ARTICLE 40

The present Convention shall be ratified and the instruments of ratification shall be exchanged in London as soon as possible. The Convention shall enter into force on the first day of the second month following the month in which the instruments of ratification are exchanged.

ARTICLE 41

The present Convention shall remain in force for a period of one year from the date of its entry into force. Thereafter it shall continue in force from year to year unless it is denounced in writing three months before the expiry of any such yearly period.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Convention and fixed thereto their seals.

Done in duplicate at Brussels this 20th day of May, 1957, in the English and French languages, both texts being equally authoritative.

For the United Kingdom of Great Britain and Northern Ireland:
George P. Labouchere.

For Belgium:
Léon-Eli Troclet.

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 United Kingdom and Belgium, and modifies the Family Allowances Acts, 1945 to 1956, the National Insurance Acts, 1946 to 1957, and the National Insurance (Industrial Injuries) Acts, 1946 to 1957, in their application to cases affected by the provisions of the Convention.

1958 No. 423

The Family Allowances, National Insurance and Industrial Injuries (Norway) Order, 1958

Made - - - - 14*th March,* 1958

At the Court at Buckingham Palace, the 14th day of March, 1958

Present,

The Queen's Most Excellent Majesty in Council

Whereas at London on the twenty-fifth day of July, nineteen hundred and fifty-seven, a Convention between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Norway on social security (which Convention is set out in the Schedule hereto) was signed on behalf of those Governments:

And Whereas by Article 38 of the said Convention it was provided that the Convention should enter into force on the first day of the second month following the month in which the instruments of ratification had been exchanged:

And Whereas the said Convention has been ratified by the Governments of the United Kingdom of Great Britain and Northern Ireland and of the Kingdom of Norway and the instruments of ratification were exchanged on the 25th day of February, 1958, and accordingly the said Convention enters into force on the 1st day of April, 1958:

And Whereas by section 64 of the National Insurance Act, 1946(a), as extended by subsection (1) of section 4 of the Family Allowances and National Insurance Act, 1956(b), and section 85 of the National Insurance (Industrial Injuries) Act, 1946(c), it is provided that Her Majesty may, by Order in Council, make provision for modifying or adapting the Family Allowances Act, 1945(d), and the said Acts of 1946 in their application to cases affected by agreements with other governments providing for reciprocity in the matters specified in those sections:

Now, therefore, Her Majesty, in pursuance of the said section 64 of the National Insurance Act, 1946, extended as aforesaid by subsection (1) of section 4 of the Family Allowances and National Insurance Act, 1956, and the said section 85 of the National Insurance (Industrial Injuries) Act, 1946, 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 Family Allowances, National Insurance and Industrial Injuries (Norway) Order, 1958.

(2) The Interpretation Act, 1889(e), 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 Convention 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 by way of agreement with the Government of the Kingdom of Norway for reciprocity in any matters specified in either subsection (1) of section 64 of the National Iusurance Act, 1946, as extended by subsection (1) of Section 4 of the Family Allowances and National Insurance Act, 1956, or subsection (1) of section 85 of the National Insurance (Industrial Injuries) Act, 1946 (which subsections relate to reciprocal agreements with other governments), and the Family Allowances Acts, 1945 to 1956, the National Insurance Acts, 1946 to 1957, and the National Insurance (Industrial Injuries) Acts, 1946 to 1957, 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

CONVENTION ON SOCIAL SECURITY BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE KINGDOM OF NORWAY

London, July 25, 1957

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Kingdom of Norway,

Being resolved to co-operate in the social field,

Affirming the principle that the nationals of one of the two countries should, as far as possible, receive, under the social security legislation of the other, equal treatment with the nationals of the latter,

Desirous of giving effect to this principle and of making arrangements enabling their nationals, while they are in one country, either to keep any rights which they have acquired under the legislation of the other country or to enjoy corresponding rights under the legislation of the former country,

(a) 9 & 10 Geo. 6. c. 67. (b) 4 & 5 Eliz. 2. c. 50. (c) 9 & 10 Geo. 6. c. 62.
(d) 8 & 9 Geo. 6. c. 41. (e) 52 & 53 Vict. c. 63.

