a), not be so treated if he is domiciled or has a place of residence in the United Kingdom.

22. Where any person to whom this Part of this Agreement applies is employed on board a ship or vessel whose port of registry is a port in one country and of which the owner (or managing owner if there is more than one owner) resides or has his principal place of business in the other country, then, subject to the provisions of Article 23, in respect of that employment—

(*a*) if that person is ordinarily resident in the United Kingdom, the provisions of the Great Britain Acts shall, and those of the Acts of the Republic of Ireland shall not, apply to him;

(*b*) if that person is ordinarily resident in the Republic of Ireland, the provisions of the Acts of the Republic of Ireland shall, and those of the Great Britain Acts shall not, apply to him; and

(*c*) if that person is not ordinarily resident in either the United Kingdom or the Republic of Ireland, the provisions of the Acts in force in the country of the port of registry shall (in so far as they are applicable), and those of the Acts in force in the other country shall not, apply to him.

23. Where, but for this Article, the provisions of the Acts in force in one country would be of application to a radio officer who is paid remuneration in respect of that employment by some person (other than the owner of the ship or vessel) having his principal place of business in the other country, then in respect of that employment the provisions of the Acts in force in the first-mentioned country shall not apply to that radio officer, and he shall be subject (in so far as they are applicable) to the provisions of the Acts in force in the other country, so, however, that for the purposes thereof the said person by whom the remuneration is paid shall be treated as his employer.

24. Where a person to whom this Part of this Agreement applies (other than a non-domiciled mariner or a radio officer to whom the immediately preceding Article applies) is employed on board a ship or vessel engaged

(a) Republic of Ireland S.I. No. 10 of 1953.

in regular trade between the Republic of Ireland and the United Kingdom, being a ship or vessel—

(*a*) whose port of registry is a port in Great Britain, or, except where the owner (or managing owner if there is more than one owner) resides or has his principal place of business in Northern Ireland, in the Republic of Ireland ; or

(*b*) of which the owner (or managing owner if there is more than one owner) resides or has his principal place of business in either country and whose port of registry is not a port in Northern Ireland ;

then in respect of that employment—

(i) if that person is ordinarily resident in the United Kingdom, the provisions of the Great Britain Acts shall, and those of the Acts of the Republic of Ireland shall not, apply, and

(ii) if that person is ordinarily resident in the Republic of Ireland, the provisions of the Acts of the Republic of Ireland shall, and those of the Great Britain Acts shall not, apply.

25.—(1) Where any person to whom this Part of this Agreement applied at the relevant time specified in paragraph (2) of this Article—

(*a*) is entitled in Great Britain to unemployment benefit under the National Insurance Act, 1946, or to industrial injury benefit under the National Insurance (Industrial Injuries) Act, 1946, and the wife or husband of that person is in the Republic of Ireland ; or

(*b*) is entitled in the Republic of Ireland to unemployment benefit under the Social Welfare Act, 1952, or to weekly payments by way of compensation under the Workmen's Compensation Act, 1934, and the wife or husband of that person is in Great Britain ;

such wife or husband shall be treated for the purpose of any right of that person to receive an increase of any such unemployment benefit or industrial injury benefit or an allowance (if any) additional to such weekly payments in respect of a wife or husband as if she or he were in Great Britain or the Republic of Ireland, as the case may be.

(2) For the purposes of this Article the relevant time means—

(*a*) in the case of a person entitled to unemployment benefit, immediately before the termination of his last employment before becoming so entitled, and

(*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.

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

(2) The limitation imposed by paragraph (2) of Article 5 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

WIDOW'S BENEFIT

27.—(1) While a widow is in, or is resident in, one country, widow's benefit under the Act in force in the other country may be paid to her as if she were not, as the case may be, absent from, or resident outside, that other country:

Provided that, in the case of widow's benefit under the Great Britain Act, the rate of widow's benefit payable as if the widow were not so resident shall not exceed the rate of such benefit ascertained in accordance with the legislation which was in force in Great Britain at the date of her husband's death, or at the date when she was last resident in that country (whichever is the later) as it applied at that date to persons residing in that country.

(2) The presence, residence or birth of a child in one country (whether before or after this Agreement has effect) shall, for the purpose of determining the right of any person to receive widow's benefit under the Act in force in the other country, be treated as if it were or had been presence, residence or birth, as the case may require, in that other country:

Provided that, in the case of widow's benefit under the Great Britain Act, this paragraph shall apply only if the widow is by reason thereof entitled. in respect of a period after this Agreement has effect, to a widowed mother's allowance or to an increase of such allowance or of a widow's allowance in respect of a child.

(3) In the application of the last preceding paragraph,—

(*a*) in the case of widow's benefit under the Great Britain Act—

(i) a child in the Republic of Ireland shall not be treated as included in any family as respects any period during which he is detained in a reformatory or an industrial school; and

(ii) an establishment in the Republic of Ireland at which a child is undergoing full time instruction shall be treated as if it were in Great Britain; and

(*b*) in the case of widow's benefit under the Act of the Republic of Ireland, a child in Great Britain shall not be treated as a qualified child as respects any period during which he is detained in a remand home or an approved school.

