

## NATIONAL INSURANCE AND INDUSTRIAL INJURIES

### Reciprocal Agreement with the Republic of Ireland

ORDER IN COUNCIL, DATED 23RD FEBRUARY, 1953, MADE UNDER SECTION SIXTY-ONE OF THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946, AND SECTION EIGHTY-FOUR OF THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT (NORTHERN IRELAND), 1946.

1953. No. 38

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND

W A K E H U R S T

I, JOHN DE VERE, BARON WAKEHURST, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Governor of Northern Ireland, in pursuance of section sixty-one of the National Insurance Act (Northern Ireland), 1946 (a), and section eighty-four of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946 (b), 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 and Industrial Injuries (Reciprocal Agreement with the Republic of Ireland) Order (Northern Ireland), 1953.

(2) The Interpretation Act, 1889 (c), 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 insurance and workmen's compensation set out in the schedule to this Order shall have full force and effect so far as the same relate to Northern Ireland, and the National Insurance Acts (Northern Ireland), 1946 to 1952 (d), and the National Insurance (Industrial Injuries) Acts (Northern Ireland), 1946 to 1952 (e), 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. The National Insurance and Industrial Injuries (Reciprocal Agreement with Eire) Order (Northern Ireland), 1949 (f), is hereby

---

(a) 1946. c. 23. (b) 1946. c. 21. (c) 52 & 53 Vict. c. 63. (d) 1946. c. 23; 1949. c. 20; 1951. c. 18; 1952. c. 14. (e) 1946. c. 21; 1948. c. 20; 1951. c. 18; 1952. c. 14. (f) S. R. & O. (N.I.) 1949. No. 82.

revoked but without prejudice to anything duly done or suffered or to any right, privilege, obligation or liability acquired, accrued or incurred thereunder.

Given at Government House, Hillsborough, this twenty-third day of February, 1953.

*Brookeborough*  
*Brian Maginness*  
*Ivan Neill*  
*Harry Midgley*  
*Robert Moore*  
*W. V. McCleery*  
*Dehra Parker*  
*Alex. R. G. Gordon*

### SCHEDULE

AGREEMENT RELATING TO INSURANCE AND WORKMEN'S COMPENSATION MADE THIS 27<sup>TH</sup> DAY OF JANUARY, IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND FIFTY THREE BETWEEN THE MINISTRY OF LABOUR AND 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 Northern Ireland Act” means the National Insurance Act 1946. Ch. 23. (Northern Ireland), 1946 ;
  - “the Northern Ireland Acts” means the National Insurance Acts (Northern Ireland), 1946 ; 1946. Ch. 21.  
and  
1946. Ch. 23.
  - “the Republic of Ireland Act” means the Social Welfare Act, 1952 ; No. 11 of  
1952.
  - “the Republic of Ireland Acts” means the Social Welfare Act, 1952, and the Workmen's Compensation Act, 1934 ; No. 9 of  
1934.
  - “sickness benefit” means, as the case may require, sickness benefit under the Northern Ireland Act or disability benefit under the Republic of Ireland Act ;
  - “maternity benefit” means maternity benefit other than maternity allowance (whether under the Northern Ireland Act or the Republic of Ireland Act) ;
  - “contributions of the appropriate class” means contributions (whether under the Northern Ireland Act or the Republic of Ireland Act or under any enactment repealed by either of those Acts) having effect for the purposes, as the case may be, of sickness benefit or of maternity benefit or, under the Republic of Ireland Act, of marriage benefit ;
  - “non-domiciled mariner” means, for the purposes of the Northern Ireland 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 Republic of Ireland Acts, a person so employed who neither is domiciled nor has a place of residence in the Republic of Ireland ; and

“ radio officer ” means a person to whom this Agreement applies who is employed on board any ship or vessel in connexion with the radio apparatus thereof.

(2) References in this Agreement to the Acts in force in Northern Ireland or the Republic of Ireland, respectively, shall be construed as references to the Northern Ireland Acts or the Republic of Ireland Acts 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, regulations or order.

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

3. The said Ministry of Labour and 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. Such financial adjustments between the Northern Ireland National Insurance Fund on the one hand and the Social Insurance Fund of the Republic of Ireland on the other, as may be agreed from time to time in connexion with Parts I and II of this Agreement, shall be made by the said Ministry of Labour and National Insurance and the said Minister for Social Welfare.

