

(3) The date as from which the Act is to have effect subject to the provisions of Part III of the Third Schedule set out in subparagraph (b) of paragraph 2 of the statutory order applied as aforesaid, is the 6th day of July, 1942.

Short Title.

3.—(1) This Order may be cited as the Unemployment Insurance (Increase of Benefits and Reduction in Contributions) (Agriculture) Order (Northern Ireland), 1939.

(2) The Interpretation Act, 1921, applies to the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

GIVEN at Government House, Hillsborough, this thirtieth day of March, 1939:

Craigavon.
John M. Andrews.
J. Milne Barbour
Basil Brooke.
John F. Gordon

Emergency Powers.

REGULATIONS, DATED 29TH SEPTEMBER, 1939, MADE BY THE MINISTRY OF LABOUR UNDER THE UNEMPLOYMENT INSURANCE (EMERGENCY POWERS) ACT (NORTHERN IRELAND), 1939.

1939. No. 142.

The Ministry of Labour for Northern Ireland, by virtue of the powers conferred on it by the Unemployment Insurance (Emergency Powers) Act (Northern Ireland), 1939, and of all other powers in that behalf, with the approval of the Ministry of Finance for Northern Ireland, hereby makes the following Regulations :—

Short Title and commencement.

1.—(1) These Regulations may be cited as the Unemployment Insurance (Emergency Powers) Regulations (Northern Ireland), 1939, and shall come into force on the date hereof.

(2) The Interpretation Act, 1921, applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby attached to them, that is to say :—

“ the Act ” means the Unemployment Insurance Act (Northern Ireland), 1936, as amended by any order or subsequent enactments ;

“ the Ministry ” means the Ministry of Labour for Northern Ireland.

3.—Any certificate given by the Ministry under paragraph (b) of sub-section (1) of section 3 of and Part III of the First Schedule to the Act before the date of these Regulations shall, to the extent that it relates to persons already identified thereunder, if the conditions on which it was given remain unchanged, continue in force until determined by the Ministry notwithstanding anything therein to the contrary. Save as aforesaid the power of the Ministry to give certificates under the said provisions and of the holder of any existing certificate to identify persons thereunder shall not be exercised during the operation of these Regulations. Excepted Employment.

4.—During the operation of these Regulations no certificate shall be granted to any person under section 5 of the Act (which relates to excluded persons) exempting him from liability to become or continue to be insured under that Act otherwise than by way of renewal of a certificate in force at the date of the coming into force of these Regulations. Excluded Persons

5.—If during the operation of these Regulations an employer is unable to obtain unemployment insurance stamps for the purpose of the payment of contributions under the Act, due in respect of any employed person employed by him the following provisions shall apply :— Recovery by employer of contributions paid on behalf of employed person

For the purposes of section 10 of the Act (which relates to the recovery by employer of contributions paid on behalf of employed person) the employer shall be treated as if he had paid such contributions and the provisions of the said section 10 shall apply accordingly if and only if

- (1) the employer has reported to an Employment Exchange his inability to obtain unemployment insurance stamps; and
- (2) he has obtained permission to make the deductions referred to in the said section 10; and
- (3) he keeps such records as will enable the amount due from him in respect of contributions to be ascertained.

6.—During the operation of these Regulations—

- (a) no application under the provisions of section 14 of the Act (which relate to the return of contributions erroneously paid) and the Regulations made thereunder shall be entertained; and
- (b) no return of contributions shall be made under the said provisions. Return of contributions erroneously paid

Right to
benefit and
periods in
respect of
which it is
payable

7.—(1) Subject to the provisions of these Regulations and notwithstanding the provisions of section 32 of the Act (which relate to the right to and the period of benefit) an insured contributor who has attained the age of sixteen years and is unemployed shall, if he proves that the statutory conditions for the receipt of benefit other than agricultural benefit are fulfilled in his case and if he is not disqualified under the Act for the receipt of benefit, be entitled, during the operation of these Regulations and subject to the provisions of the Act, to receive in a benefit year benefit in respect of periods not exceeding in the aggregate one hundred and eighty days :

Provided that such an insured contributor in whose case a benefit year was current on the date of the coming into force of these Regulations—

(a) shall be entitled to receive in that benefit year benefit calculated under the provisions of the said section 32 if on the said date a certificate has been given that the periods so calculated exceed in the aggregate one hundred and eighty days ; and

(b) shall not be entitled in that benefit year to benefit under this Regulation if on the said date he had exhausted in that benefit year his benefit rights under the said section 32.

