

## POLICY NOTE

### THE SOCIAL SECURITY (ICELAND) (LIECHTENSTEIN) (NORWAY) (FURTHER PROVISION IN RESPECT OF SCOTLAND) ORDER 2023

#### SSI 2023/282

The above instrument was made in exercise of the powers conferred by 179(1)(a) and (2) of the Social Security Administration Act 1992. The instrument is a laid – no procedure instrument.

#### **Purpose of the instrument**

This Order gives effect to the Convention on Social Security between the United Kingdom, Iceland, Liechtenstein and Norway, signed in London on 30 June 2023, the text of which is set out in CP 889 – Convention on Social Security Coordination between Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the United Kingdom of Great Britain and Northern Ireland ([publishing.service.gov.uk](https://publishing.service.gov.uk)).<sup>1</sup>

#### **Policy objectives**

The Convention ensures that individuals who move between the UK, Iceland, Liechtenstein and Norway, and who are in scope of the Convention will have their social security position in respect of certain benefits protected. Eligible individuals will have access to a range of social security benefits, including reciprocal healthcare cover and an up-rated state pension. It also ensures that cross-border workers and their employers are only liable to pay social security contributions in one state at a time.

Article 74 provides that the States shall notify the Depositary (Government of Norway) in writing of completion of their respective internal requirements and procedures for entry into force of the Convention. The Convention shall enter into force in relation to those States which have notified the Depositary, on the first day of the month following the later of the dates on which the Depositary receives the notifications of a least one EEA EFTA State and the United Kingdom.

The Convention covers social security contributions and pensions as well as benefits in respect of sickness and invalidity, maternity, unemployment, accidents at work and occupational disease and bereavement. It also provides for the necessary administrative arrangements for data sharing, social security debt recovery and the mutual cooperation required for implementing reciprocity. The devolved interest relates to benefits provided to individuals who have sustained an industrial injury, for which Scottish Ministers assumed executive competence on 1 April 2020. This is a matter for which the Scottish Parliament is responsible, and in relation to which responsibility for the exercise of functions rests with the Scottish Ministers.

This Order will ensure provision is made for the modification of social security legislation so far as it relates to devolved matters. Due to the application of section 27(2)(c) of the Interpretation and Legislative Reform (Scotland) Act 2010, the UK Order in Council (OiC) cannot make provision for a matter which falls within the legislative competence of the

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<sup>1</sup>[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1168199/MS\\_7.2023\\_UK\\_EEA\\_EFTA\\_Social\\_Security\\_Convention.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1168199/MS_7.2023_UK_EEA_EFTA_Social_Security_Convention.pdf)

Scottish Parliament, and in relation to which competence for the exercise of functions has transferred to the Scottish Ministers.

**EU Alignment Consideration**

This instrument maintains alignment with EU’s policy on social security coordination.

**Consultation and Impact Assessments**

These regulations are required to ensure the Convention is given legal effect insofar as it relates to devolved matters. There is, therefore, no requirement for consultation or impact assessments.

**Financial Effects**

This Order does not impose any costs on business, charities or the voluntary sector. Accordingly, no Business and Regulatory Impact Assessment has been prepared.

Scottish Government  
Social Security Directorate

11 October 2023