

Department for Work and Pensions

DECISION MAKING AND APPEALS (PART OF LEGAL GROUP)

The Law Relating to Social Security

Volume 10 Supplement 88 – Sept 2009

1. Supplements to The Law Relating to Social Security are issued at regular intervals. This supplement [88] includes amendments to the Contents Volume and Volumes 1, 2, 3, 4, 5, 6, 8, 10, 11, and 13.
2. This package contains Volume 10 and incorporates the following S.I:
2009/1181
as well as various miscellaneous amendments.
3. This supplement is issued in PDF format only.
4. The amended pages have been reprinted in full. The supplement number is printed at the bottom of each replacement page. This supplement contains an update of the page check list at the back of the volume.
5. Due to space constraints, DMA can only reproduce legislation currently in force. Where users are instructed to remove pages they may like to consider the need to retain such pages for their own use.
6. Remove the sheets in the left-hand column and insert new sheets in the right-hand column (the numbers quoted are those printed at the bottom of the respective pages). When the revised sheets have been inserted, note the record of amendments at the back of the volume.
7. The last 2 supplements have amended the following volumes:

Supplement No. 87 [June 2009]	Contents 1, 2, 3, 4, 5, 6, 8, 11, 12 and 13.
Supplement No. 86 [March 2009]	Contents 1, 2, 3, 5, 6, 8, 11, 12 and 13.
8. While every effort is made to ensure the accuracy of this work, the DMA Customer Support Services - Publications team would be happy to hear from anyone who spots errors. Please contact:

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www.dwp.gov.uk/advisers/docs/lawvols/bluevol/.

9. Starting in Supplement 76 the triangles ►◄ signifying additions, deletions or amendments to Statutory Instruments will be numbered to aid reference. Numbering will start at 1 on each page however, only those pages being updated will be affected.

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Bilateral Agreements between the UK and individual EC States are located in volume 9, Part II.

Bilateral Agreements with States not within the EC but within the European Economic Area (EEA), namely the Agreements with Iceland and Norway, are included in this volume. As laid down in the individual 1992 reciprocity Orders containing Supplementary Agreements between the UK and those States, however, the main Agreements with those States are, for nationals of EEA States, largely superseded by EC Regulations 1408/71 and 574/72 as applied by the EEA Agreement; those Regulations are reproduced in volume 9, Part I.

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SCHEDULE

**NOTES EXCHANGED ON 9th MAY 1994 BETWEEN THE
GOVERNMENT OF THE UNITED KINGDOM OF
GREAT BRITAIN AND NORTHERN IRELAND AND THE
GOVERNMENT OF THE REPUBLIC OF CYPRUS**

No. 1

H.E. Mr. Andreas Moushoutas
Minister of Labour and Social Insurance

British High Commission
Nicosia

9th May 1994

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 the Republic of Cyprus, which was signed at Nicosia on 18 December 1982, (hereinafter referred to as "the Convention"), and to recent correspondence between the Department of Social Security in the United Kingdom and the Ministry of Labour and Social Insurance in Cyprus concerning the need to amend the Convention and to propose the following amendments to the said Convention:

- [Paragraph (A) substitutes article 1(1) of Schedule to S.I. 1983/1698.]
- [Paragraph (B) amends article 2(1) of Schedule to S.I. 1983/1698.]
- [Paragraph (C) substitutes article 6(1) of Schedule to S.I. 1983/1698.]
- [Paragraph (D) substitutes article 7(3) of Schedule to S.I. 1983/1698.]
- [Paragraph (E) amends article 12 of Schedule to S.I. 1983/1698.]
- [Paragraph (F) amends heading of Section 3 (art. 13) of Part III of, and article 13 of, Schedule to S.I. 1983/1698.]
- [Paragraph (G) amends article 14 of Schedule to S.I. 1983/1698.]
- [Paragraph (H) amends article 15(3) of Schedule to S.I. 1983/1698.]
- [Paragraph (I) amends article 16 of Schedule to S.I. 1983/1698.]
- [Paragraph (J) substitutes article 17(4)(c) of Schedule to S.I. 1983/1698.]
- [Paragraph (K) substitutes article 18 of Schedule to S.I. 1983/1698.]
- [Paragraph (L) amends heading of Section 8 (arts. 24 and 25) of Part III of Schedule to S.I. 1983/1698.]
- [Paragraph (M) inserts article 25A into Schedule to S.I. 1983/1698.]
- [Paragraph (N) amends article 27(2) of Schedule to S.I. 1983/1698.]
- [Paragraph (O) amends article 32 of Schedule to S.I. 1983/1698.]