(2) During the operation of these Regulations section 33 of the Act shall have effect as if in paragraph (a) of sub-section (1) thereof the words " and where that condition is fulfilled only as modified in its application to agricultural benefit that there are at least ten agricultural contributions standing to his credit " were omitted, and notwithstanding the provisions of sections 91 and 92 of the Act (which relate to the rights to and the period of agricultural benefit), an agricultural contributor who has attained the age of sixteen years and is unemployed shall, if he proves that the statutory conditions for the receipt of agricultural benefit are fulfilled in his case and if he is not disqualified under the Act for the receipt of agricultural benefit, be entitled subject to the provisions of the Act to receive in a benefit year agricultural benefit in respect of periods not exceeding in the aggregate ninety days :

Provided that such an agricultural contributor in whose case a benefit year was current on the date of the coming into force of these Regulations—

(a) shall be entitled to receive in that benefit year agricultural benefit calculated under the provisions of the said sections 91 and 92 if on the said date a certificate has been given that the periods so calculated exceed in the aggregate ninety days ; and

(b) shall not be entitled in that benefit year to agricultural benefit under this Regulation if on the said date he had exhausted in that benefit year his benefit rights under the said sections 91 and 92.

8.—(1) An insured contributor shall not be deemed to have failed to fulfil the third statutory condition by reason only that he is engaged in an occupation which has for its object the provision of accommodation whether with or without board for persons removed from their homes by reason of an approved evacuation scheme or in the rendering of any services in connection with such an occupation.

Provision of accommodation for refugees

(2) For the purposes of the provisions of sub-section (5) of section 36 of the Act (which provides that except in certain cases an insured contributor shall not be deemed to be unemployed on any day on which he is following any occupation from which he derives any remuneration or profit) any occupation which has for its object the provision of accommodation whether with or without board for persons removed from their homes by reason of an approved evacuation scheme or the rendering of any services in connection with such an occupation shall not be deemed to be an occupation from which an insured contributor derives any remuneration or profit.

(3) For the purpose of paragraph (c) of sub-section (2) of section 39 of the Act (which provides that no increase or benefit shall be payable in respect of a wife or other female who is engaged in any occupation ordinarily carried on for profit) such an occupation shall be deemed not to include the provision of accommodation whether with or without board for persons removed from their homes by reason of an approved evacuation scheme or the rendering of any services in connection therewith.

(4) In this Regulation the expression "approved evacuation scheme" means a scheme or plan prepared or approved by His Majesty's Government for the transference of members of the civil population from one area to another in the event of war or the imminence of war.

9.—(1) Where an insured contributor entitled to benefit has living with him any child of his who satisfies the provisions of paragraphs (a), (b) or (c) of sub-section (2) of section 38 of the Act other than the provisions as to being maintained wholly or mainly by him, the weekly rate of benefit shall be increased in respect of each such child as provided by that section: provided that no other insured contributor shall be entitled to an increase in the weekly rate of benefit in respect of that child during any period when an increase in the rate of benefit has been granted under this Regulation.

Increase of benefit in respect of dependent children

(2) The adaptations of the statutory conditions contained in sub-section (3) of the said section 38 shall apply for the purposes of this Regulation.

(3) For the purposes of this Regulation the expressions " child " and " day school " have the same meanings respectively as in paragraphs (a) and (d) of sub-section (4) of the said section 38.

(4) This Regulation shall only apply in the case of an insured contributor who is—

(a) a male; or

(b) a widow; or

(c) a female who is not living with the father of the child.

Determination
of questions

10.—During the operation of these Regulations notwithstanding the provisions of sections 44 and 46 of the Act (which relate to the determination of claims and questions) an Insurance Officer shall have power to disallow any claim for benefit and to decide any question whether a claimant is liable to have deductions made under any of the provisions of the Act from any benefit to which he is or may become entitled.

Benefit and
Unemploy-
ment Allow-
ances

11.—During the operation of these Regulations section 55 of the Act (which relates to benefit and outdoor relief or unemployment allowances) shall have effect in any case where an allowance has been granted by the Unemployment Assistance Board under the Unemployment Assistance Act (Northern Ireland), 1934, as extended by the Unemployment Assistance (Emergency Powers) Act (Northern Ireland), 1939, as if the sum by which the benefit or increase of benefit allowed to a person may be treated as reduced were a sum not exceeding such an amount as may be estimated by the Ministry instead of such an amount as the Board certifies.

