

No. 2718

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
AUSTRALIA**

**Agreement on social security Signed at London, on
8 June 1953**

Official text: English.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
18 November 1954.*

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
AUSTRALIE**

**Convention sur la sécurité sociale. Signé à Londres, le
8 juin 1953**

Texte officiel anglais.

*Enregistrée par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
18 novembre 1954.*

No. 2718. AGREEMENT¹ ON SOCIAL SECURITY BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF THE COMMONWEALTH OF AUSTRALIA. SIGNED AT LONDON, ON 8 JUNE 1953

The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Commonwealth of Australia,

Being resolved to co-operate in the social field,

Desiring to make arrangements enabling persons who go from one country to the other to receive social security benefits in respect of old age, widowhood, invalidity, sickness, unemployment and children, as far as possible at the same rates and under the same conditions as persons who have been resident in the latter country,

Have agreed as follows :

PART I. — DEFINITIONS AND GENERAL PROVISIONS

Article 1

For the purposes of the present Agreement—

- (a) “benefit,” “pension” and “allowance” include any increase payable in respect of a dependant and any additional allowance payable with a benefit, pension or allowance;
- b) “child” means, in relation to any person, a child, as defined in the legislation which is being applied, who would be treated under that legislation as being a child of that person or included in his family;
- (c) “competent authority” means, in relation to the United Kingdom, the Minister of National Insurance, the Ministry of Labour and National Insurance for Northern Ireland, or the Isle of Man Board of Social Services, as the case may require, and, in relation to Australia, the Director-General of Social Services;
- (d) “country” means, according to the context, the United Kingdom or Australia;
- (e) “earning rule” means any provision of the legislation of the United Kingdom under which the weekly rate of benefit or pension is reduced on account of earnings;

¹ Came into force on 7 January 1954, the date agreed between the Contracting Parties, in accordance with article 18.

- (f) “full standard rate” in relation to any benefit or pension payable under the legislation of the United Kingdom, means, subject to the provisions of paragraph (6) of article 3, the rate at which the benefit or pension would be paid to the person concerned, subject to any earnings rule which may be appropriate, if the relevant contribution conditions were fully satisfied in his case;
- (g) “legislation” means, according to the context, the laws, orders and regulations specified in article 2 which are or have been or may hereafter be in force in any part of one (or the other) country;
- (h) “means test” means any provision of the legislation of Australia which affects the payment or rate of the benefit, pension or allowance in question on account of income or property;
- (i) “qualified to receive” means, in relation to the United Kingdom, entitled to receive subject to any earnings rule which may be appropriate and, in relation to Australia, qualified to receive after taking into account any means test which may be appropriate;
- (j) “retirement pension” means a retirement pension as defined in the legislation of the United Kingdom and includes a contributory old age pension payable under that legislation;
- (k) “United Kingdom” means England, Scotland, Wales, Northern Ireland and the Isle of Man;
- (l) “widow’s benefit” means a widow’s allowance, a widowed mother’s allowance or a widow’s pension, as defined in the legislation of the United Kingdom.

Article 2

(1) The provisions of the present Agreement shall apply—

- (a) in relation to the United Kingdom, to the National Insurance Act, 1946, the National Insurance Act (Northern Ireland), 1946, the National Insurance (Isle of Man) Act, 1948, and the legislation in force before the 5th July, 1948, which was replaced by those Acts; and
- (b) in relation to Australia, to the *Social Services Consolidation Act*, 1947-1952.

(2) Subject to the provisions of paragraph (3) of this article, the Agreement shall also apply to any law, order or regulation which carries into effect, amends, supplements or consolidates the legislation specified in paragraph (1) of this article.

(3) The Agreement shall apply, only if the Contracting Parties so agree, to laws, orders or regulations which amend or supplement the legislation specified

in paragraph (1) of this article for the purpose of giving effect to any reciprocal agreement on social security which one (or the other) Party has made with the Government of a third country.

PART II.—RETIREMENT PENSIONS AND AGE PENSIONS

Article 3

(1) Where, under the legislation of the United Kingdom, a person would be qualified to receive a retirement pension if he were in that country, he shall be qualified, while he is in Australia, to receive that pension at a rate which shall be determined in accordance with the provisions of the legislation of the United Kingdom which was in force at the time when he was last resident in that country or at the time when, in accordance with the provisions of this paragraph or otherwise, he was first qualified to receive such a pension, whichever is the later; provided that no increase of pension shall be paid for any child in respect of whom an allowance is payable under the legislation of Australia.

(2) Where a person, after having received a retirement pension under the legislation of the United Kingdom, is proceeding from one country to the other, the provisions of paragraph (1) of this article shall apply to him as if he were in Australia provided that he arrives in the latter country within three months after his departure from the former country.

(3) Where a person who is permanently resident in Australia is qualified to receive a retirement pension under the legislation of the United Kingdom in accordance with the provisions of paragraph (1) of this article, or would be so qualified if contributions were credited to him under that legislation at the rate of fifty contributions for each year during which he was resident in Australia, and the conditions concerning residence in Australia which are specified in the legislation of Australia in relation to age pensions are not satisfied in his case, he shall be treated, for the purposes of any claim, to receive an age pension under that legislation, as if those conditions were satisfied in his case; and the amount of any age pension which he is qualified to receive under that legislation shall be calculated in accordance with the provisions of paragraph (4) or (5) of this article, whichever is appropriate.

(4) Where a person is qualified to receive a retirement pension at the full standard rate under the legislation of the United Kingdom, or would be so qualified if contributions were credited to him under that legislation at the rate of fifty contributions for each year during which he was resident in Australia, the amount of any age pension which he is qualified to receive under the legislation of Australia by virtue of paragraph (3) of this article shall be the amount of any age pension which he would have been qualified to receive under that legislation if the conditions concerning residence in Australia had been satisfied in his case, less the amount of any retirement pension which he is entitled to receive under the legislation of the United Kingdom.

(5) Where a person, other than a person to whom the provisions of paragraph (4) of this article apply, is qualified to receive a retirement pension at less than the full standard rate under the legislation of the United Kingdom, or would be so qualified if contributions were credited to him under that legislation at the rate of fifty contributions for each year during which he was resident in Australia, the amount of any age pension which he is qualified to receive under the legislation of Australia by virtue of paragraph (3) of this article shall be a part of the amount of any age pension which he would have been qualified to receive under that legislation if the conditions concerning residence in Australia had been satisfied in his case, namely, that part which bears the same relation to the whole as the rate of the retirement pension which he would be qualified to receive under the legislation of the United Kingdom, if contributions were so credited to him, bears to the full standard rate of such pension, less the amount of any retirement pension which he is entitled to receive under the legislation of the United Kingdom.