Have agreed as follows:—

PART I.—DEFINITIONS AND SCOPE

ARTICLE 1

For the purpose of the present Convention—

(*a*) "country" means, according to the context, the United Kingdom or Norway;

(*b*) "United Kingdom" means England, Scotland, Wales, Northern Ireland and the Isle of Man;

(*c*) "national" means, in relation to the United Kingdom, a citizen of the United Kingdom and Colonies, and, in relation to Norway, a Norwegian citizen;

(*d*) "legislation" means, according to the context, the laws and regulations specified in Article 2 in force in any part of one (or the other) country;

(*e*) "competent authority" means, in relation to the United Kingdom, the Minister of Pensions and National Insurance, the Minister of Health, the Secretary of State for Scotland, the Ministry of Labour and National Insurance for Northern Ireland, the Ministry of Health and Local Government for Northern Ireland, or the Isle of Man Board of Social Services, as the case may require, and, in relation to Norway, the Ministry responsible for the legislation concerned;

(*f*) "child" means, in relation to any person, a child, within the meaning of the legislation which is being applied, who is treated under that legislation as being a child of that person or included in his family;

(*g*) "parent" includes a person who is treated as a parent under the legislation which is being applied;

(*h*) "dependant" means a person who is treated as a dependant under the legislation which is being applied;

(*i*) "employed person" means a person who comes within the definition of an employed person (or a person who is treated as an employed person) in the legislation which is being applied; "employment" means employment as an employed person, and the words "employ" and "employer" refer to such employment;

(*j*) "benefit" means any pension, allowance or other cash benefit payable under the legislation of one (or the other) country and includes any additional allowance payable therewith and any increase payable for a dependant;

(*k*) "medical benefit" means, in relation to the United Kingdom, any benefit provided under the legislation specified in sub-paragraph (*a*) (iii) of paragraph (1) of Article 2, and, in relation to Norway, any benefit in kind provided under the legislation specified in sub-paragraphs (*b*) (iv) and (*b*) (v) of that paragraph;

(*l*) "old age pension" means, in relation to the United Kingdom, a retirement pension or contributory old age pension, as defined by the legislation of the United Kingdom, and, in relation to Norway, an old age pension payable under the Norwegian general scheme of old age pensions;

(*m*) "vessel" or "aircraft" means, in relation to the United Kingdom, a ship or vessel, registered in the United Kingdom, or any other ship or vessel defined as British for the purpose of the legislation of the United Kingdom, of which the owner (or managing owner, if there is more than one owner) or manager is resident in, or has his principal place of business in, the United Kingdom, or an aircraft registered in that country, of which the owner (or managing owner, if there is more than one owner) is resident in, or has his principal place of business in, that country, and, in relation to Norway, a ship or vessel or aircraft defined as Norwegian for the purpose of the legislation of Norway.

ARTICLE 2

(1) The provisions of the present Convention shall apply—

(*a*) in relation to the United Kingdom, to—

(i) the National Insurance Act, 1946, the National Insurance Act (Northern Ireland), 1946, the National Insurance (Isle of Man) Act, 1948, and the legislation in force before the 5th July, 1948, which was replaced by those Acts,

(ii) the National Insurance (Industrial Injuries) Act, 1946, the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, and the National Insurance (Industrial Injuries) (Isle of Man) Act, 1948,

(iii) the National Health Service Act, 1946, the National Health Service (Scotland) Act, 1947, the Health Services Act (Northern Ireland), 1948, and the National Health Service (Isle of Man) Act, 1948,

(iv) those provisions of the National Assistance Act, 1948, and the National Assistance Act (Northern Ireland), 1948, which concern the giving of assistance to persons who are in need of assistance,

(v) those provisions of the National Assistance Act, 1948, and the Welfare Services Act (Northern Ireland), 1949, which concern arrangements for the welfare (other than employment) of persons who are blind, deaf or dumb, and other persons who are substantially and permanently handicapped by illness, injury or congenital deformity,

(vi) the Family Allowances Act, 1945, the Family Allowances Act (Northern Ireland), 1945, and the Family Allowances (Isle of Man) Act, 1946;

(*b*) in relation to Norway, to the legislation of Norway concerning—

(i) the general scheme of old age pensions,

(ii) benefit for blind and crippled persons,

(iii) family allowances,

(iv) health insurance,

(v) industrial injuries insurance,

(vi) unemployment insurance,

(vii) special pension schemes for seamen, forestry workers and government manual workers,

(viii) Government schemes and Government supported schemes for the prevention of invalidity and for the medical and vocational rehabilitation of disabled persons,

(ix) social assistance.

(2) Subject to the provisions of paragraph (3) of this Article, the Convention shall also apply to any law or regulation which amends, supplements or consolidates the legislation specified in paragraph (1) of this Article.