Special
Schemes

12.—(1) Notwithstanding the provisions of section 77 of the Act or of any Regulations made thereunder or of any Special Scheme where a person has at any time passed or at any time passes from the general provisions of the Act (hereafter in this Regulation referred to as " the General Scheme ") to the provisions of a Special Scheme or from the provisions of a Special Scheme to the provisions of the General Scheme or from one Special Scheme to another Special Scheme the Scheme under which that person shall be entitled to have his claim for benefit determined shall during the operation of these Regulations be such Scheme as shall be determined by the Ministry.

(2) Where during the operation of these Regulations payments have been made to any persons by way of benefit under a Special Scheme without due proof of the fulfilment of any one or more of

the conditions for the receipt of such benefit or otherwise than in accordance with the provisions of the Scheme, the payments so made shall for the purposes of the Scheme be deemed to be payments of benefit duly made thereunder, but without prejudice to any provisions of the Scheme relating to the recovery of benefit improperly received.

(3) The Ministry shall at such time or times as it may determine after consultation with the body charged with the administration of a Special Scheme make such financial adjustment as appears to it (after consultation with the Ministry of Finance) to be necessary as between the Unemployment Fund and the fund constituted under the Scheme.

(4) Notwithstanding the provisions of sections 76 and 77 of the Act (which relate to supplementary and special schemes) the Ministry may, during the operation of these Regulations and on the application of the body charged with the administration of any supplementary or special scheme, by order vary or amend any of the provisions of that Scheme.

13.—Notwithstanding the provisions of section 79 of the Act (which relate to crediting of contributions to persons receiving whole-time education) and the Regulations made thereunder, no person shall be entitled to be credited with contributions thereunder during the operation of these Regulations, without prejudice to the validity of any contributions already credited before the date on which these Regulations came into force.

Crediting of contributions

14.—The obligation imposed upon education authorities under section 80 of the Act (which relates to the provision of courses of instruction by education authorities) shall cease to apply during the operation of these Regulations and the Ministry may make arrangements with education authorities for the determination of any course of instruction in existence at the date of these Regulations.

Provision of courses of instruction by education authorities

15.—During the operation of these Regulations the provisions of section 103 of the Act (which relates to the representation of deceased or insane contributors) shall have effect as though any sums payable out of the Unemployment Fund included any sums that would have been so payable if a claim in respect of them had been duly made, and Part V of the Unemployment Insurance (Benefit) Regulations (Northern Ireland), 1937, shall be construed accordingly.

Representation of deceased or insane contributors

16.—The provisions of section 93 of the Act (which relate to regulations as to yearly and half-yearly hirings) and the Regulations made thereunder shall not apply during the operation of these Regulations.

Yearly and half-yearly hirings

Emergency
allowances
and benefit

17.—Where payments have been made to any person (not being a person in receipt of benefit) by way of allowances under the Unemployment Assistance Act (Northern Ireland), 1934, as extended by the Unemployment Assistance (Emergency Powers) Act (Northern Ireland), 1939, under arrangements made or approved by virtue of section 2 of the last named Act, then such person shall not be entitled to receive benefit in respect of any day of unemployment occurring within the period which has been taken into account for the purposes of such payments.

Sealed with the Official Seal of the Ministry of Labour for Northern Ireland this 29th day of September, nineteen hundred and thirty-nine, in the presence of

(L.S.)

William Allen,

Assistant Secretary to the Ministry of Labour
for Northern Ireland.

The Ministry of Finance for Northern Ireland hereby consents to these Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 29th day of September, nineteen hundred and thirty-nine, in the presence of

(L.S.)

H. Ashton,

Assistant Secretary to the Ministry of Finance
for Northern Ireland.

Employment Outside the United Kingdom.

REGULATIONS, DATED 2ND JANUARY, 1939, MADE BY THE MINISTRY OF LABOUR FOR NORTHERN IRELAND UNDER THE UNEMPLOYMENT INSURANCE ACT (NORTHERN IRELAND), 1936.

1939. No. 7.

The Ministry of Labour for Northern Ireland, in exercise of the powers conferred on it by section 3 of the Unemployment Insurance Act (Northern Ireland), 1936, and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Unemployment Insurance (Employment Outside the United Kingdom) Regulations (Northern Ireland), 1939, and shall come into force on the date hereof.

(2) The Interpretation Act, 1921, applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.