(3) ISLE OF MAN

The National Insurance (Isle of Man Reciprocal Agreement) Order, 1948

1948 No. 1844

Made - - - - 5*th August*, 1948
Coming into Operation 9*th August*, 1948

At the Court at Buckingham Palace, the 5th day of August, 1948

Present,

The King's Most Excellent Majesty in Council

9 & 10 Geo. 6. c. 67.

His Majesty, in pursuance of section 64 of the National Insurance Act, 1946, and of all other powers enabling Him in that behalf, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

Citation, commencement and interpretation.

1.—(1) This Order may be cited as the National Insurance (Isle of Man Reciprocal Agreement) Order, 1948, and shall come into operation on the 9th August, 1948.

(2) In this Order, unless the context otherwise requires—

" the Act " means the National Insurance Act, 1946;

11 & 12 Geo. VI.

" the Isle of Man Act " means the National Insurance (Isle of Man) Act, 1948;

" the Minister " means the Minister of National Insurance;

and other expressions have the same meanings as in the Act.

(3) References in this Order to any enactment shall include references to such enactment as amended by any subsequent enactment, order or regulations.

52 & 53 Vict. c. 63.

(4) The Interpretation Act, 1889, applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

2. The provisions contained in the Agreement relating to National Insurance set out in the First Schedule to this Order shall have full force and effect so far as the same relate to Great Britain, and the Act 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. In particular but without prejudice to the generality of the foregoing Article, the provisions of the Act and regulations specified or referred to in Part I of the Second Schedule to this Order shall apply for the purposes of the Isle of Man Act as they apply for the purposes of the Act, subject to the modifications relating thereto specified in Part II of that Schedule.

E. C. E. Leadbitter.

FIRST SCHEDULE

Article 2.

AGREEMENT RELATING TO NATIONAL INSURANCE BETWEEN THE MINISTER OF NATIONAL INSURANCE OF THE ONE PART AND THE LIEUTENANT-GOVERNOR OF THE ISLE OF MAN, WITH THE ADVICE AND CONSENT OF THE ISLE OF MAN BOARD OF SOCIAL SERVICES CONSTITUTED UNDER THE ISLE OF MAN BOARD OF SOCIAL SERVICES ACT, 1948, OF THE OTHER PART

1.—(1) In this Agreement, unless the context otherwise requires—

" the Acts " means, in relation to Great Britain, the National Insurance Act, 1946, and, in relation to the Isle of Man, the National Insurance (Isle of Man) Act, 1948, in each case as amended by any subsequent enactment or by any order or regulations;

" country " means Great Britain or the Isle of Man, as the case may require;

" the Minister " means the Minister of National Insurance;

" the Governor " means the Lieutenant-Governor or the Deputy Lieutenant-Governor of the Isle of Man;

" the Board " means the Isle of Man Board of Social Services constituted under the Isle of Man Board of Social Services Act, 1948;

and other expressions have the same meanings as in the Acts.

(2) The Interpretation Act, 1889, applies to the interpretation of this Agreement as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

2. For the purposes of all or any of the provisions of the systems of insurance established by the Acts, acts, omissions and events having effect for all or any of those purposes in one country shall be treated as if they had been, respectively such acts, omissions and events in the other country, and in particular insurance, residence, employment, contributions paid (including contributions credited or treated as paid), exceptions from liability to pay contributions, and benefit paid or claimed in one country shall be treated as if they had been respectively insurance, residence, employment, contributions paid (including contributions credited or treated as paid), exceptions from liability to pay contributions and benefit paid or claimed in the other country:

Provided that—

(*a*) any appeal from a decision of any question arising under or in connection with the Acts, including any claim for benefit, shall be made, and any question with a view to the review of any such decision shall be raised, in the country in which such decision was given;

(*b*) this Article shall not confer a right to double benefit or a right to receive unemployment benefit in the Isle of Man in respect of any day of unemployment occurring before the 3rd January, 1949.

3. The Minister and the Board shall from time to time determine the procedure appropriate for the purposes of this Agreement, including all matters of an incidental and supplementary nature which in their opinion are relevant for the purpose of giving effect thereto.