5.—(1) This Agreement shall have effect as from the 5th January, 1953.

(2) The said Ministry of Labour and National Insurance or the said Minister for Social Welfare may terminate this Agreement or any Part thereof on giving not less than six months previous notice in writing.

## PART I

### *Insurance for sickness benefit and maternity benefit*

6.—(1) Subject to the provisions of Articles 8 and 14 and of the following paragraphs of this Article, where a person insured under the Northern Ireland Act is on the 5th January, 1953, in the Republic of Ireland or thereafter goes to the Republic of Ireland, that person shall, in respect of any period for which he is in the Republic of Ireland occurring after the said date and before the expiration of six months from the date on which he last arrived in the Republic of Ireland, be

treated for the purposes of his right to receive sickness or maternity benefit as if he were in Northern Ireland during that period and where a person insured under the Republic of Ireland Act is on the 5th January, 1953, in Northern Ireland, or thereafter goes to Northern Ireland, that person shall, in respect of any period for which he is in Northern Ireland occurring after the said date and before the expiration of six months from the date on which he last arrived in Northern Ireland, be treated for the purposes of his right to receive sickness benefit or maternity benefit as if he were in the Republic of Ireland during that period :

Provided that —

- (a) for the purpose of calculating the said period of six months the temporary absence of a person from Northern Ireland 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 Ministry of Labour and 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 Northern Ireland Act when that person is in Northern Ireland or of the Republic of Ireland Act when that person is in the Republic of Ireland.

(3) In determining, in relation to any person to whom this Article applies, the question whether any such person is entitled to benefit under the Northern Ireland Act, or whether any such person is entitled to benefit under the Republic of Ireland Act, and, for the purpose of any of these questions, 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 11, this Article shall not confer any right to receive any increase of benefit under the Northern Ireland Act for a child or an adult dependant who is absent from Northern Ireland.

7. Where a person insured under the Northern Ireland Act who has gone to the Republic of Ireland returns to Northern Ireland, then, unless the period applicable to him under the provisions of Article 6

had terminated before his departure from the Republic of Ireland, any contributions of the appropriate class paid by or in respect of him in the Republic of Ireland during that period shall, for the purpose of sickness benefit and maternity benefit in Northern Ireland, be treated as such contributions so paid in Northern Ireland, and where a person insured under the Republic of Ireland Act who has gone to Northern Ireland returns to the Republic of Ireland, then, unless the period applicable to him under the provisions of Article 6 had terminated before his departure from Northern Ireland, any contributions of the appropriate class paid by or in respect of him in Northern Ireland during that period shall, for the purpose of sickness benefit and maternity benefit in the Republic of Ireland, be treated as such contributions so paid in the Republic of Ireland.

8. A member of the Defence Forces of the Republic of Ireland who is insured under the Northern Ireland Act shall not be entitled to sickness benefit under that Act in respect of any period during which he is a member of such Forces.

9.—(1) Where a person insured under the Northern Ireland Act is in the Republic of Ireland at the expiration of the period during which the provisions of Article 6 applied to him, then for the purposes of sickness benefit and maternity benefit —

- (a) the provisions of the Northern Ireland Act shall cease to apply in his case ; and
- (b) in the application to him of the provisions of the Republic of Ireland Act,

insurance, employment, contributions of the appropriate class paid (including such contributions credited or treated as paid) and benefits paid or claimed in Northern Ireland 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 the Republic of Ireland.

(2) Where a person insured under the Republic of Ireland Act is in Northern Ireland at the expiration of the period during which the provisions of Article 6 applied to him, then for the purposes of sickness benefit and maternity benefit —

- (a) the provisions of the Republic of Ireland Act shall cease to apply in his case ; and
- (b) in the application to him of the provisions of the Northern Ireland Act,

insurance, employment, contributions of the appropriate class paid (including such contributions credited or treated as paid) and benefits paid or claimed in the Republic of Ireland 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 Northern Ireland :

Provided that, in the case of a person who has been insured under the Republic of Ireland Act and is in Northern Ireland, unless and until not less than thirteen such contributions have been paid by or in respect of him under the Northern Ireland 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 Republic of Ireland Act.