(6) For the purpose of applying the provisions of paragraphs (3), (4) and (5) of this article—

- (a) a contribution credited to a person shall be deemed to mean a contribution credited to the husband of a person in those cases where the person concerned is a woman claiming an age pension under the legislation of Australia by reason of the fact that she is qualified to receive a retirement pension under the legislation of the United Kingdom by virtue of her husband's insurance or would be so qualified if contributions were credited to her husband at the rate of fifty contributions for each year during which he was resident in Australia; and
- (b) in cases where a woman claims an age pension under the legislation of Australia by reason of the fact that she is qualified to receive a retirement pension under the legislation of the United Kingdom by virtue of her husband's insurance or would be so qualified if contributions were credited to her husband at the rate of fifty contributions for each year during which he was resident in Australia, the full standard rate of retirement pension payable under that legislation shall be deemed to mean the rate at which she would have been qualified to receive such a pension if she had fully satisfied the contribution conditions by virtue of her own insurance and had retired from regular employment on reaching the age of sixty years.

(7) Where a person is qualified to receive a retirement pension or a widow's benefit under the legislation of the United Kingdom and the conditions concerning residence in Australia which are specified in the legislation of Australia in relation to age pensions are satisfied in the case of that person, the amount of any age pension which the person is qualified to receive under the legislation of Australia shall be reduced by the amount of the retirement pension or widow's benefit which the person is entitled to receive under the legislation of the United Kingdom.

Article 4

(1) Subject to the provisions of paragraph (2) of this article, a person who is permanently resident in the United Kingdom shall, for the purposes of any claim to receive a retirement pension under the legislation of that country, be treated, while he is there, as if he, or, in the case of a married woman, her husband, had paid contributions under that legislation at the rate of fifty contributions for each year during which he was resident in Australia after he had reached the age of sixteen years and before he had reached pensionable age; and, if the said person has drawn an age pension in Australia, he shall be deemed to have retired from regular employment.

(2) Where a person, other than a widow who was qualified, in accordance with the provisions of article 6, to receive a widow's benefit under the legislation of the United Kingdom immediately before she reached pensionable age, has been resident in Australia after reaching pensionable age, or within the five years immediately before that age, he shall not be qualified by virtue of the provisions of paragraph (1) of this article to receive a retirement pension at a higher rate than the rate of the age pension which he would have received in Australia if he had been resident there and had claimed an age pension.

(3) Where a person, after having received a retirement pension in accordance with the provisions of paragraphs (1) and (2) of this article, is proceeding to Australia, the provisions of those paragraphs shall continue to apply to him as if he were still in the United Kingdom and still permanently resident there, provided that he arrives in Australia within three months after his departure from the United Kingdom.

(4) Where a person—

- (a) is temporarily absent from Australia and arrives in the United Kingdom within three months after his departure from Australia; and
 - (b) was qualified to receive, and was in receipt of, an age pension under the legislation of Australia immediately before his departure from Australia,
- that pension shall not cease to be payable, and may be paid, during that temporary absence, but payment in respect of the period after his departure from the United Kingdom until his arrival in Australia shall not be made unless that period is less than three months.

(5) A person—

- (a) who is temporarily absent from Australia and arrives in the United Kingdom within three months after his departure from Australia;
- (b) who, if he had not left Australia, would have become qualified to receive an age pension under the legislation of Australia at a time during that temporary absence; and

- (c) who, if that time is between the date of his departure from the United Kingdom and the date of his arrival in Australia, arrives in Australia within three months after his departure from the United Kingdom,

shall be treated as if he had become qualified to receive that pension at that time, and the pension shall be payable, and may be paid, during his temporary absence, but payment in respect of the period after his departure from the United Kingdom until his arrival in Australia shall not be made unless that period is less than three months.

(6) Where—

- (a) a person is, by virtue of the last preceding paragraph, treated as if he had become qualified to receive an age pension under the legislation of Australia at a time after his departure from Australia but before his arrival in the United Kingdom or after his departure from the United Kingdom but before his arrival in Australia; and
- (b) he lodges a claim for pension within fourteen days after his arrival in the United Kingdom or in Australia, as the case may be,
- the claim shall be treated, for the purpose of determining the date from which the pension may be paid, as if it had been lodged at the time when the person is treated as having so qualified.

(7) Where a person—

- (a) leaves Australia to reside permanently in the United Kingdom and arrives in the United Kingdom within three months after his departure from Australia: and
- (b) was qualified to receive, and was in receipt of, an age pension under the legislation of Australia immediately before his departure from Australia, that pension shall not cease to be payable, and may be paid, in respect of the period while the person is proceeding to the United Kingdom.

PART III.—WIDOW'S BENEFITS AND WIDOW'S PENSIONS

Article 5

(1) Where, under the legislation of the United Kingdom, a woman would be qualified to receive a widow's benefit if she were in the United Kingdom, she shall be qualified, while she is in Australia, to receive that benefit at a rate which shall be determined in accordance with the provisions of paragraph (5) of this article.

(2) Where, under the legislation of the United Kingdom, a woman would be qualified to receive a widowed mother's allowance on account of a child if the child were in the United Kingdom, she shall be qualified, while that child is in Australia, to receive the allowance at a rate which shall be determined in accordance with the provisions of paragraph (5) of this article.

(3) Where a woman, after having received a widow's benefit under the legislation of the United Kingdom, is proceeding from one country to the other, the provisions of paragraph (1) of this Article shall apply to her as if she were in Australia, provided that she arrives in the latter country within three months after her departure from the former country.

(4) Where a child, on account of whom a woman has received a widowed mother's allowance under the legislation of the United Kingdom, is proceeding from one country to the other, the provisions of paragraph (2) of this article shall apply to him as if he were in Australia, provided that he arrives in the latter country within three months after his departure from the former country.

(5) Where, in accordance with the provisions of paragraphs (1), (2), (3) and (4) of this article, a woman is qualified to receive a widow's benefit under the legislation of the United Kingdom, she shall be qualified to receive that benefit at a rate which shall be determined in accordance with the provisions of the legislation of the United Kingdom which was in force at the time when she was last resident in the United Kingdom or at the time when, in accordance with the provisions of this article or otherwise, she was first qualified to receive a widow's benefit, whichever is the later, provided that—

- (a) no increase of widow's benefit shall be paid for any child in respect of whom an allowance is payable under the legislation of Australia; and
- (b) if allowances are so payable in respect of all the children on whose account the woman is qualified to receive a widowed mother's allowance, she shall be qualified to receive that allowance at the rate at which she would have been qualified to receive a widow's pension in accordance with the foregoing provisions of this paragraph if the conditions for receiving such a pension had been satisfied in her case.