4. The Minister, with the consent of the Treasury, and the Governor, with the advice and consent of the Board, shall make such financial adjustments between the National Insurance Fund and the Manx National Insurance Fund as they may agree to be necessary for the purposes of this Agreement.

5. This Agreement shall come into operation on the 5th July, 1948, but the Minister or the Governor may terminate it on giving not less than six months previous notice in writing.

Given under the official seal of the Minister of National Insurance this 1st day of July, nineteen hundred and forty-eight.

James Griffiths,
Minister of National Insurance.

Given under the hand of the Lieutenant-Governor of the Isle of Man this 5th day of July, nineteen hundred and forty-eight.

G. R. Bromet,
Lieutenant-Governor.

The consent of the Isle of Man Board of Social Services is hereby given to this Agreement.

Richard Kneen,
Chairman, Isle of Man Board of Social Services.

Article 3.

SECOND SCHEDULE

PART I

PROVISIONS OF THE ACT AND REGULATIONS APPLYING FOR THE PURPOSES OF THE ISLE OF MAN ACT

Provision	Subject matter
Subsection (6) of section 2 ...	Penalty for not paying contributions.
Subsection (2) of section 6 ...	Penalty for unlawful deduction of employer's contribution.
Regulations for the time being in force under paragraph (*e*) of subsection (1) of section 8.	Recovery of contributions on prosecutions.
Section 32	Benefit to be inalienable.
Section 33	Proceedings by employees for benefit lost by employer's default.
Regulations for the time being in force under subsection (6) of section 43.	Decisions to be conclusive for purpose of proceedings under the Act.
Subsections (2) to (6) of section 49	Powers of inspectors.
Subsections (2) to (4) of section 50	Proof of age, marriage and death.
Section 52	General provisions as to offences and penalties.
Section 53	General provisions as to prosecutions.
Section 54	Civil proceedings to recover sums due to National Insurance Fund.
Section 55	Priority of contributions in winding up and bankruptcy.

PART II

MODIFICATIONS

In the provisions of the Act and the regulations specified or referred to in Part I of this Schedule—

(*a*) references to the Act shall be construed as including references to the Isle of Man Act;

(*b*) references to the Family Allowances Act, 1945, shall be construed as including references to the Family Allowances (Isle of Man) Act, 1946; 8 & 9 Geo. 6. c. 41. 9 & 10 Geo. VI.

(*c*) references to the Industrial Injuries Act shall be construed as including references to the National Insurance (Industrial Injuries) (Isle of Man) Act, 1948; 11 & 12 Geo. VI.

(*d*) references to the Minister shall be construed as including references to the Isle of Man Board of Social Services constituted under the Isle of Man Board of Social Services Act, 1948; 11 & 12 Geo. VI.

(*e*) references to the National Insurance Fund shall be construed as including references to the Manx National Insurance Fund;

(*f*) references to contributions shall be construed as including references to contributions under the Isle of Man Act; and

(*g*) references to insured persons, employed persons, benefit, beneficiaries, insurance stamps, insurance cards and regulations shall be construed as including references to insured persons, employed persons, benefit, beneficiaries, insurance stamps, insurance cards and regulations respectively within the meaning of the Isle of Man Act.

EXPLANATORY NOTE

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

This Order gives effect in Great Britain to the reciprocal agreement (set out in the First Schedule to the Order) made between the Minister of National Insurance and the Lieutenant-Governor of the Isle of Man, and modifies the National Insurance Act, 1946, in its application to persons affected by that agreement and makes the provisions as to administration and enforcement contained in that Act or in regulations made thereunder which are referred to in the Second Schedule applicable also for the purposes of the National Insurance (Isle of Man) Act, 1948.

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(4) NORTHERN IRELAND

The National Insurance (Northern Ireland Reciprocal Arrangements) Regulations, 1948

1948 No. 211

Made - - - -	*6th February*, 1948
Laid before Parliament	*10th February*, 1948
Coming into Operation	*13th February*, 1948

116.

The Minister of National Insurance, acting in conjunction with the Treasury, in exercise of the powers conferred by section 63 of the