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

- (a) outside Northern Ireland, otherwise than during a period during which she is treated under the provisions of Article 6 as if she were in Northern Ireland, or
- (b) in Northern Ireland, during a period during which she is treated under the provisions of Article 6 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 the Republic of Ireland or Northern Ireland shall be taken into account.

11. Where the wife or husband of a person insured under the Northern Ireland Act is in the Republic of Ireland such wife or husband shall be treated for the purposes 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 Northern Ireland and where the wife or husband of a person insured under the Republic of Ireland Act is in Northern Ireland, such wife or husband shall be treated for the purposes of the right of that person to receive an increase of any sickness benefits to which that person may be entitled in respect of a wife or husband as if she or he were in the Republic of Ireland.

12. Where the wife of a person insured under the Northern Ireland Act is in the Republic of Ireland, she shall be treated for the purpose of her right to receive maternity benefit in respect of that person's insurance as if she were in Northern Ireland and where the wife of a person insured under the Republic of Ireland Act is in Northern Ireland, she shall be treated for the purpose of her right to receive maternity benefit in respect of that person's insurance as if she were in the Republic of Ireland.

13. 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 Northern Ireland, 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.

1946. Ch. 21 14. Where a person is incapable of work by reason of an accident or industrial disease, any payment made or title to payment under the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, in respect of that accident or disease shall be treated as if it were a payment or title to payment under the Workmen's Compensation Act, 1934, for the purposes of the Republic of Ireland Act, and any weekly payment made or title to weekly payment under the Workmen's Compensation Act, 1934, in respect of that accident or disease shall be treated as if it were a payment or title to payment of the like amount by way of injury benefit under the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946, for the purposes of the Northern Ireland Act.

## PART II

*Insurance of persons who are resident in Northern Ireland or the Republic of Ireland while employed in the Republic of Ireland or Northern Ireland respectively, or who, being ordinarily resident in the Republic of Ireland, are temporarily resident and employed in Northern Ireland*

15. Where a person resident in Northern Ireland is employed in the Republic of Ireland and is insured under the Republic of Ireland Act in respect of that employment, his insurance for sickness benefit and maternity benefit shall be deemed to be under the Northern Ireland Act only, and that part of each contribution paid in respect of his employment as aforesaid which relates to sickness benefit and maternity benefit shall be treated as having been paid under the Northern Ireland Act, and where a person resident in the Republic of Ireland is employed under a contract of service in Northern Ireland and insured accordingly, his insurance for sickness benefit and maternity benefit shall be deemed to be under the Republic of Ireland Act only, and that part of each contribution paid in respect of his employment as aforesaid which relates to sickness benefit and maternity benefit shall be treated as having been paid under the Republic of Ireland Act, and in the case of a woman her insurance shall be deemed to include marriage benefit under that Act :

Provided that —

- (a) nothing in this provision shall affect the obligation of that person or his employer to pay contributions under the Northern Ireland Act if he is employed in Northern Ireland or under the Republic of Ireland Act if he is employed in the Republic of Ireland ;
- (b) the rate of benefit payable to a person by virtue of this provision shall not exceed, in the case of a person resident in Northern Ireland and employed in the Republic of Ireland, the maximum rate appropriate to that person under the provisions of the Republic of Ireland Act.

16.—(1) Where a person resident in Northern Ireland is employed in the Republic of Ireland and insured accordingly, his insurance for unemployment benefit shall, if he so elects, be deemed to be under the unemployment benefit scheme in force in Northern Ireland and where a person resident in the Republic of Ireland is employed under a contract of service in Northern Ireland and insured accordingly, his insurance for unemployment benefit shall, if he so elects, be deemed to be under the unemployment benefit scheme in force in the Republic of Ireland.

(2) In the case of a person to whom this Article applies, the said Ministry of Labour and National Insurance shall account to the said Minister for Social Welfare for a sum equal to that part of each contribution (not being a contribution which has been taken into account for the purpose of making any payment of unemployment benefit on a claim made in the United Kingdom) paid as an employed person in Northern Ireland which relates to unemployment benefit and the said Minister for Social Welfare shall account to the said Ministry of Labour and National Insurance for an equal sum in respect of each contribution paid in the Republic of Ireland which relates to unemployment benefit (not being a contribution which has been taken into account for the purpose of making any payment of unemployment benefit on a claim made in the Republic of Ireland nor being a contribution which has been taken into account in connexion with a transfer from the Social Insurance Fund of the Republic of Ireland to the National Insurance Fund established under the National Insurance Acts in force in Great Britain) and an appropriate credit of contributions for unemployment benefit purposes shall be given to the person aforesaid :

Provided that for the purposes of this Article no account shall be taken of any contribution paid in respect of employment which occurred prior to the 5th July, 1948.

