

Status: Point in time view as at 14/12/2009.

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Social Security Administration (Northern Ireland) Act 1992

1992 CHAPTER 8

PART XIII **N.I.**

SOCIAL SECURITY SYSTEMS OUTSIDE NORTHERN IRELAND

Co-ordination

[^{F1}153] **N.I.**

Textual Amendments

F1 S. 153 repealed and superseded (2.12.1999) by 1998 c. 47, ss. 87(8)(b), 100(2), 101(2)(3), **Sch. 15**; S.I. 1999/3209, art. 2, **Sch.**

Reciprocity

[^{F2}154] **N.I.**

Textual Amendments

F2 S. 154 repealed and superseded (2.12.1999) by 1998 c. 47, ss. 87(8)(b), 100(2), **Sch. 15**; S.I. 1999/3209, **art. 2**,

155 Reciprocal agreements with countries outside the United Kingdom. **N.I.**

(1) For the purpose of giving effect—

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- (a) to any agreement with the government of a country outside the United Kingdom providing for reciprocity in matters relating to payments for purposes similar or comparable to the purposes of legislation to which this section applies, or
 - (b) to any such agreement as it would be if it were altered in accordance with proposals to alter it which, in consequence of any change in the law of Northern Ireland, the government of the United Kingdom has made to the other government in question,
- the Secretary of State may by order make provision for modifying or adapting such legislation in its application to cases affected by the agreement or proposed alterations.
- (2) An order made by virtue of subsection (1) above may, instead of or in addition to making specific modifications or adaptations, provide generally that legislation to which this section applies shall be modified to such extent as may be required to give effect to the provisions contained in the agreement or, as the case may be, alterations in question.
- (3) The modifications which may be made by virtue of subsection (1) above include provisions—
- (a) for securing that acts, omissions and events having any effect for the purposes of the law of the country in respect of which the agreement is made have a corresponding effect for the purposes of this Act ^[F3], the Jobseekers (Northern Ireland) Order 1995^[F4], Chapter II of Part II of the Social Security (Northern Ireland) Order 1998 ^[F5], the State Pension Credit Act (Northern Ireland) 2002^[F6], Part 1 of the Welfare Reform Act (Northern Ireland) 2007^[F6] and the Contributions and Benefits Act (but not so as to confer a right to double benefit);
 - (b) for determining, in cases where rights accrue both under such legislation and under the law of that country, which of those rights is to be available to the person concerned;
 - (c) for making any necessary financial adjustments.
- (4) This section applies—
- (a) to the Contributions and Benefits Act ;
 - ^[F7](aa) to the Jobseekers (Northern Ireland) Order 1995;]
 - ^{F8}...
 - ^[F9](ab) to Chapter II of Part II of the Social Security (Northern Ireland) Order 1998; and]
 - ^[F10](ac) to the State Pension Credit Act (Northern Ireland) 2002;]^[F11]and
 - (ad) to Part 1 of the Welfare Reform Act (Northern Ireland) 2007;]
 - (b) to this Act,
- except in relation to the following benefits—
- (i) payments out of the social fund;
 - (ii) Christmas bonus;
 - (iii) statutory sick pay; and
 - (iv) statutory maternity pay.
- (5) The power conferred by subsection (1) above shall also be exercisable in relation to regulations made under the Contributions and Benefits Act or this Act and concerning—
- (a) income support;

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- [^{F12}(aa) jobseeker’s allowance;]
- [^{F13}(ab) state pension credit;]
- [^{F14}(ac) employment and support allowance;]
- ^{F15}(b)
- ^{F15}(c)
- (d) housing benefit; or
- (e) child benefit.