(3) The Convention shall apply, only if the Contracting Parties so agree, to any law or regulation which amends or supplements the legislation specified in paragraph (1) of this Article for the purpose of giving effect to any reciprocal agreement on social security which one (or the other) Party has made with a third Party.

PART II.—GENERAL PROVISIONS

ARTICLE 3

Subject to the provisions of the present Convention, a national of one country shall be subject to the obligations, and entitled to enjoy the advantages, of the legislation of the other country under the same conditions as a national of the latter country.

ARTICLE 4

(1) If a national of either country, not ordinarily resident in Norway, is employed in that country by an employer who is resident in the United Kingdom

or has his principal place of business in that country, then, during the first twelve months of his employment in Norway—

(*a*) those provisions of the legislation of the United Kingdom which concern the payment of contributions shall apply to him as if he were employed in that country;

(*b*) the corresponding provisions of the legislation of Norway shall not apply to him;

(*c*) he shall be entitled to receive the medical benefit of Norway under the same conditions as a national of that country who is resident there.

(2) If a national of either country, not ordinarily resident in the United Kingdom, is employed in that country by an employer who is resident in Norway or has his principal place of business in that country, then, during the first twelve months of his employment in the United Kingdom—

(*a*) the legislation of Norway specified in sub-paragraphs (*b*) (iv)-(vii) of paragraph (1) of Article 2 shall apply to him as if he were employed in that country;

(*b*) those provisions of the legislation of the United Kingdom which concern the payment of contributions shall not apply to him;

(*c*) he shall be entitled to receive the medical benefit of the United Kingdom under the same conditions as a national of that country who is resident there.

(3) Where the employment specified in paragraph (1) or paragraph (2), as the case may be, of this Article lasts longer than twelve months, the provisions of that paragraph shall continue to apply to the employed person, if the competent authority of the country where he is employed agrees thereto before the end of the period of twelve months specified in that paragraph.

ARTICLE 5

(1) Subject to the provisions of paragraph (2) of this Article and of Article 9, where a national of one country is employed on board a vessel or aircraft of the other country, the legislation of the latter country shall not apply to him, unless he is resident in that country.

(2) Subject to the provisions of paragraphs (3), (4) and (5) of this Article, where a national of one country, who is resident in either country, is employed on board a vessel or aircraft of the other country the legislation of the latter country concerning industrial injuries insurance shall apply to him as if he were a national of the latter country resident in that country.

(3) If a vessel of one country is in a harbour of the other country or in the territorial waters of the latter country, and a national of either country, resident in the latter country, is employed on board the vessel, otherwise than as master or a member of the crew, having been engaged for this employment in the latter country, the legislation of the latter country shall apply to him as if he were employed in that country.

(4) Where a national of either country, who is resident in one country, is employed on board a vessel or aircraft of the other country, and is paid remuneration in respect of that employment by some person or undertaking having a place of business in the former country and not being the owner of the vessel or aircraft, the legislation of the former country shall, in respect of that employment, apply to him as if the vessel or aircraft were a vessel or aircraft of the former country, and the person or undertaking paying the said remuneration shall be treated as the employer for the purposes of the said legislation.

(5) Where a person is employed under a British whaling contract on board a vessel of the United Kingdom having obtained permission under the Norwegian laws concerning the capture of whales so to be employed—

(*a*) if he is a national of either country, resident in Norway, the legislation of Norway shall apply to him as if the vessel were a Norwegian vessel, and those provisions of the legislation of the United Kingdom which concern the payment of contributions shall not apply to him;

(*b*) if he is a Norwegian national, resident in the United Kingdom, the legislation of Norway concerning the special pension scheme for seamen shall apply to him as if the vessel were a Norwegian vessel.

(6) Where a national of either country, resident in Norway, who is normally employed under British whaling contracts on board vessels of the United Kingdom having obtained permission under the Norwegian laws concerning the capture of whales so to be employed, is employed temporarily in the United Kingdom by the owner of a whaling vessel of the United Kingdom, the legislation of Norway shall apply to him as if he were employed in Norway by the owner of a Norwegian whaling vessel, and the legislation of the United Kingdom shall not apply to him.

(7) Where, under the legislation of Norway concerning the special pension scheme for seamen, a national of either country would be entitled to receive any benefit if he were in Norway, he shall be entitled to receive that benefit while he is in the United Kingdom.

