

No. 3787

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

**Convention on payment of compensation or benefit in  
respect of industrial injuries (including occupational  
diseases) as relating to Denmark and Northern Ireland.  
Signed at London, on 9 July 1956**

*Official texts: English and Danish.*

*Registered by the United Kingdom of Great Britain and Northern Ireland  
on 27 March 1957.*

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

**Convention relative au versement des indemnités ou pres-  
tations en matière d'accidents du travail (y compris  
les maladies professionnelles) en ce qui concerne le  
Danemark et l'Irlande du Nord. Signée à Londres,  
le 9 juillet 1956**

*Textes officiels anglais et danois.*

*Enregistrée par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord  
le 27 mars 1957.*

No. 3787. CONVENTION<sup>1</sup> BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF DENMARK ON PAYMENT OF COMPENSATION OR BENEFIT IN RESPECT OF INDUSTRIAL INJURIES (INCLUDING OCCUPATIONAL DISEASES) AS RELATING TO DENMARK AND NORTHERN IRELAND. SIGNED AT LONDON, ON 9 JULY 1956

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The Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Denmark ;

Affirming the principle that the nationals of one Contracting Party should receive under the industrial injuries insurance schemes in operation in the territory of the other equal treatment with the nationals of the latter ;

Affirming the principle that the benefits of the industrial injuries insurance schemes in operation in the territory of each Contracting Party should be granted to persons in the territory of the other ;

Desirous of giving effect to these principles,

Have agreed as follows :

*Article 1*

(1) For the purpose of the present Convention,

- (a) "the Act in force in Northern Ireland" means the National Insurance (Industrial Injuries) Act (Northern Ireland), 1946 ;
- (b) "the Act in force in Denmark" means Act No. 183 of the 20th May, 1933, concerning Insurance against Consequences of Accidents, or the Ordinance for the Faroe Islands No. 161 of the 29th March, 1939, concerning Insurance against Consequences of Accidents, as the case may require ;
- (c) "Denmark" means Denmark including the Faroe Islands, but not Greenland except as provided in Article 2 ;
- (d) "national" means, in relation to the United Kingdom, a citizen of the United Kingdom and Colonies, and, in relation to Denmark, a Danish national ;

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<sup>1</sup> Came into force on 1 January 1957, the first day of the month following the month in which the instruments of ratification were exchanged, in accordance with article 10. The exchange of the instruments of ratification took place at London on 18 December 1956.

- (e) "compensation or benefit" includes any increase thereof or any allowances payable therewith ;
- (f) "employment" means employment to which the Act in force in one (or the other) country applies, and the words "employ" and "employer" refer to such employment.

(2) References in the present Convention to one (or the other) country or to the territory of one (or the other) Contracting Party shall be construed as references to Denmark as defined in paragraph 1 (c) of this Article or to Northern Ireland, according to the context.

(3) References in the present Convention to the Act in force in a particular country shall be construed as references to the Act in force in Northern Ireland or the Act in force in Denmark, according to the context.

(4) References in the present Convention to any enactment shall include a reference to such enactment as amended by any subsequent enactment, regulation or order.

#### *Article 2*

The present Convention shall, as far as Greenland is concerned, apply only to employment in Greenland to the extent to which the Act in force in Denmark applies to such employment.

#### *Article 3*

Subject to the following provisions, the Act in force in Northern Ireland shall apply to a national of either Contracting Party in employment in Northern Ireland and the Act in force in Denmark shall apply to a national of either Contracting Party in employment in Denmark.

#### *Article 4*

(1) Where a national of either Contracting Party, ordinarily resident in one country and under contract, entered into in that country, to serve an employer who has a place of business there, is sent in pursuance of that contract to work in the other country, the Act in force in the former country shall, in respect of any period occurring within twelve months of the commencement of employment in the latter country, apply to that national, provided that his employment in the latter country is not expected at the commencement thereof to last for a period of more than six months.