(6) Where a woman who is permanently resident in Australia is qualified to receive a widow's benefit under the legislation of the United Kingdom in accordance with the provisions of paragraph (1) of this article, or would be so qualified if contributions had been credited to her husband under that legislation at the rate of fifty contributions for each year during which he was resident in Australia, and the conditions concerning residence in Australia which are specified in the legislation of Australia in relation to widows' pensions are not satisfied in her case, she shall be treated for the purposes of any claim to receive a widow's pension under that legislation as if those conditions were satisfied in her case; and the amount of any widow's pension which she is qualified to receive under that legislation shall be calculated in accordance with the provisions of paragraphs (7) or (8) of this article, whichever is appropriate.

(7) Where a woman is qualified to receive a widow's benefit at the full standard rate under the legislation of the United Kingdom, or would be so

qualified if contributions had been credited to her husband under that legislation at the rate of fifty contributions for each year during which he was resident in Australia, or where her husband was resident in Australia when he died, the amount of any widow's pension which she is qualified to receive under the legislation of Australia by virtue of paragraph (6) of this article shall be the amount of any widow's pension which she would have been qualified to receive under that legislation if the conditions concerning residence in Australia had been satisfied in her case, less the amount of any widow's benefit which she is entitled to receive under the legislation of the United Kingdom.

(8) Where a woman, other than a woman to whom the provisions of paragraph (7) of this article apply, is qualified to receive a widow's benefit at less than the full standard rate under the legislation of the United Kingdom, or would be so qualified if contributions had been credited to her husband under that legislation at the rate of fifty contributions for each year during which he was resident in Australia, and where her husband was not resident in Australia when he died, the amount of any widow's pension which she is qualified to receive under the legislation of Australia by virtue of paragraph (6) of this article shall be a part of the amount of any widow's pension which she would have been qualified to receive under that legislation if the conditions concerning residence in Australia had been satisfied in her case, namely, that part which bears the same relation to the whole as the rate of widow's benefit which she would be qualified to receive under the legislation of the United Kingdom, if contributions had been so credited to her husband, bears to the full standard rate of such benefit, less the amount of any widow's benefit which she is entitled to receive under that legislation.

(9) Where a woman is qualified to receive a widow's benefit or a retirement pension under the legislation of the United Kingdom and the conditions concerning residence in Australia which are specified in the legislation of Australia in relation to widows' pensions are satisfied in her case, the amount of any widow's pension which she is qualified to receive under the legislation of Australia shall be reduced by the amount of the widow's benefit or retirement pension which she is entitled to receive under the legislation of the United Kingdom.

Article 6

(1) Where a widow who is permanently resident in the United Kingdom claims a widow's benefit under the legislation of that country, she shall, for the purposes of that claim, be treated, while she is there, as if her husband had paid contributions at the rate of fifty contributions for each year during which he was resident in Australia after reaching the age of sixteen years and before reaching pensionable age; provided that she shall not, by virtue of her husband's residence in Australia, be qualified, under the transitional regulations which maintain the rights and prospective rights of women whose husbands were

insured under the legislation in force before the 5th July, 1948, to receive a widow's benefit without full regard to the provisions of subsequent legislation which concern the age, duration of marriage, children and earnings of a person claiming a widow's benefit.

(2) Where a widow who is permanently resident in the United Kingdom was qualified to receive a widow's pension under the legislation of Australia at the time when she was last in that country, but is not qualified to receive a widow's benefit at the full standard rate under the legislation of the United Kingdom by virtue of the provisions of paragraph (1) of this article, she shall be treated, while she is in the United Kingdom, as if the contribution conditions for receiving a widow's benefit under that legislation were satisfied in her case; and she shall be qualified, while she is in the United Kingdom, to receive a widow's pension at the full standard rate under that legislation if, at the time when she was last in Australia—

- (a) she had reached the age of fifty years; or
- (b) she had reached the age of forty years and had after the death of her husband had the care of a child of his.

(3) Where a widow who is permanently resident in the United Kingdom was qualified to receive an invalid pension under the legislation of Australia from the time when her husband died until the time when she was last in Australia, she shall, for the purposes of any claim to receive a widow's pension under the legislation of the United Kingdom, be treated, while she is in the United Kingdom, as if, at the time when she arrived in the United Kingdom, she ceased to be entitled to a widow's allowance under that legislation.

(4) Where a widow, after having received a widow's benefit in accordance with the provisions of paragraphs (1), (2) and (3) of this article, is proceeding to Australia, those provisions shall continue to apply to her as if she were still in the United Kingdom and still permanently resident there, provided that she arrives in Australia within three months after her departure from the United Kingdom.

(5) Where a woman—

- (a) is temporarily absent from Australia and arrives in the United Kingdom within three months after her departure from Australia; and
- (b) was qualified to receive, and was in receipt of, a widow's pension under the legislation of Australia immediately before her departure from Australia,

that pension shall not cease to be payable, and may be paid, during that temporary absence, but payment in respect of the period after her departure from the

United Kingdom until her arrival in Australia shall not be made unless that period is less than three months.

(6) A woman—

- (a) who is temporarily absent from Australia and arrives in the United Kingdom within three months after her departure from Australia;
- (b) who, if she had not left Australia, would have become qualified to receive a widow's pension under the legislation of Australia at a time during that temporary absence; and
- (c) who, if that time is between the date of her departure from the United Kingdom and the date of her arrival in Australia, arrives in Australia within three months after her departure from the United Kingdom,

shall be treated as if she had become qualified to receive that pension at that time, and the pension shall be payable, and may be paid, during her temporary absence, but payment in respect of the period after her departure from the United Kingdom until her arrival in Australia shall not be made unless that period is less than three months.

(7) Where—

- (a) a woman is, by virtue of the last preceding paragraph, treated as if she had become qualified to receive a widow's pension under the legislation of Australia at a time after her departure from Australia but before her arrival in the United Kingdom or after her departure from the United Kingdom but before her arrival in Australia; and
- (b) she lodges a claim for pension within fourteen days after her arrival in the United Kingdom or in Australia, as the case may be,

the claim shall be treated, for the purpose of determining the date from which the pension may be paid, as if it had been lodged at the time when she is treated as having so qualified.

