

**EXPLANATORY NOTE**

*(This Note is not part of the Regulations, but is intended to indicate their general purport.)*

These Regulations amend the National Insurance (Industrial Injuries) (Prescribed Diseases) Regulations (Northern Ireland), 1948, so that, subject to certain conditions, a person who has abandoned an occupation as a result of a prescribed disease before the date on which that disease is treated as having developed may nevertheless have that occupation treated as his regular occupation for the purposes of a claim to special hardship allowance under section 14 of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946.

**Reciprocal Agreement with Denmark**

ORDER IN COUNCIL, DATED 9TH JANUARY, 1957, MADE UNDER SECTION EIGHTY-FOUR OF THE NATIONAL INSURANCE (INDUSTRIAL INJURIES) ACT (NORTHERN IRELAND), 1946.

1957. No. 14

[NC]

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND

WAKEHURST

Whereas at London on the ninth day of July, nineteen hundred and fifty-six, a Convention between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Denmark on payment of compensation or benefit in respect of industrial injuries (including occupational diseases) as relating to Denmark and Northern Ireland (which Convention is set out in the Schedule hereto) was signed on behalf of those Governments:

And whereas by Article 10 of the said Convention it was provided that the Convention should enter into force on the first day of the 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 Denmark, and the instruments of ratification were exchanged on the 18th day of December, 1956, and accordingly the said Convention entered into force on the 1st day of January, 1957:

And whereas by section eighty-four of the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946(a); it is provided that the Governor of Northern Ireland may by Order in Council make provision for modifying or adapting that Act in its application to cases affected by agreements with other governments providing for reciprocity in the matters specified in that section:

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(a) 1946. c. 21.

Now, therefore, I, John de Vere, Baron Wakehurst, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of Northern Ireland, in pursuance of the said section eighty-four of the National Insurance (Industrial Injuries) 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. This Order may be cited as the National Insurance (Industrial Injuries) (Reciprocal Agreement with Denmark) Order (Northern Ireland), 1957, and shall come into operation with effect from the 1st day of January, 1957.

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 Northern Ireland, and the National Insurance (Industrial Injuries) Acts (Northern Ireland), 1946 to 1956, shall have effect subject to such modifications as may be required therein for the purpose of giving effect to the said provisions.

Given at Stormont Castle, Belfast, this ninth day of January, one thousand nine hundred and fifty-seven.

*Terence O'Neill*  
*W. B. Topping*  
*Ivan Neill*  
*Dehra Parker*

#### SCHEDULE

CONVENTION BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF DENMARK ON PAYMENT OF COMPENSATION OR BENEFIT IN RESPECT OF INDUSTRIAL INJURIES (INCLUDING OCCUPATIONAL DISEASES) AS RELATING TO DENMARK AND NORTHERN IRELAND.

London, July 9, 1956

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Denmark;

Affirming the principle that the nationals of one Contracting Party should receive under the industrial injuries insurance schemes in operation in the territory of the other equal treatment with the nationals of the latter;

Affirming the principle that the benefits of the industrial injuries insurance schemes in operation in the territory of each Contracting Party should be granted to persons in the territory of the other;

Desirous of giving effect to these principles,

Have agreed as follows:—

#### Article 1

- (1) For the purpose of the present Convention,
- (a) "the Act in force in Northern Ireland" means the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946;
  - (b) "the Act in force in Denmark" means Act No. 183 of the 20th May, 1933, concerning Insurance against Consequences of Accidents, or the Ordinance for the Faroe Islands No. 161 of the 29th March, 1939, concerning Insurance against Consequences of Accidents, as the case may require;
  - (c) "Denmark" means Denmark including the Faroe Islands, but not Greenland except as provided in Article 2;

- (d) "national" means, in relation to the United Kingdom, a citizen of the United Kingdom and Colonies, and, in relation to Denmark, a Danish national;
- (e) "compensation or benefit" includes any increase thereof or any allowances payable therewith;
- (f) "employment" means employment to which the Act in force in one (or the other) country applies, and the words "employ" and "employer" refer to such employment.

(2) References in the present Convention to one (or the other) country or to the territory of one (or the other) Contracting Party shall be construed as references to Denmark as defined in paragraph 1 (c) of this Article or to Northern Ireland, according to the context.

(3) References in the present Convention to the Act in force in a particular country shall be construed as references to the Act in force in Northern Ireland or the Act in force in Denmark, according to the context.

(4) References in the present Convention to any enactment shall include a reference to such enactment as amended by any subsequent enactment, regulation or order.

#### Article 2

The present Convention shall, as far as Greenland is concerned, apply only to employment in Greenland to the extent to which the Act in force in Denmark applies to such employment.

#### Article 3

Subject to the following provisions, the Act in force in Northern Ireland shall apply to a national of either Contracting Party in employment in Northern Ireland and the Act in force in Denmark shall apply to a national of either Contracting Party in employment in Denmark.

#### Article 4

(1) Where a national of either Contracting Party, ordinarily resident in one country and under contract, entered into in that country, to serve an employer who has a place of business there, is sent in pursuance of that contract to work in the other country, the Act in force in the former country shall, in respect of any period occurring within twelve months of the commencement of employment in the latter country, apply to that national, provided that his employment in the latter country is not expected at the commencement thereof to last for a period of more than six months.

(2) Where a national of either Contracting Party is employed in one country, and the Act in force in the other country applies to him in accordance with the provisions of paragraph (1) of this Article, he shall, for the purpose of any title to, or payment of, compensation or benefit in respect of industrial accidents (including occupational diseases) under such Act, be treated as if the accident had occurred or the disease had been contracted or the injury had been received in the latter country.