(2) Where a national of either Contracting Party is employed in one country, and the Act in force in the other country applies to him in accordance with the provisions of paragraph (1) of this Article, he shall, for the purpose of any title to, or payment of, compensation or benefit in respect of industrial accidents (including

occupational diseases) under such Act, be treated as if the accident had occurred or the disease had been contracted or the injury had been received in the latter country.

#### *Article 5*

(1) For the purposes of this Article, "ship or aircraft of one (or the other) country" means, according to the context, a ship or vessel whose port of registry is in Northern Ireland or Denmark, or an aircraft registered in the United Kingdom of which the owner or managing owner (if there is more than one owner) resides or has his principal place of business in Northern Ireland, or an aircraft registered in Denmark.

(2) Subject to the provisions of paragraph (3) of this Article, where a national of either Contracting Party ordinarily resident in one country is employed on board any ship or aircraft of the other country, the Act in force in the latter country (including any special provisions relating to ships or aircraft) shall apply to him as if any condition relating to nationality, residence, or domicile were satisfied in his case.

(3) Where a national of either Contracting Party, ordinarily resident in one country and employed on board any ship or aircraft of the other country, is paid remuneration in respect of that employment, under a contract entered into in the former country, by some person who has a place of business in the former country and who is not the owner of the ship or aircraft, the Act in force in the former country (including any special provisions relating to ships or aircraft) shall, in respect of that employment, apply to that national as if the employment were on board a ship or aircraft of the former country, and the person by whom the said remuneration is paid shall be treated as the employer for the purposes of the Act in force in Northern Ireland and the Act in force in Denmark.

#### *Article 6*

(1) Where a national of either Contracting Party would be entitled to compensation or benefit under the Act in force in one country but for any provisions of that Act relating to absence from that country, that national shall be entitled to and may receive such compensation or benefit in respect of any period during which he is in the other country.

(2) In all cases, where under the Act in force in one country, any compensation or benefit would be paid in respect of a dependant (other than a child to whom paragraph (3) of this Article applies), if the dependant had been in that country, such compensation or benefit shall be paid in cases where the dependant is in the other country.

(3) In all cases where compensation or benefit would be paid in respect of a child or in respect of a dependant having the care of a child, if such child were in one country, such compensation or benefit shall be paid notwithstanding that the child is in the other country.

#### *Article 7*

A national of one Contracting Party shall, for the purpose of determining any right to compensation or benefit under the Act in force in the territory of the other Contracting Party, be treated as if he were a national of that other Party.

#### *Article 8*

Nothing in the present Convention shall be deemed to confer upon a national of either Contracting Party a right to be paid for the same period benefits of the same kind in respect of the same disability under the Acts in force in Northern Ireland and Denmark.

#### *Article 9*

The Ministry of Labour and National Insurance for Northern Ireland and the Danish Minister of Social Affairs shall make such administrative arrangements as may be required for the application of the present Convention and shall determine all matters of an incidental and supplementary nature which in their opinion are relevant for the purpose of giving effect thereto.

#### *Article 10*

The present Convention shall be ratified and the instruments of ratification shall be exchanged in London as soon as possible. The Convention shall enter into force on the first day of the month following the month in which the instruments of ratification are exchanged.

#### *Article 11*

The present Convention shall remain in force until six months from the date on which either Contracting Party shall have given written notice of its intention to terminate the present Convention.

#### *Article 12*

In the event of the termination of the present Convention, any right to compensation or benefit acquired by a national of either Contracting Party in accordance with its provisions shall be maintained, and any claim to compensation or benefit arising in respect of employment before the date of termination shall be determined in accordance with the provisions of the Convention.

IN WITNESS WHEREOF, the undersigned, duly authorised by their respective Governments, have signed the present Convention and affixed thereto their seals.

DONE in duplicate at London the ninth day of July, 1956, in English and Danish, both texts being equally authoritative.

[L.S.]      Ivone KIRKPATRICK

[L.S.]      STEENSEN-LETH