Textual Amendments

- F3** Words in s. 155(3) inserted (3.5.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2**, para. 48(2); S.R. 1996/180, **art. 2**
- F4** Words in s. 155(3)(a) inserted (5.7.1999, 6.9.1999, 5.10.1999, 18.10.1999 and 29.11.1999 for different purposes, otherwise prosp.) by S.I. 1998/1506 (N.I. 10), arts. 1(2), 78(1), **Sch. 6 para. 84(1)**; S.R. 1999/310, art. 2(1)(b), **Sch. 1** (with arts. 4, 14); S.R. 1999/371, art. 2(b), **Sch. 1** (with arts. 4, 18); S.R. 1999/407, art. 2(b), **Sch.** (with art. 4); S.R. 1999/428, art. 2(b), **Sch. 1** (with arts. 4, 16) and S.R. 1999/472, art. 2(1), **Sch. 1** (with arts. 20-22) (subject to art. 2(2) of the said S.R. 1999/472)
- F5** Words in s. 155(3)(a) inserted (2.12.2002 for certain purposes, 6.10.2003 in so far as not already in force) by State Pension Credit Act (Northern Ireland) 2002 (c. 14), ss. 14, 21(2), **Sch. 2 Pt. 2 para. 19(a)**; S.R. 2002/366, **art. 2(1)**; S.R. 2003/373, art. 2
- F6** Words in s. 155(3)(a) inserted (27.10.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 3 para. 4(25)(a)**; S.R. 2008/276, art. 2(2)(d), Sch. Pt. 2
- F7** S. 155(4)(aa) inserted (3.5.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2**, para. 48(3); S.R. 1996/180, **art. 2**
- F8** Word in s. 155(4) repealed (6.10.2003) by State Pension Credit Act (Northern Ireland) 2002 (c. 14), s. 21(2), **Sch. 3**; S.R. 2003/373, **art. 2**
- F9** S. 155(4)(ab) inserted (5.7.1999, 6.9.1999, 5.10.1999, 18.10.1999 and 29.11.1999 for different purposes, otherwise prosp.) by S.I. 1998/1506 (N.I. 10), arts. 1(2), 78(1), **Sch. 6 para. 84(2)**; S.R. 1999/310, art. 2(1)(b), **Sch. 1** (with arts. 4, 14); S.R. 1999/371, art. 2(b), **Sch. 1** (with arts. 4, 18); S.R. 1999/407, art. 2(b), **Sch.** (with art. 4); S.R. 1999/428, art. 2(b), **Sch. 1** (with arts. 4, 16) and S.R. 1999/472, art. 2(1), **Sch. 1** (with arts. 20-22) (subject to art. 2(2) of the said S.R. 1999/472)
- F10** S. 155(4)(ac) inserted (2.12.2002 for certain purposes, 6.10.2003 in so far as not already in force) by State Pension Credit Act (Northern Ireland) 2002 (c. 14), ss. 14, 21(2), **Sch. 2 Pt. 2 para. 19(b)**; S.R. 2002/366, **art. 2(1)**; S.R. 2003/373, art. 2
- F11** S. 155(4)(ad) and word inserted (27.10.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 3 para. 4(25)(b)**; S.R. 2008/276, art. 2(2)(d), Sch. Pt. 2
- F12** S. 155(5)(aa) inserted (3.5.1996) by S.I. 1995/2705 (N.I. 15), art. 40(1), **Sch. 2 para. 48(4)**; S.R. 1996/180, **art. 2**
- F13** S. 155(5)(ab) inserted (2.12.2002 for certain purposes, 6.10.2003 in so far as not already in force) by State Pension Credit Act (Northern Ireland) 2002 (c. 14), ss. 14, 21(2), **Sch. 2 Pt. 2 para. 19(c)**; S.R. 2002/366, **art. 2(1)**; S.R. 2003/373, art. 2
- F14** S. 155(5)(ac) inserted (27.10.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 3 para. 4(25)(c)**; S.R. 2008/276, art. 2(2)(d), Sch. Pt. 2
- F15** S. 155(5)(b)(c) repealed (8.4.2003) by Tax Credits Act 2002 (c. 21), s. 61, **Sch. 6**; S.I. 2003/962, art. 2(4)(e), Sch. 2 (with art. 3)

[^{F16}155A Exchange of information with overseas authorities **N.I.**

(1) This section applies where it appears to the Department—

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- (a) that there are arrangements in force for the exchange of relevant information between the Department and any authorities in a country outside the United Kingdom ('the overseas country'); and
 - (b) that the arrangements and the law in force in the overseas country are such as to ensure that there are adequate safeguards in place against any improper use of information disclosed by the Department under this section
- (2) For the purpose of facilitating the carrying out by authorities in the overseas country of any function relating to anything corresponding to, or in the nature of, a social security benefit, the Department may make any such disclosure of relevant information to authorities in the overseas country as the Department considers necessary to give effect to the arrangements.
- (3) It shall be the duty of the Department to take all such steps as may be reasonable for securing that relevant information disclosed to it in accordance with the arrangements is not used for any purpose in which its use is not expressly or impliedly authorised by or under the arrangements.
- (4) This section does not apply where provision is in force under section 155 above for giving effect to the arrangements in question.
- (5) The purposes for which information may be required to be disclosed to the Department under section 116D above or section 122D of the Great Britain Administration Act (information required from authorities administering housing benefit or council tax benefit) shall be deemed to include the further disclosure of that information in accordance with this section.
- (6) In this section 'relevant information' means any information held by the Department or any authorities in a country outside the United Kingdom for the purposes of any functions relating to, or to anything corresponding to or in the nature of, a social security benefit.]

Textual Amendments

F16 S. 155A inserted (14.2.2003) by 2001 c. 11 , ss. 5(2), 20; S.I. 2003/273, art. 2

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