

Insurance Industry Special Scheme.

THE UNEMPLOYMENT INSURANCE (INSURANCE INDUSTRY SPECIAL SCHEME) (VARIATION AND AMENDMENT) ORDER (NORTHERN IRELAND), 1934, DATED 18TH AUGUST, 1934, MADE BY THE MINISTRY OF LABOUR FOR NORTHERN IRELAND UNDER THE UNEMPLOYMENT INSURANCE ACT, 1920 (10 AND 11 GEO. 5, C. 30), THE UNEMPLOYMENT INSURANCE (NO. 2) ACT (NORTHERN IRELAND), 1924 (14 AND 15 GEO. 5, C. 25) AND THE UNEMPLOYMENT INSURANCE ACT (NORTHERN IRELAND), 1934 (24 AND 25 GEO. 5, C. 12).

1934. No. 72.

WHEREAS the Ministry of Labour for Northern Ireland (hereinafter referred to as "the Ministry") by the Unemployment Insurance (Insurance Industry Special Scheme) Orders (Northern Ireland), 1921 to 1931, approved for the purposes of Section 18 of the Unemployment Insurance Act, 1920, a Special Scheme for the insurance industry, and subsequently varied and amended the said Scheme which Scheme as so varied and amended is hereinafter referred to as "the Scheme";

And whereas it is provided by sub-section (4) of Section 8 of the Unemployment Insurance (No. 2) Act (Northern Ireland), 1924, that the power of the Ministry under sub-section (9) of Section 18 of the Unemployment Insurance Act, 1920, to vary or amend the provisions of a scheme made under that Section may, except in the case of provisions relating to rates of contribution, rates or duration of benefit, or the constitution of the body charged with the administration of the Scheme, be exercised by Order instead of by Special Order :

And whereas it is provided by paragraph 6 of the Unemployment (Extension of Enactments) Order (Northern Ireland), 1934, that for the purpose of securing in the case of a special scheme that like rates of benefit shall be payable to the persons to whom the Scheme applies as are for the time being payable under the enactments relating to unemployment insurance, and that the benefits under the Scheme shall otherwise be not less favourable than those for the time being provided by the general provisions of those Enactments (but for no other purpose), the Ministry may, after consultation with the body charged with the administration of the Scheme, notwithstanding anything in Section 18 of the principal Act, by Order vary or amend the provisions of the Scheme, and that any such Order may provide for consequential amendments as to the rates of contribution and otherwise ;

And whereas application has been made to the Ministry for the variation and amendment of the provisions of the Scheme ;

And whereas Insurance Unemployment Board is the body charged with the administration of the Scheme ;

Now therefore the Ministry, after consultation with Insurance Unemployment Board, by virtue of the powers conferred on it by the Sections aforesaid and all other powers enabling it in that behalf, hereby makes the following Order :—

1. The variations and amendments of the provisions of the Scheme contained in the Schedule hereto shall have effect and shall be deemed to have had effect as from the 26th day of July, 1934.

2. This Order may be cited as the Unemployment Insurance (Insurance Industry Special Scheme) (Variation and Amendment) Order (Northern Ireland), 1934, and this Order and the Unemployment Insurance (Insurance Industry Special Scheme) Orders (Northern Ireland), 1921 to 1931, may be cited together as the Unemployment Insurance (Insurance Industry Special Scheme) Orders (Northern Ireland), 1921 to 1934, and shall be construed as one.

Given under the Official Seal of the Ministry of Labour for Northern Ireland this 18th day of August, 1934.

(L.S.)

R. R. Bowman,
Assistant Secretary to the Ministry of
Labour for Northern Ireland.

SCHEDULE.

1. Clause 30 of the Scheme shall have effect as if after the word "who" there were inserted the words "has attained the age of sixteen years and."

2. Clause 33 of the Scheme shall have effect as if in sub-clause (1) thereof the following were substituted for the first proviso :—

"(i) if in any claim year a person proves that this condition is fulfilled in his case then, (unless it is subsequently established that he was erroneously treated as having proved that such condition was fulfilled), he shall be treated during the remainder of the claim year as though this condition continued to be fulfilled."

3. Clause 34 of the Scheme shall have effect as if at the end thereof there were inserted the following sub-clause :—

"(5) A person insured under the Scheme shall not be deemed to have failed to fulfil the condition specified in sub-clause (3) of Clause 33 of the Scheme by reason only that he is attending at an authorised course within the meaning of the Unemployment Insurance Act (Northern Ireland), 1934, or at a training course or course of instruction approved by the Board in his case."