(8) Where a woman—

- (a) leaves Australia to reside permanently in the United Kingdom and arrives in the United Kingdom within three months after her departure from Australia; and
- (b) was qualified to receive, and was in receipt of, widow's pension under the legislation of Australia immediately before her departure from Australia,

that pension shall not cease to be payable, and may be paid, in respect of the period while she is proceeding to the United Kingdom.

PART IV.—SICKNESS BENEFITS AND INVALID PENSIONS

Article 7

(1) If a person in Australia claims a sickness benefit under the legislation of that country, he shall be treated, for the purposes of that claim, as if he had been resident in Australia and gainfully occupied there—

- (a) during any period when he was paying contributions as an employed or self-employed person under the legislation of the United Kingdom; and
- (b) if, at the time when he was last in the United Kingdom, he satisfied the contribution conditions under which sickness benefit is payable under the legislation of that country and the period after his departure from the United Kingdom until his arrival in Australia is less than three months—during that period.

(2) Where a person who is permanently resident in Australia would be qualified to receive an invalid pension under the legislation of Australia if—

- (a) the conditions concerning residence in Australia which are specified in that legislation in relation to invalid pensions were satisfied in his case; and
- (b) in the case of a person who became permanently incapacitated for work or permanently blind while in the United Kingdom or while proceeding from the United Kingdom to Australia, he were treated as if he had become permanently incapacitated for work or permanently blind, as the case may be, while in Australia,

he shall be qualified, subject to the provisions of paragraphs (4) and (5) of this article, to receive an invalid pension under the legislation of Australia if at the time when he was last in the United Kingdom he satisfied the contribution conditions under which sickness benefit is payable for an indefinite period under the legislation of the United Kingdom.

(3) If a person is qualified to receive an invalid pension by virtue of the provisions of paragraph (2) of this article, then, subject to the provisions of paragraph (4) of this Article and to the provisions of the legislation of Australia, his wife shall be qualified to receive a wife's allowance and he or his wife shall be qualified to receive a child's allowance.

(4) Where a person, at the time when he arrives in Australia, is qualified to receive an invalid pension by virtue of the provisions of paragraph (2) of this article—

- (a) he shall not receive more by way of such pension than the amount of the sickness benefit which he would have received under the legislation of the United Kingdom if he had remained in that country;

- (b) his wife shall not receive more by way of a wife's allowance under the legislation of Australia than the amount by which the amount of the sickness benefit which he would have received under the legislation of the United Kingdom exceeds the amount of the invalid pension which he is qualified to receive under the legislation of Australia; and
- (c) any child's allowance which he or his wife is qualified to receive under the legislation of Australia shall not exceed the amount by which the amount of the sickness benefit which he would have received under the legislation of the United Kingdom exceeds the total amount of the invalid pension and the wife's allowance which he and his wife are respectively qualified to receive under the legislation of Australia.

(5) Where a widow in Australia is qualified to receive a widow's benefit under the legislation of the United Kingdom, the amount of any invalid pension which she is qualified to receive under the legislation of Australia shall be reduced by the amount of the widow's benefit which she is entitled to receive under the legislation of the United Kingdom.

Article 8

(1) If a person who has paid one or more contributions as an employed or self-employed person under the legislation of the United Kingdom since the time when he last arrived in that country claims a sickness benefit under that legislation, then, for the purposes of his claim, he shall be treated as if he had paid contributions as an employed or self-employed person under that legislation for any period during which he was gainfully occupied in Australia, and, provided that the period during which he was proceeding from Australia to the United Kingdom is less than three months, as if he had paid contributions as a non-employed person for that period.

(2) Where a person who is permanently resident in the United Kingdom was receiving an invalid pension under the legislation of Australia at the time when he was last in Australia, and is incapable of work at the time when he arrives in the United Kingdom, he shall be treated, while he is in that country as if, at that time, he satisfied the contribution conditions under which sickness benefit is payable for an indefinite period under the legislation of that country.

PART V.—UNEMPLOYMENT BENEFITS

Article 9

If a person in one country claims an unemployment benefit under the legislation of that country, he shall be treated, for the purposes of his claim—

- (a) as if he had been resident in that country during any period when he was resident in the other country and as if he had been employed under a con-

- tract of service in the former country during any period when he was so employed in the latter country;
- (b) if the former country is the United Kingdom—as if he had paid contributions as an employed person under the legislation of that country for any period during which he was employed under a contract of service in Australia, and, provided that the period during which he was proceeding from Australia to the United Kingdom is less than three months, as if he had paid contributions as a non-employed person for that period; and
- (c) if the former country is Australia and, at the time when he was last in the United Kingdom, he satisfied the contribution conditions under which unemployment benefit is payable under the legislation of that country and the period after his departure from the United Kingdom until his arrival in Australia is less than three months—as if he had been resident in Australia and employed there under a contract of service during that period.

PART VI.—ALLOWANCES IN RESPECT OF CHILDREN

Article 10

The Contracting Parties agree that the reciprocal arrangements of which the texts are set out in the Schedule to the present Agreement should have effect.

PART VII.—PROVISIONS ABOUT DEPENDANTS

Article 11

(1) Where a person, who is qualified to receive any benefit or pension under the legislation of the United Kingdom, other than a person who is so qualified by virtue of the provisions of paragraph (1) of article 4 of the present Agreement, would be qualified to receive also an increase of that benefit or pension in respect of a dependant if the dependant were in the United Kingdom, he shall be qualified to receive that increase while the dependant is in Australia unless the dependant is a child in respect of whom an allowance is payable under the legislation of Australia.

(2) Where the dependant of any person is proceeding from one country to the other, the provisions of paragraph (1) of this article shall apply to that person as if the dependant were in Australia provided that the dependant arrives in the latter country within three months after his departure from the former country.

PART VIII.—PROVISIONS ABOUT RESIDENCE

Article 12

For the purposes of applying the provisions of paragraph (3) of article 3, paragraphs (1), (4), (5) and (7) of article 4, paragraph (6) of article 5, paragraphs

(1), (2), (3), (5), (6) and (8) of article 6, paragraph (2) of article 7 and paragraph (2) of article 8, a person shall be treated as permanently resident in one country and shall not be treated as temporarily absent from the other country—

- (a) if the competent authority of the former country is satisfied that he is likely to remain there for at least three years; or
- (b) if he has been temporarily resident in the former country for at least one year and the competent authorities of both countries have not agreed that he should not be treated as permanently resident in that country.

Article 13

For the purposes of applying the provisions of paragraphs (3), (4) and (5) of article 3, paragraph (1), of article 4, paragraphs (6), (7) and (8) of article 5 and paragraph (1) of article 6, any period during which a person was absent from Australia but was treated as being resident there for the purposes of the legislation of Australia shall be treated as a period during which he was resident there.

