

SCHEDULE **U.K.**

Convention on Social Insurance between the United Kingdom and the Republic of Turkey

Modifications etc. (not altering text)

- C1** Sch. modified (E.W.S.) (5.12.2005) by [The Social Security \(Reciprocal Agreements\) Order 2005 \(S.I. 2005/2765\)](#), art. 1, Sch. 1, **Sch. 2**

PART II.—GENERAL PROVISIONS **U.K.**

U.K.

Article 3

U.K.

A national of one Contracting Party shall be entitled to receive the benefits of the legislation of the other Party under the same conditions as if he were a national of the latter Party.

U.K.

Article 4

(22) Subject to the provisions of paragraphs (2), (3) and (4) of this Article, where a national of either Contracting Party is employed in the territory of one Party, the legislation of that Party shall apply to him, even if he is ordinarily resident in the territory of the other Party, and even if his employer or the principal place of business of the undertaking which employs him is in the latter territory.

(23) If a person, in the service of an employer whose principal place of business is in the territory of one Party, is sent in the course of his employment to work temporarily in the territory of ‘the other Party, and is not a national of the latter Party nor ordinarily resident in its territory, then the legislation of the former Party shall apply to him as if he were employed in the territory of that Party, and the legislation of the latter Party shall not apply to him.

(24) If a national of the United Kingdom who is ordinarily resident in the territory of the United Kingdom is employed in the territory of Turkey, and the provisions of paragraph (2) of this Article do not apply to him, the legislation of Turkey concerning invalidity, old age and survivors' insurance shall not apply to him unless he so chooses and gives notice to that effect to the social insurance authority of Turkey. He shall also be entitled to choose that the legislation of the United Kingdom shall apply to him, and, if he so chooses, that legislation shall apply to him as if he were an insured person entitled to pay voluntary contributions from abroad.

(25) None of the provisions of this Article shall apply to any person to whom any of the provisions of Articles 5 and 6 of the present Convention apply.

U.K.

Article 5

(26) For the purpose of this Article, “vessel or aircraft of one (or the other) Party” means, according to the context—

Changes to legislation: There are currently no known outstanding effects for the The National Insurance and Industrial Injuries (Turkey) Order 1961, PART II.—GENERAL PROVISIONS. (See end of Document for details)

- (a) a vessel registered in the territory of the United Kingdom, or any other British vessel of which the owner (or managing owner, if there is more than one owner) or manager resides or has his principal place of business in that territory, or an aircraft registered in that territory of which the owner (or managing owner, if there is more than one owner) resides or has his principal place of business in that territory, or
- (b) a vessel which is within the scope of the Turkish legislation concerning employment at sea or an aircraft registered in the territory of Turkey.

(27) Subject to the provisions of paragraph (3) of this Article, where a national of either Contracting Party, ordinarily resident in the territory of one Party, is employed on board any vessel or aircraft of the other Party, the legislation of the latter Party shall apply to him as if any conditions relating to nationality, residence or domicile were satisfied in his case.

(28) Where a national of either Party, ordinarily resident in the territory of one Party and employed on board any vessel of the other Party, is paid remuneration in respect of that employment by some person or undertaking having a place of business in the territory of the former Party and not the owner of the vessel, the legislation of the former Party shall, in respect of that employment, apply to the national as if the vessel were a vessel of the former Party, and the person or undertaking paying said remuneration shall be treated as the employer for the purposes of such legislation.

U.K.

Article 6

(29) The present Convention shall not apply to established members of the Foreign Service of either Contracting Party.

(30) Subject to the provisions of paragraph (1) of this Article, where a national of one Party, who is in the Government service of that Party, is employed in the territory of the other Party and was compulsorily insured under the legislation of the former Party immediately before that employment in the territory of the latter Party began, that legislation shall apply to him as if he were employed in the territory of the former Party.

(31) Where a national of either Party, to whom the provisions of paragraphs (1) and (2) of this Article do not apply, is employed in a diplomatic or consular post of one Party in the territory of the other Party, he shall be entitled to choose that the legislation of the Party of which he is a national shall apply to him, and, if he so chooses and is a national of the former Party, the legislation of that Party shall apply to him as if he were employed in the territory of that Party.

U.K.

Article 7

U.K.

Where a person is employed in the territory of one Contracting Party and the legislation of the other Party applies to him in accordance with the provisions of paragraph (2) of Article 4 or of paragraph (2) or (3) of Article 6 of the present Convention, he shall, for the purpose of any right to receive cash benefit for sickness, maternity, industrial accident or disease under that legislation, be treated—

- (a) in respect of sickness and maternity benefit, as if he were in the territory of the latter Party, and
- (b) in respect of benefit for an industrial accident occurring or an industrial disease contracted during such employment, as if the accident had occurred or the disease had been contracted in the territory of the latter Party.

U.K.

Article 8

U.K.

The competent authorities of the two Contracting Parties may agree that the provisions of Articles 4, 5 and 6 of the present Convention shall not apply to particular persons or groups of persons.

U.K.

Article 9

U.K.

Where a person, who is ordinarily resident in the territory of one Contracting Party but is not compulsorily insured under its legislation, claims the right to be voluntarily insured under that legislation, any insurance period or contribution period completed under the legislation of the other Party shall be treated for the purpose of such claim as if it had been completed under the legislation of the former Party.

Changes to legislation:

There are currently no known outstanding effects for the The National Insurance and Industrial Injuries (Turkey) Order 1961, PART II.—GENERAL PROVISIONS.