PART V

TERMINATION OF EXISTING AGREEMENTS AND TRANSITIONAL PROVISIONS

28. The existing Agreements between the said Minister of National Insurance and the said Minister for Social Welfare whereof the dates and descriptions are specified in the first and second columns of the First Schedule hereto shall be terminated on the coming into force of the corresponding Parts of this Agreement specified opposite thereto in the third column of that Schedule:

Provided that, for the purpose of securing continuity between the existing Agreements and the corresponding Parts of this Agreement in relation to persons to whom the existing Agreements have applied, the provisions of

this Agreement shall apply in relation to such persons subject to the provisions contained in the Second Schedule hereto.

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

Osbert Peake,
Minister of National Insurance.

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

Seamas O. Riain.
Minister for Social Welfare.

FIRST SCHEDULE

EXISTING AGREEMENTS TERMINATED BY THIS AGREEMENT

Date	*Description*	*Corresponding Part of this Agreement*
13th September, 1948	Agreement(a) relating to insurance for sickness benefit and maternity benefit.	Part I
11th January, 1952 ...	Agreement(b) relating to insurance for sickness benefit and maternity benefit (amending the last-mentioned Agreement).	Part I
24th March, 1949 ...	Agreement(c) relating to insurance for unemployment benefit.	Part II
28th February, 1949	Agreement(d) relating to insurance and workmen's compensation for masters and members of the crews of ships and vessels.	Part III
17th March, 1952 ...	Agreement(e) relating to insurance and workmen's compensation for masters and members of the crews of ships and vessels (amending the last-mentioned Agreement).	Part III

SECOND SCHEDULE

TRANSITIONAL PROVISIONS

1. For the purposes of Part I of this Agreement:—

(*a*) a period commenced or terminated during which the provisions of Article 2 of the corresponding existing Agreement dated 13th September, 1948, applied to a person shall be deemed to be such a period during which the provisions of Article 5 of this Agreement applied to him; and

(*b*) insurance, employment, contributions and benefit which but for the termination of that existing Agreement would have been taken into account under Article 4 thereof shall be taken into account under Article 7 of this Agreement.

2. For the purposes of Part II of this Agreement:—

(*a*) a person who has been entitled to benefit by virtue of Article 2 or Article 3 of the corresponding existing Agreement dated 24th March, 1949, or would be entitled thereto by virtue of either of those Articles but for the termination of that Agreement, shall be treated as having been, or as being, entitled to benefit by virtue of Article 14 of this Agreement; and

(a) *See* S.I. 1948/2059; Rev. XVI, p. 376; 1948 I, p. 2897. (b) *See* S.I. 1952/164.
(c) *See* S.I. 1949/601; 1949 I, p. 2758. (d) *See* S.I. 1949/371; 1949 I, p. 2770.
(e) *See* S.I. 1952/634.

(*b*) transfers of contributions made or due to be made under that existing Agreement shall be treated as transfers of contributions made or due to be made under the said Part II of this Agreement:

Provided that a person shall not, by virtue of the provisions of the existing Agreement, be entitled to benefit under the Act of the Republic of Ireland in respect of any day after 5th January, 1955, or after he has received benefit under that Act without regard to those provisions.

3. For the purposes of Part III of this Agreement:—

(*a*) a person to whom the corresponding existing Agreement dated the 28th February, 1949, applied at the relevant time specified in paragraph (2) of Article 7 of that Agreement shall be deemed to be a person to whom the said Part III of this Agreement applied at the relevant time specified in paragraph (2) of Article 25 of this Agreement; and

(*b*) a person to whom that existing Agreement applied immediately before he became entitled to sickness benefit the rate of which was determined in accordance with paragraph (2) of Article 8 of that Agreement shall, after the coming into effect of this Agreement, be excepted from the limitation referred to in paragraph (2) of Article 26 of this Agreement for so long as he continues to be entitled to sickness benefit to which that paragraph refers.

SCHEDULE B

Article 3

ORDERS REVOKED

Statutory Instrument	Citation
S.I. 1948/2059; Rev. XVI, p. 376; 1948 I, p. 2897.	The National Insurance (Reciprocal Agreement with Eire for Sickness and Maternity Benefit) Order, 1948.
S.I. 1949/371; 1949 I, p. 2770 ...	The National Insurance and Industrial Injuries (Reciprocal Agreement with Eire, Mercantile Marine) Order, 1949.
S.I. 1949/601; 1949 I, p. 2758 ...	The National Insurance (Reciprocal Agreement with Eire for Unemployment Benefit) Order, 1949.
S.I. 1952/164	The National Insurance (Reciprocal Agreement with the Republic of Ireland for Sickness and Maternity Benefit) Order, 1952.
S.I. 1952/634	The National Insurance and Industrial Injuries (Reciprocal Agreement with the Republic of Ireland, Mercantile Marine) Order, 1952.

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 Agreement relating to insurance and workmen's compensation (set out in the Schedule to the Order) made between the Minister of National Insurance and the Minister for Social Welfare of the Republic of Ireland and modifies the National Insurance Acts, 1946 to 1952, and the National Insurance (Industrial Injuries) Acts, 1946 to 1952, in their application to persons affected by that Agreement.