

1973. No. 164

[NC]

NATIONAL INSURANCE**Canada**

ORDER, DATED 24TH MAY 1973, MADE UNDER SECTION 99 OF THE NATIONAL INSURANCE ACT (NORTHERN IRELAND) 1966.

WHEREAS by section 99 of the National Insurance Act (Northern Ireland) 1966(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 matters specified in that section:

AND WHEREAS by subsection (1)(a) of section 1 of the Northern Ireland (Temporary Provisions) Act 1972(b) it is provided that, so long as that section has effect, all functions which apart from that Act belong to the Governor in Council shall be discharged by the Secretary of State:

NOW, THEREFORE, the Secretary of State, in exercise of the powers conferred upon him by the said section 99 and by section 1(1) of the Northern Ireland (Temporary Provisions) Act 1972, and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the National Insurance (Canada) Order (Northern Ireland) 1973 and shall come into operation with effect from 1st May 1973.

Modification of Acts

2. The provisions contained in the Letters set out in the Schedule shall have full force and effect, so far as they relate to Northern Ireland and provide for reciprocity in any matters specified in section 99(1) of the National Insurance Act (Northern Ireland) 1966; and accordingly the National Insurance Acts (Northern Ireland) 1966 to 1972 shall have effect subject to such modifications as may be required therein for the purpose of giving effect to those provisions.

Dated this 24th day of May 1973.

W. S. I. Whitelaw,
One of Her Majesty's Principal
Secretaries of State.

SCHEDULE

Letters exchanged on the 9th March 1973, between the High Commissioner for the United Kingdom in Canada and the Canadian Minister of National Health and Welfare

No. 1

THE HIGH COMMISSIONER FOR THE UNITED KINGDOM IN CANADA TO THE CANADIAN MINISTER OF NATIONAL HEALTH AND WELFARE

9 March 1973

1. As you know our officials have been considering whether the arrangements concerning social security agreed in the letters which passed between the Governments of the United Kingdom and of Canada on the 8th and 10th December, 1959(c), as amended by the Exchange of Letters of the 7th and 30th November, 1961(d), require to be modified in view of the recent changes made in Canadian Social Security legislation.

2. The Government of the United Kingdom now proposes that:—

(a) the provisions set out in paragraph 16(a) of Sir Saville Garner's letter of the 8th December, 1959 (which in certain circumstances enable a person to be treated as having paid contributions under the legislation of the United Kingdom for weeks of residence in Canada) should apply, for the purpose of any claim to receive a retirement pension under the legislation of the United Kingdom, to a person aged 65 or over; and

(b) paragraph 16(a)(ii) of the said letter should be amended to read as follows: "throughout the last year of that ten-year period and throughout earlier periods after attaining the age of 18 which in the aggregate are at least three times as long as any parts of that ten-year period during which he has not been resident in the United Kingdom;"

3. If the Government of Canada agrees to the above proposals, I suggest that they shall take effect on the first day of the second month following the month in which your letter in that sense is received by me.

P. T. Hayman.

(c) See the Schedule to the Family Allowances and National Insurance (Canada) Order (Northern Ireland) 1960 (S.R. & O. (N.I.) 1960, No. 15).
(d) See the Schedule to the National Insurance (Canada) Order (Northern Ireland) 1962 (S.R. & O. (N.I.) 1962, No. 10).

No. 2

THE CANADIAN MINISTER OF NATIONAL HEALTH AND WELFARE TO THE HIGH
COMMISSIONER FOR THE UNITED KINGDOM IN CANADA

March 9, 1973

My dear High Commissioner:

I am replying to your letter of March 9, 1973, concerning modification of the arrangements on social security benefits contained in the Exchange of Letters of the 8th and 10th December, 1959, as amended by the Exchange of Letters of the 7th and 30th November, 1961.

The Government of Canada accepts the proposals set out in paragraphs 2(a) and (b) of your letter and agrees that the modifications shall take effect as set out in paragraph 3 of your letter.

Yours truly,

Marc Lalonde.

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 provisions which have been arranged between the United Kingdom and Canada in the Letters set out in the Schedule, in so far as they relate to matters for which provision is made by the National Insurance Acts (Northern Ireland) 1966 to 1972.

1973. No. 165

This Order has been exempted from printing by the Statutory Rules Act (Northern Ireland) 1958. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading ROADS.