ARTICLE 6

(1) A national of one country, who is employed in the other country in the Government service of the former country, or of any third country, or a person who is in the private service of a national of the former country so employed, shall be entitled, together with his dependants who are in the latter country, to receive the same medical benefit as is provided under the legislation of the latter country for a national of that country who is resident there, and for this purpose those provisions of the legislation of Norway which concern the payment of contributions in respect of medical benefit by persons who are not employed persons, shall apply to him.

(2) Subject to the provisions of paragraph (1) of this Article, the present Convention shall not apply to established members of the Foreign Service of either country.

(3) Subject to the provisions of paragraph (2) of this Article, where a national of the United Kingdom is employed in Norway in the Government service of the United Kingdom and is not settled in Norway, or a person is in the private service of a national of the United Kingdom so employed and is not settled in Norway, those provisions of the legislation of the United Kingdom which concern the payment of contributions shall apply to him as if he were employed in the United Kingdom and, subject to the provisions of paragraph (1) of this Article, the legislation of Norway shall not apply to him.

(4) Subject to the provisions of paragraph (2) of this Article, where a national of Norway is employed in the United Kingdom in the Government service of Norway and is not settled in the United Kingdom, or a person is in the private service of a national of Norway so employed and is not settled in the United Kingdom, the legislation of Norway shall apply to him, and those provisions of the legislation of the United Kingdom which concern the payment of contributions shall not apply to him.

(5) Subject to the provisions of paragraphs (2), (3) and (4) of this Article, where a national of either country is employed in one country in the Government service of the other country, or a person is in the private service of a national of either country so employed, the legislation of the country in which he is employed shall apply to him, and for this purpose he shall be treated as if he were resident in that country.

ARTICLE 7

Where a national of either country is employed in one country and those provisions of the legislation of the other country which concern the payment of contributions apply to him in accordance with the provisions of Article 4 or Article 6, he shall be treated under that legislation—

(*a*) for the purpose of any claim to receive sickness benefit, as if he were in the latter country;

(*b*) for the purpose of any claim to receive benefit for an industrial accident occurring, or an industrial disease contracted, during his employment in the former country, as if that employment were insurable and as if the accident had occurred or the disease had been contracted in the latter country.

ARTICLE 8

The competent authorities of the two countries may agree to modify the provisions of Articles 4, 5 and 6 in relation to particular persons or classes of persons.

PART III.—BENEFIT

MEDICAL BENEFIT

ARTICLE 9

(1) A national of Norway, who is resident in either country, shall be entitled to receive, while he is in the United Kingdom, the medical benefit provided under United Kingdom legislation under the same conditions as a national of that country who is resident there.

(2) A national of the United Kingdom, who is insured under the Norwegian scheme of health insurance, shall be entitled to receive, whether he is in Norway or elsewhere, the medical benefit of that scheme under the same conditions as a Norwegian national.

(3) A national of the United Kingdom, who is resident in either country and is not insured under the Norwegian scheme of health insurance, shall be entitled to receive, while he is in Norway, the same medical benefit as is provided under that scheme for a Norwegian national who is resident in that country.

(4) A national of Norway, who is resident in the United Kingdom and is employed under a British whaling contract on board a vessel of the United Kingdom, having obtained permission under the Norwegian laws concerning the capture of whales so to be employed, shall be entitled to receive, while he is in Norway, the same medical benefit as is provided under the Norwegian scheme of health insurance for a Norwegian national who is resident in that country.

SICKNESS BENEFIT

ARTICLE 10

(1) Where a national of either country has, since his last arrival in the United Kingdom, become liable to pay contributions as an employed or self-employed person under the legislation of that country, he shall, for the purpose of any claim to receive sickness benefit under that legislation, be treated as if—

(*a*) he had so paid a contribution for every week during which he was insured under the Norwegian scheme of health insurance and gainfully occupied;

(*b*) he had had a contribution so credited to him for every week during which he was insured under the Norwegian scheme of health insurance and prevented by illness or unemployment from being gainfully occupied;

(*c*) he satisfies the contribution conditions for receiving that benefit throughout the first six months after the time when he last ceased to be insured for sickness benefit under the Norwegian scheme of health insurance.

(2) Where a national of either country is insured under the Norwegian scheme of health insurance, he shall, for the purpose of any claim to receive sickness benefit under that scheme, be treated as if any week for which he paid a contribution as an employed or self-employed person under the legislation of the United Kingdom, or had a contribution so credited to him, were a week during which he was insured for sickness benefit under that scheme.