(3) (a) A person to whom by virtue of the provisions of the preceding paragraph contributions are credited in the Northern Ireland National Insurance Fund shall, if he satisfies the conditions (other than those relating to contributions) for the receipt of unemployment benefit under the Northern Ireland Act and is free from the disqualifications for the receipt of unemployment benefit under that Act, be entitled to receive payment of unemployment benefit and (where payable) an increase for dependants at the appropriate rate set out in the Second Schedule to the Northern Ireland Act, so, however, that he shall not by virtue of this paragraph receive more than one day's unemployment benefit in respect of each contribution credited under the preceding paragraph of this Article and that the contributions



so credited shall otherwise be disregarded for the purposes of the Northern Ireland Act except that, where unemployment benefit has been exhausted, contributions so credited in respect of employment performed in the Republic of Ireland subsequent to the date of exhaustion shall be taken into account as contributions of the appropriate class for the purposes of requalification for unemployment benefit.

- (b) A person to whom by virtue of the preceding paragraph contributions are credited in the Social Insurance Fund of the Republic of Ireland shall, if he satisfies the conditions (other than those relating to contributions) for the receipt of unemployment benefit under the Republic of Ireland Act, and is free from the disqualifications for the receipt of unemployment benefit under that Act, be entitled to receive unemployment benefit and (where payable) an increase for dependants at the appropriate rate set out in the Third Schedule to that Act, so, however, that he shall not by virtue of this paragraph receive more than one day's unemployment benefit in respect of each contribution credited under the preceding paragraph of this Article.

(4) In the event of the rate of contribution which relates to unemployment benefit or the rate of unemployment benefit being revised in either Northern Ireland or the Republic of Ireland the said Ministry of Labour and National Insurance and the said Minister for Social Welfare may make any agreed adjustment of the sum mentioned in paragraph (2) of this Article.

17.—(1) Where a person who —

- (a) is ordinarily resident in the Republic of Ireland, and
- (b) has been temporarily resident in Northern Ireland while employed under a contract of service there, and
- (c) is not entitled to unemployment benefit in Northern Ireland by reason of proviso (ii) to subsection (1) of Section 10 of the Northern Ireland Act,

returns to the Republic of Ireland and claims unemployment benefit or unemployment assistance there, the value of that part of each contribution paid by him as an employed person while so temporarily resident in Northern Ireland which relates to unemployment benefit shall be accounted for, if he so elects, by the Ministry of Labour and National Insurance to the Minister for Social Welfare and an appropriate credit of contributions for unemployment benefit purposes shall be given to the person aforesaid.

(2) A person to whom by virtue of the preceding paragraph contributions are credited in the Social Insurance Fund of the Republic of Ireland shall, if he satisfies the conditions (other than those relating

to contributions) for the receipt of unemployment benefit under the Republic of Ireland Act, and is free from the disqualifications for the receipt of unemployment benefit under that Act, be entitled to receive unemployment benefit and (where payable) an increase for dependants at the appropriate rate set out in the Third Schedule to that Act, so, however, that he shall not by virtue of this paragraph receive more than one day's unemployment benefit in respect of each contribution credited under this paragraph.

18. Where in respect of any person the Ministry of Labour and National Insurance under paragraph (2) of Article 16 or under paragraph (1) of Article 17 has accounted to the Minister for Social Welfare in respect of the contributions specified in those paragraphs, there shall be disregarded, for the purposes of the right of that person to receive unemployment benefit under the Northern Ireland Act, any contributions as an employed person under that Act in respect of which such accounting has taken place, and where in respect of any person the Minister for Social Welfare under paragraph (2) of Article 16 has accounted to the Ministry of Labour and National Insurance in respect of the contributions specified in that Article, there shall be disregarded, for the purpose of determining the number of days for which unemployment benefit is payable under the Republic of Ireland Acts, any contributions paid under those Acts in respect of which such accounting has taken place.

### PART III

#### *Insurance and Workmen's Compensation for masters and members of the crews of ships and vessels*

19. 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.