PART IX.—ADMINISTRATION

Article 14

The competent authorities—

- (a) shall make such administrative arrangements as may be required for the purpose of giving effect to the present Agreement and shall determine all matters of an incidental and supplementary nature which in their opinion are relevant for that purpose;
- (b) shall communicate to each other information regarding any measure taken by them to give effect to the Agreement;
- (c) shall supply to each other, on request, information regarding the circumstances of any person who claims a benefit, pension or allowance in accordance with the provisions of the Agreement; and
- (d) shall communicate to each other, as soon as possible, information regarding any changes made in the legislation of their countries which affect the application of the Agreement.

Article 15

(1) Subject to paragraph (2) of this article, nothing in the present Agreement shall be construed as requiring the competent authority of one country to pay a benefit, pension or allowance under the legislation of the other country.

(2) Where, under the provisions of articles 3, 4, 5 or 6 of the present Agreement, any benefit, pension or allowance is payable under the legislation of one country to a person who is in the other country, the payment may, at the request of the competent authority of the former country, be made by the competent authority of the latter country as agent for the competent authority of the former country.

PART X.—TRANSITIONAL AND FINAL PROVISIONS

Article 16

(1) No provision of the present Agreement shall confer any right to receive any payment of a benefit, pension or allowance for a period before the date of the entry into force of the Agreement.

(2) Any benefit, pension or allowance which is payable in accordance with the provisions of the Agreement on and from the date of entry into force of the Agreement shall be paid, subject to these provisions, as from the date of the entry into force of the Agreement, provided that—

- (a) in the case of sickness benefit or unemployment benefit, the claim therefor is submitted within one month after that date or within such longer period as may be prescribed in the legislation under which the benefit is claimed; and
- (b) in the case of any other benefit or pension, the claim therefor is submitted, and any relevant notice of retirement is given, within twelve months after that date.

(3) Any contribution which a person has paid under the legislation of the United Kingdom before the date of the entry into force of the Agreement, and any period during which a person has been resident in either country before that date, shall be taken into account for the purpose of determining the right to receive a benefit, pension or allowance in accordance with the provisions of the Agreement.

(4) No provisions of the Agreement shall diminish any rights which a person has acquired under the legislation of either country before the date of the entry into force of the Agreement, and a person who—

- (a) within five years after that date, makes a claim to receive any benefit, pension or allowance under the legislation of either country, other than a widow's pension under the legislation of Australia; or
- (b) within three years after that date, makes a claim to receive a widow's pension under the legislation of Australia,

shall have the right to have the claim determined without regard to the provisions of the Agreement.

Article 17

In the event of the termination of the present Agreement, any rights acquired by a person in accordance with its provisions shall be maintained, and the Contracting Parties shall negotiate for the settlement of any rights then in course of acquisition by virtue of those provisions.

Article 18

The present Agreement shall enter into force at a date to be agreed between the Contracting Parties and shall remain in force for a period of one year from that date. Thereafter it shall continue in force from year to year unless notice of termination is given in writing by either Party at least six months before the expiry of any such yearly period.

SCHEDULE

MEMORANDUM OF RECIPROCAL ARRANGEMENTS RELATING TO FAMILY ALLOWANCES IN GREAT BRITAIN AND CHILD ENDOWMENT IN AUSTRALIA MADE BETWEEN THE MINISTER OF NATIONAL INSURANCE IN GREAT BRITAIN WITH THE CONSENT OF THE TREASURY OF THE ONE PART AND THE MINISTER OF STATE FOR SOCIAL SERVICES IN AUSTRALIA OF THE OTHER PART

1. In this Memorandum, unless the context otherwise requires—

- (a) “allowance in respect of a child” means, in relation to Great Britain, a family allowance payable under the legislation of Great Britain and, in relation to Australia, child endowment payable under the legislation of Australia;
- (b) “appropriate authority” means, in relation to Great Britain, the Minister of National Insurance and, in relation to Australia, the Director-General of Social Services;
- (c) “country” means, according to the context, Great Britain or Australia;
- (d) “Great Britain” means England, Scotland and Wales;
- (e) “legislation” means, according to the context, the laws, orders and regulations specified in paragraph 2 which are or have been or may hereafter be in force in any part of one (or the other) country;
- (f) “United Kingdom” means Great Britain, Northern Ireland and the Isle of Man.

2.—(1) These Arrangements shall apply—

- (a) in relation to Great Britain, to the Family Allowances Act, 1945; and
- (b) in relation to Australia, to the Social Services Consolidation Act, 1947-1952.

(2) Subject to the provisions of sub-paragraph (3) of this paragraph, the Arrangements shall also apply to any law, order or regulation which carries into effect, amends, supplements or consolidates the legislation specified in sub-paragraph (1) of this paragraph.

(3) The Arrangements shall apply to laws, orders and regulations which amend or supplement the legislation specified in sub-paragraph (1) of this paragraph for the purpose of giving effect to reciprocal agreements on social security which the Minister of National Insurance has made with the authorities administering schemes of family allowances in Northern Ireland and the Isle of Man; but they shall apply, only if the parties to this Memorandum so agree, to laws, orders or regulations which amend or supplement that legislation for the purpose of giving effect to any reciprocal agreement on social security which one (or the other) party or the Government of the United Kingdom of Great Britain and Northern Ireland or the Government of Australia has made with the authority administering any scheme of family allowances in a third country other than Northern Ireland and the Isle of Man or with the Government of such a country.

3.—(1) If a person is in Great Britain but is treated for the purposes of the legislation of Australia as being in Australia, he shall be qualified to receive an allowance in respect of a child in accordance with the provisions of that legislation; and no allowance in respect of his child shall be paid under the legislation of Great Britain.

(2) Subject to the provisions of sub-paragraph (1) of this paragraph—

- (a) if a person is permanently resident in one country, then for the purposes of any right to receive an allowance in respect of a child under the legislation of that country, any period during which he was resident or present in the other country shall be treated as a period during which he was, respectively, resident or present in the former country and, if he was born in the latter country, he shall be treated as if he were born in the former country; and
- (b) a person who is temporarily absent from one country shall, for the purposes of any right to receive an allowance in respect of a child under the legislation of that country, be treated during any period during which he is in the other country as if he were in the former country, provided that the said period begins within three months after the time when he was last in the former country; but such a person shall be qualified to receive only the amount of the allowance which he would have received under the legislation of the latter country if that amount is less than the amount which he would have received under the legislation of the former country.

