

2012 No. 360

SOCIAL SECURITY

The Social Security (Reciprocal Agreements) Order 2012

Made - - - - - *15th February 2012*

Coming into force - - - - - *22nd February 2012*

At the Court at Buckingham Palace, the 15th day of February 2012

Present,

The Queen's Most Excellent Majesty in Council

The Orders in Council specified in Schedule 2 modified or adapted certain enactments so as to give effect to the agreements set out in the Schedules to those Orders:

Her Majesty's Government in consequence of changes in the law of Great Britain has proposed to each of the governments with whom the United Kingdom has made such an agreement alterations to the agreement:

Section 179(1)(b), (2) and (5) of the Social Security Administration Act 1992(a) provides that, for the purpose of giving effect to any such agreement as it would be if it were so altered in accordance with such proposals, Her Majesty may by Order in Council make provision for modifying or adapting the Social Security Administration Act 1992, the Social Security Contributions and Benefits Act 1992(b), Part 1 of the Welfare Reform Act 2007(c) and regulations made under that Part, in their application to cases affected by the proposed alterations:

Accordingly, Her Majesty is pleased, by and with the advice of Her Privy Council, in exercise of the powers conferred by section 179(1)(b), (2) and (5) of the Social Security Administration Act 1992, to make the following Order in Council:

Citation and Commencement

1. This Order may be cited as the Social Security (Reciprocal Agreements) Order 2012 and shall come into force on 22nd February 2012.

Modification of Legislation

2. The Social Security Administration Act 1992, the Social Security Contributions and Benefits Act 1992, and Part I of the Welfare Reform Act 2007 and regulations made under that Part, are to

(a) 1992 c.5, as amended by S.I. 2011/2425. Other amendments to section 179 are not relevant to this Order.
(b) 1992 c.4.
(c) 2007 c.5.

be modified to such extent as may be required to give effect to the alterations set out in Schedule 1 which are proposed to the agreements set out in the Orders in Council specified in Schedule 2.

Richard Tilbrook
Clerk of the Privy Council

SCHEDULE 1

Article 2

PROPOSED ALTERATIONS TO EXISTING AGREEMENTS

Where in the agreements set out in the Schedule to an Order in Council specified in Schedule 2 to this Order there are references to invalidity benefit or invalidity pension under the legislation of the United Kingdom, such references shall be altered to include a reference to employment and support allowance which is a contributory allowance awarded by virtue of the Employment and Support Allowance (Transitional Provisions, Housing Benefit and Council Tax Benefit) (Existing Awards) (No. 2) Regulations 2010(a).

SCHEDULE 2

Article 2

ORDERS IN COUNCIL MODIFIED BY THIS ORDER

<i>Title of Order in Council</i>	<i>Reference</i>	<i>Previously modified by</i>
The Family Allowances, National Insurance and Industrial Injuries (Yugoslavia) Order 1958	S.I. 1958/1263	The Social Security (Reciprocal Agreements) Order 1976(b), the Social Security (Reciprocal Agreements) Order 1979(c), the Social Security (Reciprocal Agreements) Order 1988(d), the Social Security (Reciprocal Agreements) Order 1995(e), the Social Security (Reciprocal Agreements) Order 1996(f), the Social Security (Reciprocal Agreements) Order 2001(g) and the Social Security (Reciprocal Agreements) Order 2005(h).
The National Insurance and Industrial Injuries (Turkey) Order 1961	S.I. 1961/584	Ditto
The Social Security (United States of America) Order 1984	S.I. 1984/1817	The Social Security (United States of America) Order 1997(i), the Social Security (Reciprocal Agreements) Order 2001 and the Social Security

- (a) S.I. 2010/1907, as amended by S.I.s 2010/2430 and 2011/2425.
(b) S.I. 1976/225.
(c) S.I. 1979/290.
(d) S.I. 1988/591.
(e) S.I. 1995/767.
(f) S.I. 1996/1928.
(g) S.I. 2001/407.
(h) S.I. 2005/2765.
(i) S.I. 1997/1778.

The Social Security (Barbados) Order	S.I. 1992/812	(Reciprocal Agreements) Order 2005. The Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 2001 and the Social Security (Reciprocal Agreements) Order 2005.
The Social Security (Jersey and Guernsey) Order 1994	S.I. 1994/2802	The Social Security (Reciprocal Agreements) Order 1995, the Social Security (Reciprocal Agreements) Order 1996, the Social Security (Reciprocal Agreements) Order 2001 and the Social Security (Reciprocal Agreements) Order 2005.
The Social Security (Jamaica) Order 1997	S.I. 1997/871	The Social Security (Reciprocal Agreements) Order 2001 and the Social Security (Reciprocal Agreements) Order 2005.

EXPLANATORY NOTE

(This note is not part of the Order)

Part 1 of the Welfare Reform Act 2007 includes provision for the transition from incapacity benefit to employment and support allowance. This Order provides for social security legislation to be modified to take account of changes made by that Act and regulations made under it, to give effect to the alterations in Schedule 1, in relation to the Orders in Council listed in Schedule 2, with respect to that transition. Those Orders in Council give effect to agreements made between the Government of the United Kingdom and the governments of other countries providing for reciprocity in certain social security matters.

A full impact assessment has not been published for this instrument as it has no impact on the private sector or civil society organisations.

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