4. Clause 40 of the Scheme shall have effect as if :—

(1) after the words "adopted children" there were inserted the words "Whether adopted under the Adoption of Children Act (Northern Ireland), 1929 or otherwise" and

(2) at the end of the Clause paragraph (b) were omitted and there were inserted :—

(b) between the ages of fourteen and sixteen years and is maintained wholly or mainly by the person entitled to benefit and is either—

(i) a person under full time instruction at a day school (which term shall not for this purpose include in relation to any

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person an authorised course within the meaning of the Unemployment Insurance Act (Northern Ireland), 1934; or a training course or course of instruction approved in his case by the Ministry or by the Board); or

(ii) a person who is unable to receive such instruction by reason of physical or mental infirmity; or

(c) between the ages of fourteen and sixteen years and is (within the meaning of sub-clause 3 of Clause 36 of the Scheme) continuously unemployed and is while unemployed maintained wholly or mainly by the person entitled to benefit and is (within the meaning of sub-clause 3 of Clause 33 of the Scheme) capable of and available for work and would not be subject to any of the disqualifications which would disqualify from receipt of benefit a person insured under the Scheme who had attained the age of sixteen years and who satisfied the benefit conditions under the Scheme, if he were such a person.

5. Clause 41 of the Scheme shall have effect as if at the end thereof there were inserted the words "and

(iii) where a dependant is partly maintained by each of two or more persons entitled to benefit, each of whom would be entitled to an increased rate of benefit in respect of that dependant if he were wholly or mainly maintaining him, then if the contributions made by those two or more persons towards the maintenance of that dependant amount in the aggregate to sums which would, if they had been contributed by any one of those persons, have been sufficient to satisfy the requirements of sub-clause (i) of this Clause, that dependant shall be deemed for the purpose of the Scheme to be wholly or mainly maintained by such of those persons as the Board may determine."

6. Clause 46 of the Scheme shall have effect as if in sub-clause (2) thereof for the words "paragraph (b) of sub-clause (1) of Clause 44" were substituted the words "paragraph (a) of sub-clause (1) of Clause 5 of the Schedule to the Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) (No. 2) Special Order (Northern Ireland), 1931.

7. The Schedule to the Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) (No. 2) Special Order (Northern Ireland), 1931, shall have effect as if—

(1) For Clause 3 thereof there were substituted the following Clause:—

"3—(1) A person insured under the Scheme who in a claim year has received benefit in respect of periods amounting in the aggregate to 156 days together with such number (if any) of additional days for which he may be qualified under the provisions of the next following sub-clause shall not be entitled to further benefit during that claim year nor until he has been employed in insurable employment in the Insurance Industry in each of ten weeks."

(2) The following provisions shall have effect in respect of additional days:—

(a) A person insured under the Scheme shall be qualified for additional days if at the beginning of the claim year five insurance industry years have elapsed since the beginning of the insurance industry year in which he first became employed as an insured person in the insurance industry, so however, that a person shall cease to be so qualified if at the beginning of any claim year five consecutive insurance industry years have elapsed during none of which he has been insurably employed, but upon his again being insurably employed he shall be treated for the purpose of this sub-clause as if he had then first become employed as an insured person in the insurance industry;

(b) No additional days shall be allowed to a person not qualified as aforesaid;

- (c) The number of additional days in any claim year allowed to a person qualified as aforesaid shall be computed by allowing to him three days for every five weeks in which he has been insurably employed during the five insurance industry years last preceding the beginning of the claim year in respect of which the computation of additional days is made less one day for every five days during the five insurance industry years aforesaid in respect of which benefit has been paid to him;
- (d) If in the case of a person insured under the Scheme it is proved by an Officer of the Board that during a claim year there were days in respect of which such person would (if he had claimed the same) have been entitled to benefit but that such person did not in fact claim benefit in respect of such days, then, for the purpose of determining whether such person is entitled to benefit during the next succeeding claim year without first establishing that he has been employed in insurable employment in the insurance industry in each of ten weeks, such person shall (subject as hereinafter provided) be deemed to have received benefit in respect of such days provided always that the provisions of this paragraph shall not apply unless there is reasonable cause to believe that the omission of such person to claim benefit was with intent to avoid the necessity of establishing such employment as aforesaid in each of ten weeks.
- (e) For the purpose of this sub-clause—
- (i) "Insurance Industry Year" means the period beginning on the twenty-seventh Monday in any calendar year and ending on the Sunday preceding the twenty-seventh Monday in the next calendar year.
- (ii) Fractions of a day shall be disregarded.
- (iii) When benefit has been paid by reference to a week, a full week's benefit shall be counted as a period of six days' benefit.
- (2) In sub-clause (2) of Clause 4 thereof the proviso to paragraph (d) were omitted.