(3) Where a national of either country would be entitled to receive sickness benefit under the legislation of one country if he were in that country, he shall, subject to the approval of the competent authority of that country, be entitled to receive that benefit, while he is in the other country, for such period as that authority may determine.

MATERNITY BENEFIT

ARTICLE 11

(1) Where a woman, being a national of either country, is in, or is confined in, one country, she shall be entitled to receive any maternity benefit which she would have been entitled to receive under the legislation of the other country if she had been in, or confined in, that country:

Provided that—

(*a*) a home confinement grant shall not be paid under the legislation of the United Kingdom to a woman whose child was born in a hospital or obstetric clinic of Norway;

(*b*) a maternity grant shall not be paid under the legislation of Norway to a woman whose child was born in a hospital or in other accommodation provided under the national health services of the United Kingdom.

(2) Where a woman, being a national of either country, resident in the United Kingdom, is in, or is confined in, that country, she shall be treated under the legislation of that country for the purpose of any claim to receive—

(*a*) a maternity allowance, as if—

(i) she had paid a contribution as an employed or self-employed person under that legislation for every week during which she was insured under the Norwegian scheme of health insurance and gainfully occupied;

(ii) she had had a contribution so credited to her for every week during which she was insured under the Norwegian scheme of health insurance and prevented by illness or unemployment from being gainfully occupied;

(*b*) a maternity grant or home confinement grant, as if her husband or herself had paid a contribution as a non-employed person under that legislation for every week during which he or she, as the case may be, was insured under the Norwegian scheme of health insurance.

(3) Where a woman, being a national of either country, resident in Norway, is in, or is confined in, that country, she shall be treated under the Norwegian scheme of health insurance, for the purpose of any claim to receive—

(*a*) a maternity allowance, as if she had been insured for sickness benefit under that scheme during every week for which she paid a contribution as an employed or self-employed person under the legislation of the United Kingdom or had a contribution so credited to her;

(*b*) a maternity grant, as if her husband or parent had been insured under that scheme during every week for which he paid a contribution under the legislation of the United Kingdom, or had a contribution so credited to him.

(4) In any case where a woman would be entitled, but for this paragraph, to receive maternity benefit under the legislation of both countries in respect of the same confinement, she shall be entitled to receive such benefit only under the legislation of the country where she is confined, or, if at any time when she was in the other country before her confinement she claimed such benefit under its legislation, only under the legislation of that country:

Provided that, if a woman who has received such benefit under the legislation of one country can show that, but for this paragraph, she would have been entitled to receive such benefit under the legislation of the other country, she shall be entitled to receive under the latter legislation any amount by which the aggregate of the latter benefit exceeds the aggregate of the former benefit.

Unemployment Benefit

Article 12

(1) Where a national of either country claims unemployment benefit under the legislation of the United Kingdom, he shall be treated as if—

(*a*) he had paid a contribution as an employed person under that legislation for every week during which he was employed in employment which was insurable under the Norwegian scheme of unemployment insurance;

(*b*) he had had a contribution so credited to him for every week during which he was exempt by reason of illness or unemployment from paying contributions under the Norwegian scheme of unemployment insurance;

(*c*) he satisfied the contribution conditions for receiving unemployment benefit under the legislation of the United Kingdom throughout the first six months after the time when he was last in Norway, if at that time he would have

been entitled, had he become unemployed and available for work, to receive unemployment benefit under the Norwegian scheme of unemployment insurance;

(*d*) he had been resident in the United Kingdom during any period during which he was resident in Norway.

(2) Where a national of either country has at any time been insured under the Norwegian scheme of unemployment insurance, he shall be treated, for the purpose of any claim to receive unemployment benefit (other than an educational grant or a grant to enable him to establish a new means of livelihood) under that scheme, as if every week for which he has paid a contribution as an employed person under the legislation of the United Kingdom, or had a contribution so credited to him, were a week during which he was insured under that scheme.

(3) Where a national of either country claims unemployment benefit under the legislation of one country by virtue of the foregoing provisions of this Article, he may, at the discretion of the competent authority of that country, be treated as if he had received unemployment benefit under that legislation for every day for which he has received unemployment benefit under the legislation of the other country.