(3) Where the circumstances in which a person is receiving education or undergoing training in Australia are such that, if they had occurred in Great Britain, they would have enabled that person to be treated for the purposes of the legislation of Great Britain as undergoing full-time instruction in a school or as undergoing full-time training, as the case may be, that person shall, for the purposes of any right to receive an allowance in respect of a child under the legislation of Great Britain, be treated as undergoing full-time instruction in a school, or full-time training, accordingly.

(4) Any child born to a woman while she is temporarily absent from one country in circumstances in which she is treated, in accordance with paragraph (b) of sub-paragraph (2) of this paragraph, as if she were in that country shall, for the purposes of any

right to receive an allowance in respect of a child under the legislation of that country, be treated as if the child had been born in that country and, so long as the woman or her husband is so temporarily absent, as if the child were in that country during any period in which the child is in the other country.

(5) Where any person is qualified to receive an allowance in respect of a child under the legislation of one country by virtue of the provisions of sub-paragraph (2) of this paragraph, no allowance in respect of that child shall be paid under the legislation of the other country.

4. For the purposes of applying the provisions of sub-paragraph (2) of paragraph 3—

- (a) if a person is permanently resident in the United Kingdom, he shall be treated, while he is in Great Britain, as being permanently resident in Great Britain;
- (b) if a person, who is temporarily absent from Great Britain, was in Northern Ireland or the Isle of Man at the time when he was last in the United Kingdom, he shall be treated as if he had been in Great Britain at that time;
- (c) a person shall be treated as permanently resident in one country and shall not be treated as temporarily absent from the other country—
 - (i) if the appropriate authority of the former country is satisfied that he is likely to remain there for at least three years; or
 - (ii) if he has been temporarily resident in the former country for at least one year and the appropriate authorities of both countries have not agreed that he should not be treated as permanently resident in that country; and
- (d) a person shall be treated as permanently resident in the United Kingdom and shall not be treated as temporarily absent from Australia—
 - (i) if the appropriate authority of Great Britain is satisfied that he is likely to remain in the United Kingdom for at least three years; or
 - (ii) if he has been temporarily resident in the United Kingdom for at least one year and the appropriate authorities of both countries have not agreed that he should not be treated as permanently resident in the United Kingdom.

5. Where, under the provisions of paragraph 3, any allowance in respect of a child is payable under the legislation of one country to a person who is in the other country, the payment may, at the request of the appropriate authority of the former country, be made by the appropriate authority of the latter country as agent for the authority of the former country.

6.—(1) No provision of these Arrangements shall confer any right to receive an allowance for a period before the date of the entry into force of the Arrangements.

(2) Where any claim to receive an allowance in accordance with the provisions of the Arrangements is made within six months after the date of the entry into force of the Arrangements, it shall be treated as if it had been made on that date or on any subsequent date to which it relates.

(3) A period during which a person has been resident or present in either country before the date of the entry into force of these Arrangements shall be taken into account for the purpose of determining the right to receive an allowance in accordance with the provisions of the Arrangements.

(4) No provision of the Arrangements shall diminish any rights which a person has acquired under the legislation of either country before the date of the entry into force of the Arrangements.

7. In the event of the termination of the Arrangements, any rights acquired by a person in accordance with their provisions shall be maintained.

8. The Arrangements shall enter into force at a date to be agreed between the parties to this Memorandum and shall remain in force for a period of one year from that date. Thereafter they shall continue in force from year to year unless notice of termination is given in writing by either party at least six months before the expiry of any such yearly period.

GIVEN under the official seal of the Minister of National Insurance this 1st day of June, nineteen hundred and fifty-three.

[L.S.] Osbert PEAKE
Minister of National Insurance

We consent.

Herbert BUTCHER
Edward HEATH
Two of the Lords Commissioners of Her Majesty's Treasury

Signed by the Minister of State for Social Services in Australia this 3rd day of June, nineteen hundred and fifty-three.

Athol TOWNLEY
Minister of State for Social Services

MEMORANDUM OF RECIPROCAL ARRANGEMENTS RELATING TO FAMILY ALLOWANCES IN NORTHERN IRELAND AND CHILD ENDOWMENT IN AUSTRALIA MADE BETWEEN THE MINISTRY OF LABOUR AND NATIONAL INSURANCE FOR NORTHERN IRELAND WITH THE CONSENT OF THE MINISTRY OF FINANCE FOR NORTHERN IRELAND OF THE ONE PART AND THE MINISTER OF STATE FOR SOCIAL SERVICES IN AUSTRALIA OF THE OTHER PART

1. In this Memorandum, unless the context otherwise requires—
- (a) "allowance in respect of a child" means, in relation to Northern Ireland, a family allowance payable under the legislation of Northern Ireland and, in relation to Australia, child endowment payable under the legislation of Australia;

- (b) "appropriate authority" means, in relation to Northern Ireland, the Ministry of Labour and National Insurance and, in relation to Australia, the Director-General of Social Services;
- (c) "country" means, according to the context, Northern Ireland or Australia;
- (d) "Great Britain" means England, Scotland and Wales;
- (e) "legislation" means, according to the context, the laws, orders and regulations specified in paragraph 2 which are or have been or may hereafter be in force in any part of one (or the other) country;
- (f) "United Kingdom" means Great Britain, Northern Ireland and the Isle of Man.

2.—(1) These Arrangements shall apply—

- (a) in relation to Northern Ireland, to the Family Allowances Act (Northern Ireland), 1945; and
- (b) in relation to Australia, to the Social Services Consolidation Act, 1947-1952.

(2) Subject to the provisions of sub-paragraph (3) of this paragraph, the Arrangements shall also apply to any law, order or regulation which carries into effect, amends, supplements or consolidates the legislation specified in sub-paragraph (1) of this paragraph.

(3) The Arrangements shall apply to laws, orders and regulations which amend or supplement the legislation specified in sub-paragraph (1) of this paragraph for the purpose of giving effect to reciprocal agreements on social security which the Ministry of Labour and National Insurance has made with the authorities administering schemes of family allowances in Great Britain and the Isle of Man; but they shall apply, only if the parties to this Memorandum so agree, to laws, orders or regulations which amend or supplement that legislation for the purpose of giving effect to any reciprocal agreement on social security which one (or the other) party or the Government of the United Kingdom of Great Britain and Northern Ireland or the Government of Australia has made with the authority administering any scheme of family allowances in a third country other than Great Britain and the Isle of Man or with the Government of such a country.