8. If in a continuous period of unemployment which ended before the 26th July, 1934, a person insured under the Scheme exhausted his right to benefit under the Scheme then until such person shall have been or unless he has been subsequently employed in insurable employment in the insurance industry in each of ten weeks the continuous period of unemployment in which he so exhausted his benefit shall be deemed for all the purposes of the Scheme (including this Order) to be his last preceding claim year and he shall be debarred from benefit accordingly.

9.—(1) For the purpose of determining what period is after the 25th July, 1934, a claim year in regard to a person insured under the Scheme the following provisions shall apply, namely:—

- (a) A continuous period of unemployment which on the 26th July, 1934, has continued for less than twelve months from the beginning thereof and is current on the said 26th July, 1934, shall until twelve months have elapsed from the beginning of such period be deemed to be a claim year if and only if during the said continuous period of unemployment and prior to the 26th July, 1934, the insured person has proved that the claim conditions (as hereinafter defined) are fulfilled.
- (b) If no continuous period of unemployment is current on the 26th July, 1934, or if the continuous period of unemployment then current is not under the provisions of the last preceding paragraph deemed to be a claim year the first claim year of the insured person shall be the period of twelve months commencing on the first date after the 25th July, 1934, on which on an application for benefit the insured person proves that the claim conditions are fulfilled.

- (c) Subsequent claim years shall be the periods of twelve months commencing on the respective dates on which on an application for benefit the insured person first proves that the claim conditions are fulfilled, after the termination of each last preceding claim year.

(2) If it is found that an insured person has been wrongly treated as having begun his claim year on a particular date by reason of his having been wrongly treated as having proved that the claim conditions are fulfilled, his claim year shall nevertheless be deemed to have begun on that date, but he shall not be entitled to benefit during the remainder of that year until he proves that the claim conditions are fulfilled.

(3) In this clause the expression "the claim conditions" means—

- (a) the first condition for the receipt of benefit under the scheme ; and
- (b) In the case of a person insured under the Scheme who has exhausted his right to benefit in the last preceding continuous period of unemployment prior to the 26th July, 1934, or in the last preceding claim year as the case may be, the further condition that he shall have been employed in insurable employment in the insurance industry in each of ten weeks.
- (4) When under the provisions of paragraph (a) of sub-clause (1) of this Clause a continuous period of unemployment current on the 26th July, 1934, is deemed to be a claim year, the insured person—
- (a) shall (unless it is subsequently established that he was erroneously treated as having proved that such condition was fulfilled) be treated throughout the remainder of that claim year as if the first condition for receipt of benefit under the Scheme continued to be fulfilled in his case ; and
- (b) shall not be deemed to have exhausted his benefit rights in that year on the ground that he has exhausted such rights under Clause 3 of the Schedule to the Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) (No. 2) Special Order (Northern Ireland), 1931, unless he has also exhausted such rights under the Clause substituted for that Clause by Clause 7 of this Order.

Joint Maintenance of Dependants.

THE UNEMPLOYMENT INSURANCE (JOINT MAINTENANCE OF DEPENDANTS) REGULATIONS (NORTHERN IRELAND), 1934, DATED 1ST AUGUST, 1934, MADE BY THE MINISTRY OF LABOUR FOR NORTHERN IRELAND UNDER THE UNEMPLOYMENT INSURANCE ACT, 1920 (10 & 11 GEO. 5, CH. 30), THE UNEMPLOYMENT INSURANCE (AMENDMENT) ACT (NORTHERN IRELAND), 1930 (20 GEO. 5, CH. 22), AS EXTENDED BY THE UNEMPLOYMENT INSURANCE ACT (NORTHERN IRELAND), 1934 (24 & 25 GEO. 5, CH. 2).

1934. No. 63.

The Ministry of Labour for Northern Ireland (hereinafter referred to as "the Ministry") by virtue of the powers conferred on it by Section 35 of the Unemployment Insurance Act, 1920, and by Section 2 of the Unemployment Insurance (Amendment) Act (Northern Ireland), 1930, as extended by the Unemployment