Old Age Pensions

Article 13

(1) For the purpose of any claim to receive an old age pension under the legislation of the United Kingdom, a national of either country, who has been continuously resident in the United Kingdom for at least five years immediately before the date of the claim, shall be treated as if he, or in the case of a claim made by a married woman or widow by virtue of her husband's insurance, her husband, had paid a contribution under that legislation for every week during which he was resident in Norway.

(2) Where the national claiming an old age pension is a married woman or widow claiming by virtue of her own insurance, the provisions of paragraph (1) of this Article shall not apply to her unless she has, since the date of her marriage, paid one hundred and fifty-six contributions under the legislation of the United Kingdom.

(3) For the purpose of any claim to receive an old age pension under the legislation of Norway, a national of the United Kingdom who has been continuously resident in Norway for at least five years immediately before the date of the claim shall be treated as if he were a national of Norway.

Benefit for Blind and Crippled Persons

Article 14

For the purpose of any claim to receive any benefit under the legislation specified in sub-paragraph (*b*) (ii) of paragraph (1) of Article 2, a national of the United Kingdom shall be treated as if he were a national of Norway if—

(*a*) he has been continuously resident in that country for a period of at least one year immediately before the date of the claim, and during that period has been capable of carrying on a gainful occupation for at least one year; or

(*b*) he has been continuously resident in that country for at least five years immediately before the date of the claim.

Widow's Benefit and Widower's Benefit

Article 15

(1) For the purpose of any claim to receive widow's benefit under the legislation of the United Kingdom, a woman, being a national of either country, shall, if—

(*a*) her husband was continuously resident in the United Kingdom for at least five years immediately before his death, or

(*b*) she was continuously resident in the United Kingdom for at least five years immediately before the date of her claim,

be treated as if her husband had paid a contribution under that legislation for every week during which he was resident in Norway.

(2) Where a woman would be entitled to receive a widow's benefit under the legislation of the United Kingdom if her child were in that country, she shall be entitled to receive that benefit if the child is in Norway.

(3) For the purpose of any claim to receive widow's benefit or widower's benefit under the Norwegian general scheme of old age pensions, a national of the United Kingdom shall be treated as if she or he, as the case may be, were a national of Norway if—

(*a*) the deceased husband or wife of the national had been continuously resident in Norway for at least five years immediately before death, and the national was then resident in Norway, or

(*b*) the national has been continuously resident in Norway for at least five years immediately before the date of the claim.

Allowances for Children

Article 16

(1) For the purpose of any claim to receive a guardian's allowance under the legislation of the United Kingdom, a child, being a national of either country, resident in the United Kingdom, shall, if one of his parents was resident in Norway, be treated as if that parent had been insured under the legislation of the United Kingdom.

(2) For the purpose of any claim to receive a family allowance under the legislation of Norway for a child who is resident in that country, a national of the United Kingdom, being a parent of the child or the child himself, shall, if he has been continuously resident in Norway for at least six months immediately before the date of the claim, be treated as if he were a national of Norway.

(3) For the purpose of any claim to receive a family allowance under the legislation of the United Kingdom, a national of Norway shall be treated as if he were a national of the United Kingdom, and, if his place of birth is in Norway, he shall be treated as if it were in the United Kingdom.

Industrial Injuries and Diseases

Article 17

Where, under the legislation of one country concerning industrial injuries insurance, a national of either country would be entitled to receive any benefit if he were in that country, he shall be entitled to receive that benefit while he is in the other country.

Article 18

Where a national of either country has contracted an industrial disease and has been employed in both countries in occupations involving the risk of that disease, he shall, subject to the provisions of Articles 7 and 19, be treated, for the purpose of any claim to receive benefit for that disease under the legislation of the country in which he was last so employed, as if he had been so employed only in that country.

Article 19

Where a national of either country, who is receiving or has received any benefit for an industrial injury or disease under the legislation of one country, claims benefit for an industrial injury or disease under the legislation of the other country, account shall be taken of the former benefit as if it were or had been paid under the legislation of the latter country.

Death Grants

Article 20

(1) For the purpose of any claim to receive a death grant under the legislation of the United Kingdom, any national of either country who is insured under

that legislation shall be treated as if he had paid a contribution under that legislation for every week during which he was insured under the Norwegian scheme of health insurance.

(2) For the purpose of any claim to receive a death grant under the legislation of one country—

(*a*) a death which has occurred in the other country shall be treated as if it had occurred in the former country;

(*b*) a claimant who is in the other country shall be treated as if he were in the former country.