3.—(1) If a person is in Northern Ireland but is treated for the purposes of the legislation of Australia as being in Australia, he shall be qualified to receive an allowance in respect of a child in accordance with the provisions of that legislation; and no allowance in respect of his child shall be paid under the legislation of Northern Ireland.

(2) Subject to the provisions of sub-paragraph (1) of this paragraph—

- (a) if a person is permanently resident in one country, then for the purposes of any right to receive an allowance in respect of a child under the legislation of that country, any period during which he was resident or present in the other country shall be treated as a period during which he was, respectively, resident or present in the former country, and, if he was born in the latter country, he shall be treated as if he were born in the former country; and
- (b) a person who is temporarily absent from one country shall, for the purposes of any right to receive an allowance in respect of a child under the legislation of that country,

be treated during any period during which he is in the other country as if he were in the former country, provided that the said period begins within three months after the time when he was last in the former country; but such a person shall be qualified to receive only the amount of the allowance which he would have received under the legislation of the latter country if that amount is less than the amount which he would have received under the legislation of the former country.

(3) Where the circumstances in which a person is receiving education or undergoing training in Australia are such that, if they had occurred in Northern Ireland, they would have enabled that person to be treated for the purposes of the legislation of Northern Ireland as undergoing full-time instruction in a school or as undergoing full-time training, as the case may be, that person shall, for the purposes of any right to receive an allowance in respect of a child under the legislation of Northern Ireland, be treated as undergoing full-time instruction in a school, or full-time training, accordingly.

(4) Any child born to a woman while she is temporarily absent from one country in circumstances in which she is treated, in accordance with paragraph (b) of sub-paragraph (2) of this paragraph, as if she were in that country shall, for the purposes of any right to receive an allowance in respect of a child under the legislation of that country, be treated as if the child had been born in that country and, so long as the woman or her husband is so temporarily absent, as if the child were in that country during any period in which the child is in the other country.

(5) Where any person is qualified to receive an allowance in respect of a child under the legislation of one country by virtue of the provisions of sub-paragraph (2) of this paragraph, no allowance in respect of that child shall be paid under the legislation of the other country.

4. For the purposes of applying the provisions of sub-paragraph (2) of paragraph 3—

- (a) if a person is permanently resident in the United Kingdom, he shall be treated, while he is in Northern Ireland, as being permanently resident in Northern Ireland;
- (b) if a person, who is temporarily absent from Northern Ireland, was in Great Britain or the Isle of Man at the time when he was last in the United Kingdom, he shall be treated as if he had been in Northern Ireland at that time;
- (c) a person shall be treated as permanently resident in one country and shall not be treated as temporarily absent from the other country—
 - (i) if the appropriate authority of the former country is satisfied that he is likely to remain there for at least three years; or
 - (ii) if he has been temporarily resident in the former country for at least one year and the appropriate authorities of both countries have not agreed that he should not be treated as permanently resident in that country; and
- (d) a person shall be treated as permanently resident in the United Kingdom and shall not be treated as temporarily absent from Australia—
 - (i) if the appropriate authority of Northern Ireland is satisfied that he is likely to remain in the United Kingdom for at least three years; or

- (ii) if he has been temporarily resident in the United Kingdom for at least one year and the appropriate authorities of both countries have not agreed that he should not be treated as permanently resident in the United Kingdom.

5. Where, under the provisions of paragraph 3, any allowance in respect of a child is payable under the legislation of one country to a person who is in the other country, the payment may, at the request of the appropriate authority of the former country, be made by the appropriate authority of the latter country as agent for the authority of the former country.

6.—(1) No provision of these Arrangements shall confer any right to receive an allowance for a period before the date of the entry into force of the Arrangements.

(2) Where any claim to receive an allowance in accordance with the provisions of the Arrangements is made within six months after the date of the entry into force of the Arrangements, it shall be treated as if it had been made on that date or on any subsequent date to which it relates.

(3) A period during which a person has been resident or present in either country before the date of the entry into force of these Arrangements shall be taken into account for the purpose of determining the right to receive an allowance in accordance with the provisions of the Arrangements.

(4) No provision of the Arrangements shall diminish any rights which a person has acquired under the legislation of either country before the date of the entry into force of the Arrangements.

7. In the event of the termination of the Arrangements, any rights acquired by a person in accordance with their provisions shall be maintained.

8. The Arrangements shall enter into force at a date to be agreed between the parties to this Memorandum and shall remain in force for a period of one year from that date. Thereafter they shall continue in force from year to year unless notice of termination is given in writing by either party at least six months before the expiry of any such yearly period.

GIVEN under the official seal of the Ministry of Labour and National Insurance for Northern Ireland this 29th day of May, nineteen hundred and fifty-three.

[L.S.] Ivan NEILL

Minister of Labour and National Insurance for Northern Ireland

The Ministry of Finance for Northern Ireland hereby consents.

GIVEN under the official seal of the Ministry of Finance for Northern Ireland this 29th day of May, nineteen hundred and fifty-three.

[L.S.] Brian MAGINES

Minister of Finance for Northern Ireland

Signed by the Minister of State for Social Services in Australia this 3rd day of June, nineteen hundred and fifty-three.

Athol TOWNLEY

Minister of State for Social Services

MEMORANDUM OF RECIPROCAL ARRANGEMENTS RELATING TO FAMILY ALLOWANCES IN THE ISLE OF MAN AND CHILD ENDOWMENT IN AUSTRALIA MADE BETWEEN THE LIEUTENANT-GOVERNOR OF THE ISLE OF MAN WITH THE ADVICE AND CONSENT OF THE ISLE OF MAN BOARD OF SOCIAL SERVICES OF THE ONE PART AND THE MINISTER OF STATE FOR SOCIAL SERVICES IN AUSTRALIA OF THE OTHER PART

1. In this Memorandum, unless the context otherwise requires—

- (a) “allowance in respect of a child” means, in relation to the Isle of Man, a family allowance payable under the legislation of the Isle of Man and, in relation to Australia, child endowment payable under the legislation of Australia;
- (b) “appropriate authority” means, in relation to the Isle of Man, the Isle of Man Board of Social Services and, in relation to Australia, the Director-General of Social Services;
- (c) “country” means, according to the context, the Isle of Man or Australia;
- (d) “Great Britain” means England, Scotland and Wales;
- (e) “legislation” means, according to the context, the laws, orders and regulations specified in paragraph 2 which are or have been or may hereafter be in force in any part of one (or the other) country;
- (f) “United Kingdom” means Great Britain, Northern Ireland and the Isle of Man.

2.—(1) These Arrangements shall apply—

- (a) in relation to the Isle of Man, to the Family Allowances (Isle of Man) Acts, 1946 and 1952; and
- (b) in relation to Australia, to the Social Services Consolidation Act, 1947-1952.