#### Article 5

(1) For the purposes of this Article, "ship or aircraft of one (or the other) country" means, according to the context, a ship or vessel whose port of registry is in Northern Ireland or Denmark, or an aircraft registered in the United Kingdom 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, or an aircraft registered in Denmark.

(2) Subject to the provisions of paragraph (3) of this Article, where a national of either Contracting Party ordinarily resident in one country is employed on board any ship or aircraft of the other country, the Act in force in the latter country (including any special provisions relating to ships or aircraft) shall apply to him as if any condition relating to nationality, residence, or domicile were satisfied in his case.

(3) Where a national of either Contracting Party, ordinarily resident in one country and employed on board any ship or aircraft of the other country, is paid remuneration in respect of that employment, under a contract entered into in the former country, by some person who has a place of business in the former country and who is not the owner of the ship or aircraft, the Act in force in the former country (including any

special provisions relating to ships or aircraft) shall, in respect of that employment, apply to that national as if the employment were on board a ship or aircraft of the former country, and the person by whom the said remuneration is paid shall be treated as the employer for the purposes of the Act in force in Northern Ireland and the Act in force in Denmark.

#### *Article 6*

(1) Where a national of either Contracting Party would be entitled to compensation or benefit under the Act in force in one country but for any provisions of that Act relating to absence from that country, that national shall be entitled to and may receive such compensation or benefit in respect of any period during which he is in the other country.

(2) In all cases, where under the Act in force in one country, any compensation or benefit would be paid in respect of a dependant (other than a child to whom paragraph (3) of this Article applies), if the dependant had been in that country, such compensation or benefit shall be paid in cases where the dependant is in the other country.

(3) In all cases where compensation or benefit would be paid in respect of a child or in respect of a dependant having the care of a child, if such child were in one country, such compensation or benefit shall be paid notwithstanding that the child is in the other country.

#### *Article 7*

A national of one Contracting Party shall, for the purpose of determining any right to compensation or benefit under the Act in force in the territory of the other Contracting Party, be treated as if he were a national of that other Party.

#### *Article 8*

Nothing in the present Convention shall be deemed to confer upon a national of either Contracting Party a right to be paid for the same period benefits of the same kind in respect of the same disability under the Acts in force in Northern Ireland and Denmark.

#### *Article 9*

The Ministry of Labour and National Insurance for Northern Ireland and the Danish Minister of Social Affairs shall make such administrative arrangements as may be required for the application of the present Convention and shall determine all matters of an incidental and supplementary nature which in their opinion are relevant for the purpose of giving effect thereto.

#### *Article 10*

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 month following the month in which the instruments of ratification are exchanged.

#### *Article 11*

The present Convention shall remain in force until six months from the date on which either Contracting Party shall have given written notice of its intention to terminate the present Convention.

#### *Article 12*

In the event of the termination of the present Convention, any right to compensation or benefit acquired by a national of either Contracting Party in accordance with its provisions shall be maintained, and any claim to compensation or benefit arising in respect of employment before the date of termination shall be determined in accordance with the provisions of the Convention.

## EXPLANATORY NOTE

*(This note is not part of the order, but is intended to indicate its general purport.)*

This order gives effect in Northern Ireland to the Convention (set out in the schedule) made between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Denmark and modifies the National Insurance (Industrial Injuries) Acts (Northern Ireland), 1946 to 1956, in their application to persons affected by that Convention.

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**NON-CONTRIBUTORY OLD AGE PENSIONS**

REGULATIONS, DATED 16TH DECEMBER, 1957, MADE BY THE NATIONAL ASSISTANCE BOARD FOR NORTHERN IRELAND IN EXERCISE OF THE POWERS CONFERRED UPON THEM BY SECTION 12 OF THE OLD AGE PENSIONS ACT (NORTHERN IRELAND), 1936, AS AMENDED BY THE NATIONAL ASSISTANCE ACT (NORTHERN IRELAND), 1948.

1957. No. 255

[C]

The National Assistance Board for Northern Ireland, by virtue of the powers conferred upon them by Section 12 of the Old Age Pensions Act (Northern Ireland), 1936(a), as amended by the National Assistance Act (Northern Ireland), 1948(b), hereby make the following regulations:—

*Citation, interpretation and commencement*

1. These regulations, which may be cited as the Non-Contributory Old Age Pensions (Amendment) Regulations (Northern Ireland), 1957, shall be read as one with the Non-Contributory Old Age Pensions Regulations (Northern Ireland), 1948(c), as amended (d) (hereinafter referred to as "the principal regulations") and shall come into operation on the 27th January, 1958.

*Amendment of regulation 14 of the principal regulations*

2.—(1) Paragraph (2) of regulation 14 of the principal regulations (which provides that where a person is undergoing free of charge medical or other treatment as an in-patient in a hospital or similar institution and would but for that regulation be in receipt of a pension at a weekly rate exceeding seven shillings and sixpence, that pension shall be adjusted, subject to certain exceptions, so that the weekly rate thereof shall be seven shillings and sixpence) shall be amended in accordance with the next following paragraph.

(2) In paragraph (2) of the said regulation 14 there shall be substituted for the words "seven shillings and sixpence", in each place where they occur, the words "ten shillings".

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(a) 26 Geo. 5. & 1 Edw. 8, c. 31.

(b) 1948, c. 13.

(c) S.R. & O. of N.I. 1948, No. 252.

(d) S.R. & O. of N.I. 1952, No. 166; S.R. & O. of N.I. 1955, No. 47.