(3) Death grants shall not be payable under the legislation of both countries in respect of the same death, unless the right to receive death grants under the legislation of both countries exists independently of the provisions of the present Convention.

(4)—(*a*) In any case where the preceding paragraph of this Article prevents a double payment and the right to receive a death grant under the legislation of one country exists independently of the provisions of the present Convention, that right shall be preserved and the right under the legislation of the other country shall be extinguished.

(*b*) In any other case where the preceding paragraph of this Article prevents a double payment, the following provisions shall apply:—

(i) if the death occurs in one country, the right under the legislation of that country shall be preserved and the right under the legislation of the other country shall be extinguished;

(ii) if the death does not occur in either country, the right under the legislation of the country where the deceased was last resident before his death shall be preserved and the right under the legislation of the other country shall be extinguished.

National Assistance

Article 21

For the purpose of applying any provision of the legislation specified in sub-paragraphs (*a*) (iv) and (*a*) (v) of paragraph (1) of Article 2, a national of either country shall be treated as if he had been resident in the United Kingdom during any period during which he was resident in Norway.

Meaning of "Resident" and "Continuously Resident"

Article 22

(1) For the purpose of applying the provisions of paragraph (1) of each of the Articles 13, 15 and 16—

(*a*) no account shall be taken of any period during which a person was resident in Norway before he had reached the age of sixteen or after he has reached, or was deemed to have reached, pensionable age as defined in his case under the legislation of the United Kingdom;

(*b*) a person shall be deemed to have been resident in Norway during any period of absence from that country if that period would be treated as a period of residence in that country for the purpose of a claim to receive an old age pension under the legislation of that country.

(2) For the purpose of applying the provisions of the present Convention, a person shall be deemed to have been continuously resident in one (or the other) country during any period, if he has not been absent from that country during that period except—

(*a*) in the case of Articles 13 and 15 for any period not exceeding four months;

(*b*) in the case of Articles 14 and 16 for any period not exceeding one month;

(*c*) for other periods, if the competent authority of that country is satisfied, having regard to the duration of his residence in that country and the reasons for his absence from it, that those periods should be ignored;

but, in calculating the duration of a period during which he has been continuously resident in that country, no account shall be taken of any period during which he was absent from it.

ABSENCE FROM THE UNITED KINGDOM

ARTICLE 23

(1) A person shall not be qualified, by virtue of the provisions of paragraph (1) of any of the Articles 13, 15 and 16, to receive benefit for any period of absence from the United Kingdom, unless during that period he remains resident in the United Kingdom.

(2) A person shall not be qualified, by virtue of the provisions of paragraph (1) of Article 16, to receive a guardian's allowance in respect of a child for any period of that child's absence from the United Kingdom, unless during that period the child remains resident in the United Kingdom.

UNITED KINGDOM BENEFICIARY IN NORWAY

ARTICLE 24

Subject to the provisions of Article 25, a national of either country, who would be entitled to receive an old age pension or widow's benefit under the legislation of the United Kingdom if he or she were in that country, other than a benefit payable wholly or partly by virtue of Article 13 or Article 15, shall be entitled to receive that benefit, while he or she is in Norway, at a rate which shall be determined, if he or she is not resident in the United Kingdom, under those provisions of that legislation which concern the payment of benefit to persons who are not resident in the United Kingdom.

DUPLICATE BENEFIT FOR OLD AGE OR WIDOWHOOD

ARTICLE 25

Where a national of either country is in one country and is entitled to receive an old age pension or widow's benefit under the legislation of that country, he or she shall be entitled to receive, under the legislation of the other country, only any amount by which the old age pension or widow's benefit, which he or she would, but for this paragraph, have been entitled to receive under that legislation, exceeds the benefit which he or she is entitled to receive under the legislation of the former country.

BENEFICIARY OF ONE COUNTRY WITH DEPENDANT IN THE OTHER

ARTICE 26

Where a national of either country, who is qualified to receive any benefit under the legislation of one country, would be qualified to receive an increase of that benefit for a dependant if the dependant were in that country, he shall be qualified to receive that increase while the dependant is in the other country.

CLAIMS MADE INDEPENDENTLY OF THE CONVENTION

ARTICLE 27

Subject to the provisions of Articles 11, 19 and 25, any person claiming benefit under the legislation of either country may choose to have his claim determined without regard to the provisions of this Part of the present Convention.

