



Treaty Series No. 17 (1993)

## Exchange of Notes

between the Government of the  
United Kingdom of Great Britain and Northern Ireland  
and the Government of Iceland

amending the Convention on Social Security  
signed at Reykjavik on 25 August 1983

London, 6 October and 26 October 1992

[The Agreement entered into force on 31 December 1992]

*Presented to Parliament  
by the Secretary of State for Foreign and Commonwealth Affairs  
by Command of Her Majesty  
April 1993*

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**EXCHANGE OF NOTES  
BETWEEN THE GOVERNMENT OF THE  
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND  
AND THE GOVERNMENT OF ICELAND  
AMENDING THE CONVENTION ON SOCIAL SECURITY SIGNED AT  
REYKJAVIK ON 25 AUGUST 1983**

No. 1

*The Secretary of State for Foreign and Commonwealth Affairs  
to the Ambassador of Iceland at London*

*Foreign and Commonwealth Office  
London  
6 October 1992*

Your Excellency

I have the honour to refer to the Convention on Social Security between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Iceland, signed at Reykjavik on 25 August 1983<sup>1</sup> (hereinafter referred to as "the Convention") and to recent discussions between the Department of Social Security and the Ministry of Health and Social Security concerning the need to amend the Convention. Accordingly, I have the honour to propose that the following should be inserted in Article 1(1) of the Convention:

- "(t) "Agreement" means the Agreement dated 2 May 1992 and made between the European Community, its Member States and the European Free Trade Association States establishing the European Economic Area<sup>2</sup>;"
- "(u) "Regulation EEC 1408/71" means the Regulation (EEC) No. 1408/71 of the Council on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and includes amendments and adaptations from time to time applicable thereto;"
- "(v) "Implementing Regulation" means the Regulation (EEC) No. 574/72 of the Council laying down the procedure for implementing Regulation (EEC) No. 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to their families moving within the Community and includes amendments and adaptations from time to time applicable thereto;"

and that the following should be inserted as Article 2A into the Convention:

**" ARTICLE 2A**

(1) Subject to paragraph (2), this Convention shall as from the date of entry into force of the Agreement and as regards relations between England, Scotland, Wales, Northern Ireland and Iceland cease to apply to all persons to whom the provisions of Regulation EEC 1408/71 and the Implementing Regulation are at that date or subsequently become applicable. Any rights in course of acquisition under this Convention immediately before the date of entry into force of the Agreement shall as regards persons with respect to whom the Convention ceases to apply by the provisions of this paragraph be determined in accordance with the provision of those Regulations.

(2) The provisions of this Convention shall continue to apply to:

- (a) any award of a benefit, pension or allowance made prior to the date upon which the Agreement comes into force;
- (b) any claim to a benefit, pension or allowance made but not determined at the date upon which the Agreement comes into force;
- (c) any claim to a benefit, pension or allowance made after the date the Agreement comes into force but only where that claim relates to entitlement to such benefit, pension or allowance for a period prior to the date upon which the Agreement comes into force."

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<sup>1</sup> Treaty Series No. 29 (1986) Cmnd 9780.

<sup>2</sup> European Communities No. 7 (1992) Cm 2073.

If the foregoing is acceptable to the Government of Iceland, I have the honour to propose that this Note and your reply to that effect shall constitute an Agreement between our two Governments which shall enter into force on 31 December 1992.

I avail myself of this opportunity to renew to your Excellency the assurance of my highest consideration.

(for the Secretary of State)  
MARCUS L. H. HOPE

*The Ambassador of Iceland at London to the Secretary of State for Foreign and  
Commonwealth Affairs*

*Embassy of Iceland  
London*

*26 October 1992*

Db. 61.A.1

Hr. utanríkisráðherra,

Ég leyfi mér að staðfesta móttöku orðsendingar yðar dags. 6. október 1992 sem er svohljóðandi í íslenskri þýðingu:

“Ég vísa til samningsins um félagslegt öryggi milli ríkis-stjórnar Sameinaða konungsríkisins Stóra-Bretlands og Norður-Írlands og ríkisstjórnar Íslands sem undirritaður var í Reykjavík hinn 25. ágúst 1983 (hér eftir nefndur “samningurinn”) og til nýlegra viðræðna milli ráðuneytisins fyrir félagslegt öryggi og heilbrigðis- og tryggingamála-ráðuneytisins um nauðsyn þess að breyta samningnum. Í framhaldi þessa leyfi ég mér að leggja til eftirfarandi viðbætur við 1. tölulið 1. gr. samningsins:

“(t) “samningurinn um evrópska efnahagssvæðið” samninginn frá 2. maí 1992 milli Evrópubandalaganna, aðildarríkja þeirra og ríkja Fríverslunarsamtaka Evrópu um myndun hins evrópska efnahagssvæðis;”

“(u) “reglugerð EEC 1408/71” reglugerð ráðsins (EEC) 1408/71 um beitingu almannatryggingareglna gagnvart launþegum, sjálfstætt starfandi mönnum og fjölskyldum þeirra sem flytjast milli aðildarríkja Evrópubanda-laganna ásamt breytingum og viðbótum sem í gildi eru á hverjum tíma;”

“(v) “framkvæmdareglugerðin” reglugerð ráðsins (EEC) 574/72 um framkvæmd reglugerðar nr. 1408/71 um beitingu almannatryggingareglna gagnvart launþegum, sjálfstætt starfandi mönnum og fjölskyldum þeirra sem flytjast milli aðildarríkja Evrópubandalaganna ásamt breytingum og viðbótum sem í gildi eru á hverjum tíma;”

og að inn í samninginn verði bætt nýrri grein sem verður 2. gr. a.

“2. gr. a.

1. Frá þeim degi sem samningurinn um evrópska efnahags-svæðið gengur í gildi, og að því er varðar tengsl milli Englands, Skotlands, Wales, Norður-Írlands og Íslands, fellur samningur þessi úr gildi gagnvart þeim sem frá sama tíma heyra undir eða munu heyra undir ákvæði reglugerðar EEC 1408/71 og framkvæmdareglugerðarinnar, sbr. þó 2. tölulið. Nú er við gildistöku samningsins um evrópska efnahagssvæðið verið að afla réttinda í samræmi við samninginn og skal þá, að því er varðar einstaklinga sem samningurinn hættir að gilda um samkvæmt þessum tölulið, fara með þessi réttindi í samræmi við ákvæði reglugerðanna.

2. Ákvæði þessa samnings gilda áfram um:

- (a) úthlutun bóta, lífeyris eða styrks sem lokið var áður en samningurinn um evrópska efnahagssvæðið gekk í gildi;
- (b) allar kröfur um bætur, lífeyri eða styrk sem búið var að leggja fram en átti eftir að úrskurða um við gildistöku samningsins um evrópska efnahagssvæðið;
- (c) allar kröfur um bætur, lífeyri eða styrk sem lagðar eru fram eftir gildistöku samningsins um evrópska efnahagssvæðið enda tengjast kröfurnar rétti til slíkra bóta, lífeyris eða styrks vegna úmábls fyrir gildistöku hans.”

Ef ríkisstjórn Íslands getur fallist á það sem að framan er rakið þá leyfi ég mér að leggja til að þessi orðsending og svar yðar við henni jafngildi samkomulagi milli ríkisstjórna okkar sem gangi í gildi 31. desember 1992.

Ég votta yður, hr. sendiherra, sérstaka virðingu mína.”

Ég leyfi mér að tilkynna yður að ríkisstjórn Íslands getur fallist á það sem að framan er rakið og samþykkir að orðsending yðar og svar þetta skuli jafngilda samkomulagi milli ríkisstjórna okkar um þetta efni sem gangi í gildi 31. desember 1992.

Ég votta yður sérstaka virðingu mína.

HELGI ÁGÚSTSSON

Translation of No. 2

Sir

I have the honour to acknowledge receipt of your note of 6 October 1992 which (in translation) reads as follows:

[As in No. 1]

I have the honour to inform you that the foregoing is acceptable to the Government of Iceland who therefore agree that your Note and this reply shall constitute an Agreement between our two Governments in this matter, which shall enter into force on 31 December 1992.

I avail myself of this opportunity to renew to you the assurance of my highest consideration.

HELGI ÁGÚSTSSON



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