

**Reciprocal Agreement with the Isle of Man**

ORDER IN COUNCIL, DATED 25TH APRIL, 1949, MADE UNDER SECTION 61 OF THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1949. No. 83

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND

GRANVILLE

I, WILLIAM SPENCER, EARL GRANVILLE, Knight Commander of the Royal Victorian Order, Companion of the Most Honourable Order of the Bath, Companion of the Distinguished Service Order, Vice-Admiral, Governor of Northern Ireland, in pursuance of section 61 of the National Insurance Act (Northern Ireland), 1946, and of all other powers enabling me in that behalf, by and with the advice of the Privy Council of Northern Ireland, do hereby order as follows :—

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

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

“ the Act ” means the National Insurance Act (Northern Ireland), 1946 ;

“ the Isle of Man Act ” means the National Insurance (Isle of Man) Act, 1948 ;

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

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

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

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

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

3. In particular but without prejudice to the generality of the foregoing Article, the provisions of the Act and regulations specified or referred to in Part I of the Second Schedule to this Order shall

apply for the purposes of the Isle of Man Act as they apply for the purposes of the Act, subject to the modifications relating thereto specified in Part II of that schedule.

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

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

### FIRST SCHEDULE

#### Article 2.

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

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

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

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

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

“the Governor” means the Lieutenant-Governor or the Deputy Lieutenant-Governor of the Isle of Man;

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

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

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

2. For the purposes of all or any of the provisions of the systems of insurance established by the Acts, acts, omissions and events having effect for all or any of those purposes in one country shall be treated as if they had been respectively such acts, omissions and events in the other country, and in particular insurance, residence, employment, contributions paid (including contributions credited or treated as paid), exceptions from liability to pay contributions; and benefit paid or claimed in one country shall be treated as if they had been respectively insurance, residence, employment, contributions paid (including contributions credited or treated as paid), exceptions from liability to pay contributions and benefit paid or claimed in the other country:

Provided that—

(a) any appeal from a decision of any question arising under or in connection with the Acts, including any claim for benefit, shall be made, and any question with a view to the review of any such decision shall be raised, in the country in which such decision was given;

(b) this Article shall not confer a right to double benefit or a right to receive unemployment benefit in the Isle of Man in respect of any day of unemployment occurring before the 3rd January, 1949.

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

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

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

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

(L.S.)

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

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

*G. R. Bromet,*  
Lieutenant-Governor.

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

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

## SECOND SCHEDULE

Article 3.

### PART I

#### PROVISIONS OF THE ACT AND REGULATIONS APPLYING FOR THE PURPOSES OF THE ISLE OF MAN ACT

Provision	Subject matter
Subsection (6) of section 2 .. ..	Penalty for not paying contributions.
Subsection (2) of section 6 .. ..	Penalty for unlawful deduction of employer's contribution.
Regulations for the time being in force under paragraph (e) of subsection (1) of section 7 .. .. .	Recovery of contributions on prosecutions.
Section 31 .. .. .	Benefit to be inalienable.
Section 32 .. .. .	Proceedings by employees for benefit lost by employer's default.
Regulations for the time being in force under subsection (6) of section 40 ..	Decisions to be conclusive for purpose of proceedings under the Act.
Subsections (2) to (6) of section 47 ..	Powers of inspectors.
Subsections (2) and (3) of section 48 ..	Proof of age, marriage and death.
Section 50 .. .. .	General provisions as to offences and penalties.
Section 51 .. .. .	General provisions as to prosecutions.
Section 52 .. .. .	Civil proceedings to recover sums due to National Insurance Fund.
Section 53 .. .. .	Priority of contributions in winding up and bankruptcy.

### PART II

#### MODIFICATIONS

In the provisions of the Act and the regulations specified or referred to in Part I of this schedule—

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

- (b) references to the Family Allowances Act (Northern Ireland), 1945, shall be construed as including references to the Family Allowances (Isle of Man) Act, 1946 ;
- (c) references to the Industrial Injuries Act shall be construed as including references to the National Insurance (Industrial Injuries) (Isle of Man) Act, 1948 ;
- (d) references to the Ministry shall be construed as including references to the Isle of Man Board of Social Services constituted under the Isle of Man Board of Social Services Act, 1948 ;
- (e) references to the Northern Ireland National Insurance Fund shall be construed as including references to the Manx National Insurance Fund ;
- (f) references to contributions shall be construed as including references to contributions under the Isle of Man Act ; and
- (g) references to insured persons, employed persons, benefit, beneficiaries, insurance stamps, insurance cards and regulations shall be construed as including references to insured persons, employed persons, benefit, beneficiaries, insurance stamps, insurance cards and regulations respectively within the meaning of the Isle of Man Act.

### Residence and Persons Abroad Amendment Regulations (Northern Ireland), 1949

REGULATIONS, DATED 6TH JULY, 1949, MADE BY THE MINISTRY OF LABOUR  
AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY  
OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN  
IRELAND), 1946.

1949. No. 120

The Ministry of Labour and National Insurance, in conjunction with the Ministry of Finance, in exercise of the powers conferred by section 57 of the National Insurance Act (Northern Ireland), 1946, and of all other powers enabling it in that behalf, hereby makes the following regulations :—

1. These regulations, which may be cited as the National Insurance (Residence and Persons Abroad) Amendment Regulations (Northern Ireland), 1949, shall be read as one with the National Insurance (Residence and Persons Abroad) Regulations (Northern Ireland), 1948 (hereinafter referred to as “ the principal regulations ”) and shall come into operation on the 11th July, 1949.

2. The words “ or within such longer period as the Ministry may in the special circumstances of any particular case allow ” shall be added at the end of sub-paragraph (b) (ii) of paragraph (2) of regulation 3 and at the end of paragraph (2) of regulation 4 of the principal regulations.

Sealed with the Official Seal of the Ministry of Labour and  
National Insurance for Northern Ireland this 6th day of  
July, 1949, in the presence of

(L.S.)

*H. Anderson,*

Assistant Secretary to the Ministry of Labour  
and National Insurance for Northern Ireland.