If the foregoing proposals are acceptable to the Government of the Republic of Cyprus, I have the honour to propose that this Note, together with Your Excellency's reply to that effect, shall constitute an Agreement between our two Governments which shall enter into force on 4th July 1994.

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

C.B. Jennings
Acting High Commissioner.

No. 2

CYPRUS
SOCIAL SECURITY (CYPRUS) ORDER 1994

H.E. C.B. Jennings
Acting High Commissioner
British High Commission

Nicosia
9th May 1994

Your Excellency,

I have the honour to acknowledge receipt of your Note of 9th May 1994 which in translation reads as follows:

[The Note here sets out the text of No. 1].

I have the honour to inform you that these proposals are acceptable to the Government of the Republic of Cyprus and that they agree that your Note and this reply shall constitute an Agreement between our two Governments which shall enter into force on 4th July 1994.

I avail myself of this opportunity to review to Your Excellency the assurance of my highest consideration.

Andreas Moushoutas
Minister

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for modification of the Social Security Administration Act 1992 and the Social Security Contributions and Benefits Act 1992 so as to give effect in England, Wales and Scotland to the provisions contained in Notes (set out in the Schedule) exchanged between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Cyprus. The Exchange of Notes amends the Convention set out in the Schedule to the Social Security (Cyprus) Order 1983 and extends sickness and maternity benefit provisions to the Sovereign Base Areas in Cyprus.

This order does not impose any costs on business.

2009 No. 1181

EUROPEAN COMMUNITIES

**The European Communities (Definition of Treaties)
(United Nations Convention on the Rights of Persons
with Disabilities) Order 2009**

Made - - - - - *13th May 2009*

Coming into force in accordance with Article 1(2)

At the Court at Buckingham Palace, the 13th day of May 2009

Present,

The Queen's Most Excellent Majesty in Council

In accordance with section 1(3) of the European Communities Act 1972^(a) a draft of this Order was laid before, and approved by a resolution of, each House of Parliament.

Accordingly, Her Majesty, in exercise of the powers conferred by section 1(3) of the European Communities Act 1972, is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation and commencement

1.—(1) This Order may be cited as The European Communities (Definition of Treaties) (United Nations Convention on the Rights of Persons with Disabilities) Order 2009.

(2) This Order shall come into force on the date on which the treaty specified in article 2 enters into force for the United Kingdom. This date will be notified in the London, Edinburgh and Belfast Gazettes.

Specification as one of the Community Treaties

2. The United Nations Convention on the Rights of Persons with Disabilities signed in New York by the European Community and by the United Kingdom on 30 March 2007^(b) is to be regarded as one of the Community Treaties as defined in section 1(2) of the European Communities Act 1972.

Judith Simpson
Clerk of the Privy Council

^(a) 1972 c. 68.
^(b) Cmd 7564.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order declares the United Nations Convention on the Rights of Persons with Disabilities (“the Convention”), which was adopted by the United Nations General Assembly on 13th December 2006, and signed by the United Kingdom and the European Community on 30th March 2007, to be one of the Community Treaties as defined by section 1(2) of the European Communities Act 1972.

The Convention sets out the obligation on States to promote, protect, and ensure the human rights of disabled people, so that they are treated on an equal basis with other people. It does not aim to establish new human rights for disabled people, but to set out with greater clarity the human rights that disabled people already have. The Convention has a wide field of application, encompassing both civil and political rights, and economic, social and cultural rights. It covers rights in all areas of life including: the right to life, liberty and security of the person; access to justice; personal mobility; health; education; work; and recreation, and provides for equal recognition of disabled people before the law. It also makes specific provision about the rights of disabled women and children.

The principal effect of declaring the Convention to be a Community Treaty as so defined is that the provisions of section 2 of the European Communities Act 1972 (which provides for the general implementation of European Treaties) apply to it.

An Impact Assessment has not been produced for this instrument as it has no impact on the costs to business, charities or the voluntary sector. An Impact Assessment has been produced for the Convention, and a copy may be found at <http://www.officefordisability.gov.uk/working/theunconvention.asp>.

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