20. For the purposes of the Northern Ireland 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 Republic of Ireland Acts a person shall, notwithstanding the Social Welfare (Modifications of Insurance) Regulations, 1953, not be so treated if he is domiciled or has a place of residence in the United Kingdom. S.I. No. 10 of 1953.

21.—(1) 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 Northern Ireland 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 Republic of Ireland, then, subject to the provisions of Article 22, in respect of that employment —

- (a) if that person is ordinarily resident in the United Kingdom, the provisions of the Northern Ireland Acts shall, and those of the Republic of Ireland Acts shall not, apply to him ;
- (b) if that person is ordinarily resident in the Republic of Ireland, the provisions of the Republic of Ireland Acts shall, and those of the Northern Ireland Acts shall not, apply to him ; and
- (c) if that person is not ordinarily resident in either Northern Ireland or the Republic of Ireland, the provisions of the Northern Ireland Acts shall (in so far as they are applicable), and those of the Republic of Ireland Acts shall not, apply to him.

(2) 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 the Republic of Ireland and of which the owner (or managing owner if there is more than one owner) resides or has his principal place of business in Northern Ireland, then, subject to the provisions of Article 22, in respect of that employment —

- (a) if that person is ordinarily resident in the United Kingdom, the provisions of the Northern Ireland Acts shall, and those of the Republic of Ireland Acts shall not, apply to him ;
- (b) if that person is ordinarily resident in the Republic of Ireland, the provisions of the Republic of Ireland Acts shall, and those of the Northern Ireland Acts shall not, apply to him ; and
- (c) if that person is not ordinarily resident in either Northern Ireland or the Republic of Ireland, the provisions of the Republic of Ireland Acts shall (in so far as they are applicable), and those of the Northern Ireland Acts shall not, apply to him.

22. If a radio officer is insurable under the National Insurance Acts in force in Great Britain by virtue of the fact that he is paid remuneration in respect of his employment as a radio officer by some person (other than the owner of the ship or vessel) having his principal place of business in Great Britain the provisions of the Acts in force in Northern Ireland or the Republic of Ireland, as the case may be, in respect of that employment shall not apply to that radio officer.

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

- (a) whose port of registry is in Northern Ireland, not being a ship owned 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 Northern Ireland, not being a ship whose port of registry is in Great Britain or in the Republic of Ireland,

then, in respect of that employment —

- (i) if that person is ordinarily resident in the United Kingdom, the provisions of the Northern Ireland Acts shall, and those of the Republic of Ireland Acts shall not, apply ; and
- (ii) if that person is ordinarily resident in the Republic of Ireland, the provisions of the Republic of Ireland Acts shall, and those of the Northern Ireland Acts shall not, apply.

24.—(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 Northern Ireland to unemployment benefit under the Northern Ireland Act, or to industrial injury benefit under the National Insurance (Industrial Injuries) Act (Northern Ireland), 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 Republic of Ireland Act, 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 Northern Ireland ;

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 Northern Ireland 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.

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

shall be treated as if it were a period during which that person was in the Republic of Ireland:

(2) The limitation imposed by paragraph (2) of Article 6 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.

(3) For the purposes of Article 16 any period of employment on board a ship or vessel which is employment to which the provisions of the Northern Ireland Act apply shall be treated as if it were a period of employment under a contract of service in Northern Ireland, and any period of employment on board a ship or vessel which is employment to which the provisions of the Republic of Ireland Act apply shall be treated as if it were a period of employment in the Republic of Ireland.

#### PART IV

##### *Contributions and insurance in the case of persons who are employed in Northern Ireland and in the Republic of Ireland in the same contribution week*

26. Where a person is employed both in Northern Ireland and in the Republic of Ireland by the same employer in the same contribution week insurance contributions for that week shall, if the person is resident in Northern Ireland, be payable only under the Northern Ireland Acts and he shall be insured by virtue of the employment in Northern Ireland only and, if the person is resident in the Republic of Ireland, be payable only under the Republic of Ireland Acts and he shall be insured by virtue of the employment in the Republic of Ireland only :

Provided that this provision shall not apply in relation to contributions and insurance under the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946.

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

(L.S.)

*Ivan Neill,*

Minister of Labour and National Insurance.

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

(L.S.)

*Séamas Ó Riain,*

Minister for Social Welfare.