PART IV—MISCELLANEOUS PROVISIONS

ARTICLE 28

The competent authorities—

(*a*) shall make such administrative arrangements as may be required for the application of the present Convention ;

(*b*) shall communicate to each other information regarding any measure taken by them for the application of the Convention ;

(*c*) shall communicate to each other, as soon as possible, information regarding any changes made under their national legislation which affect the application of the Convention ;

(*d*) shall furnish assistance to one another with regard to any matter relating to the application of the Convention.

ARTICLE 29

Where, under the provisions of the present Convention, any benefit is payable by an authority of one country to a person who is in the other country, the payment may, at the request of that authority, be made by an authority of the latter country as agent for the authority of the former country.

ARTICLE 30

No benefit paid under the legislation of one country by virtue of the present Convention shall be reimbursed by any authority of the other country.

ARTICLE 31

Where a national of either country who is in one country has claimed benefit under the legislation of the other country, the competent authority of the former country, at the request of the competent authority of the latter country, shall arrange, at its own expense, for him to be medically examined.

ARTICLE 32

(1) Any exemption from, or reduction of, legal dues, charges and fees, provided for in the legislation of one country in connexion with the issue of any certificate or document required to be produced for the purpose of that legislation, shall be extended to certificates and documents required to be produced for the purposes of the legislation of the other country.

(2) Where any certificate or other document has to be produced to the competent authority of one (or the other) country for the purpose of applying the present Convention, that authority shall not require the certificate or other document to be legalised or authenticated.

ARTICLE 33

Any claim, notice or appeal which should, for the purposes of the legislation of one country, have been presented within a prescribed period to an authority of that country, but which is in fact presented within the same period to the corresponding authority of the other country, shall be treated as if it had been presented to the authority of the former country. In such cases, the authority of the latter country shall, as soon as possible, arrange for the claim, notice or appeal to be sent to the competent authority of the former country.

ARTICLE 34

The competent authorities of the two countries may, for the purpose of applying the present Convention, correspond directly with one another, or with any person who has claimed any benefit by virtue of the Convention, or with his legal representative.

ARTICLE 35

(1) The competent authorities of the two countries shall endeavour to resolve by negotiation any disagreement relating to the interpretation or application of the present Convention.

(2) If any such disagreement has not been resolved by negotiation within a period of three months, the disagreement shall be submitted to arbitration by an arbitral body, whose composition and procedure shall be agreed upon by the two Contracting Parties.

(3) The decision of the arbitral body shall be made in accordance with the principles and spirit of the present Convention and shall be final and binding.

ARTICLE 36

(1) No provision of the present Convention shall confer any right to receive any payment of benefit for a period before the date of the entry into force of the Convention.

(2) No provision of Part II of the Convention shall apply to any period during which a national of either country was employed before the date of the entry into force of the Convention.

(3) Subject to the provisions of paragraphs (1) and (2) of this Article, any benefit, other than a maternity grant, home confinement grant or death grant, shall be payable in accordance with the provisions of the Convention in respect of events which happened before the date of its entry into force, and such benefit shall be paid as from that date, provided that the claim therefor is submitted within three months of that date.

(4) Any period during which a national of either country was resident in one (or the other) country or insured under the legislation of that country before the date of the entry into force of the Convention shall be taken into account for the purpose of determining his right to benefit in accordance with the provisions of the Convention.

ARTICLE 37

In the event of the termination of the present Convention, any right acquired by a person in accordance with its provisions shall be maintained, and negotiations shall take place for the settlement of any rights then in course of acquisition by virtue of those provisions.

ARTICLE 38

The present Convention shall be ratified and the instruments of ratification shall be exchanged at Oslo as soon as possible. The Convention shall enter into force on the first day of the second month following the month in which the instruments of ratification are exchanged.

ARTICLE 39

The present Convention shall remain in force for a period of one year from the date of its entry into force. Thereafter it shall continue in force from year to year unless it is denounced in writing three months before the expiry of any such yearly period.

In witness whereof the undersigned, duly authorised by their respective Governments, have signed the present Convention.

Done in duplicate at London this 25th day of July, 1957, in the English and Norwegian languages, both texts being equally authoritative.

SELWYN LLOYD.	GUDMUND HARLEM.
JOHN BOYD-CARPENTER.	P. PREBENSEN.

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 of Norway and modifies the Family Allowances Acts, 1945 to 1956, the National Insurance Acts, 1946 to 1957, and the National Insurance (Industrial Injuries) Acts, 1946 to 1957, in their application to persons affected by that Convention.