(2) Subject to the provisions of sub-paragraph (3) of this paragraph, the Arrangements shall also apply to any law, order or regulation which carries into effect, amends, supplements or consolidates the legislation specified in sub-paragraph (1) of this paragraph.

(3) The Arrangements shall apply to laws, orders and regulations which amend or supplement the legislation specified in sub-paragraph (1) of this paragraph for the purpose of giving effect to reciprocal agreements on social security which the Lieutenant-Governor of the Isle of Man with the advice and consent of the Isle of Man Board of Social Services has made with the authorities administering schemes of family allowances in Great Britain and Northern Ireland; but they shall apply, only if the parties to this Memorandum so agree, to laws, orders or regulations which amend or supplement that legislation for the purpose of giving effect to any reciprocal agreement on social security which one (or the other) party or the Government of the United Kingdom of Great Britain and Northern Ireland or the Government of Australia has made with the authority administering any scheme of family allowances in a third country other than Great Britain and Northern Ireland or with the Government of such a country.

3.—(1) If a person is in the Isle of Man but is treated for the purposes of the legislation of Australia as being in Australia, he shall be qualified to receive an allowance in respect of a child in accordance with the provisions of that legislation; and no allowance in respect of his child shall be paid under the legislation of the Isle of Man.

(2) Subject to the provisions of sub-paragraph (1) of this paragraph—

- (a) if a person is permanently resident in one country, then for the purposes of any right to receive an allowance in respect of a child under the legislation of that country, any period during which he was resident or present in the other country shall be treated as a period during which he was, respectively, resident or present in the former country, and, if he was born in the latter country, he shall be treated as if he were born in the former country; and
- (b) a person who is temporarily absent from one country shall, for the purposes of any right to receive an allowance in respect of a child under the legislation of that country, be treated during any period during which he is in the other country as if he were in the former country, provided that the said period begins within three months after the time when he was last in the former country; but such a person shall be qualified to receive only the amount of the allowance which he would have received under the legislation of the latter country if that amount is less than the amount which he would have received under the legislation of the former country.

(3) Where the circumstances in which a person is receiving education or undergoing training in Australia are such that, if they had occurred in the Isle of Man, they would have enabled that person to be treated for the purposes of the legislation of the Isle of Man as undergoing full-time instruction in a school or as undergoing full-time training, as the case may be, that person shall, for the purposes of any right to receive an allowance in respect of a child under the legislation of the Isle of Man, be treated as undergoing full-time instruction in a school, or full-time training, accordingly.

(4) Any child born to a woman while she is temporarily absent from one country in circumstances in which she is treated, in accordance with paragraph (b) of sub-paragraph (2) of this paragraph, as if she were in that country shall, for the purposes of any right to receive an allowance in respect of a child under the legislation of that country, be treated as if the child had been born in that country and, so long as the woman or her husband is so temporarily absent, as if the child were in that country during any period in which the child is in the other country.

(5) Where any person is qualified to receive an allowance in respect of a child under the legislation of one country by virtue of the provisions of sub-paragraph (2) of this paragraph, no allowance in respect of that child shall be paid under the legislation of the other country.

4. For the purposes of applying the provisions of sub-paragraph (2) of paragraph 3—

- (a) if a person is permanently resident in the United Kingdom, he shall be treated, while he is in the Isle of Man, as being permanently resident in the Isle of Man;
- (b) if a person, who is temporarily absent from the Isle of Man, was in Great Britain or Northern Ireland at the time when he was last in the United Kingdom, he shall be treated as if he had been in the Isle of Man at that time;

- (c) a person shall be treated as permanently resident in one country and shall not be treated as temporarily absent from the other country—
 - (i) if the appropriate authority of the former country is satisfied that he is likely to remain there for at least three years; or
 - (ii) if he has been temporarily resident in the former country for at least one year and the appropriate authorities of both countries have not agreed that he should not be treated as permanently resident in that country; and
- (d) a person shall be treated as permanently resident in the United Kingdom and shall not be treated as temporarily absent from Australia—
 - (i) if the appropriate authority of the Isle of Man is satisfied that he is likely to remain in the United Kingdom for at least three years; or
 - (ii) if he has been temporarily resident in the United Kingdom for at least one year and the appropriate authorities of both countries have not agreed that he should not be treated as permanently resident in the United Kingdom.

5. Where, under the provisions of paragraph 3, any allowance in respect of a child is payable under the legislation of one country to a person who is in the other country, the payment may, at the request of the appropriate authority of the former country, be made by the appropriate authority of the latter country as agent for the authority of the former country.

6.—(1) No provision of these Arrangements shall confer any right to receive an allowance for a period before the date of the entry into force of the Arrangements.

(2) Where any claim to receive an allowance in accordance with the provisions of the Arrangements is made within six months after the date of the entry into force of the Arrangements, it shall be treated as if it had been made on that date or on any subsequent date to which it relates.

(3) A period during which a person has been resident or present in either country before the date of the entry into force of these Arrangements shall be taken into account for the purpose of determining the right to receive an allowance in accordance with the provisions of the Arrangements.

(4) No provision of the Arrangements shall diminish any rights which a person has acquired under the legislation of either country before the date of the entry into force of the Arrangements.

7. In the event of the termination of the Arrangements, any rights acquired by a person in accordance with their provisions shall be maintained.

8. The Arrangements shall enter into force at a date to be agreed between the parties to this Memorandum and shall remain in force for a period of one year from that date. Thereafter they shall continue in force from year to year unless notice of termination

is given in writing by either party at least six months before the expiry of any such yearly period.

GIVEN under the official seal of the Lieutenant-Governor of the Isle of Man this thirtieth day of May, nineteen hundred and fifty-three.

[L.S.] A. D. FLUX DUNDAS
Lieutenant-Governor of the Isle of Man

The advice and consent of the Isle of Man Board of Social Services is hereby given.

Chairman : J. C. NIVISON
Secretary : R. J. KEWLEY

Signed by the Minister of State for Social Services in Australia this 3rd day of June, nineteen hundred and fifty-three.

Athol TOWNLEY
Minister of State for Social Services

IN WITNESS WHEREOF the undersigned, duly authorised by their respective Governments, have signed the present Agreement.

DONE in duplicate at London, this eighth day of June, nineteen hundred and fifty-three.

For the Government of the United Kingdom of Great Britain
and Northern Ireland :
Winston S. CHURCHILL

For the Government of the Commonwealth of Australia :
Robert MENZIES
