Insurance Industry (Special Scheme).

THE UNEMPLOYMENT INSURANCE (INSURANCE INDUSTRY SPECIAL SCHEME) (VARIATION AND AMENDMENT) SPECIAL ORDER (NORTHERN IRELAND), 1928, DATED MAY 31, 1928, MADE BY THE MINISTRY OF LABOUR FOR NORTHERN IRELAND UNDER THE UNEMPLOYMENT INSURANCE ACT, 1920 (10 & 11 GEO. 5, C. 30).

1928. No. 123.

WHEREAS the Minister of Labour of the United Kingdom by the Unemployment Insurance (Insurance Industry Special Scheme) Order, 1921, approved for the purposes of Section 18 of the Unemployment Insurance Act, 1920, a Special Scheme for the Insurance Industry.

And Whereas by the Government of Ireland (Adaptation of Unemployment Insurance Acts) Order, 1922, the Scheme was continued in force in Northern Ireland as from the first day of January, 1922.

And Whereas the Ministry of Labour for Northern Ireland has by the Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) Orders (Northern Ireland), 1922 and 1923, the Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) Orders (No. 2) and (No. 3) (Northern Ireland), 1923, the Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) Special Order (Northern Ireland), 1923, the Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) Special Order (Northern Ireland) (No. 2), 1923, and the Unemployment Insurance (Insurance Industry Special Scheme) (Variation and Amendment) Special Order (Northern Ireland), 1926 (in this Order referred to collectively as the previous Amending Orders), varied and amended the said special scheme, which so varied and amended is hereinafter referred to as " the Scheme."

And Whereas application has been made to the Ministry of Labour for Northern Ireland for the further variation and amendment of the provisions of the Scheme.

Now, therefore, the said Ministry by virtue of the powers conferred on it by the said Section 18 and of all other powers enabling it in that behalf, hereby makes the following Special Order :—

1. The variations and amendments of the provisions of the Scheme contained in the First Schedule to this Order shall be deemed to have had effect as from the 13th December, 1926, save where some other date is expressly mentioned as the date from which any provision is to have effect and in the Second Schedule as from the 19th April, 1928.

2. The Interpretation Act, 1921, shall apply in the construction of this Order in like manner as it applies in the construction of Acts of Parliament.

3. This Order may be cited as the Unemployment Insurance (Insurance Industry Special Scheme) (Variation and Amendment) Special Order (Northern Ireland), 1928. And this Order, the Unemployment Insurance (Insurance Industry Special Scheme) Order, 1921, and the Previous Amending Orders may be cited together as the Unemployment Insurance (Insurance Industry Special Scheme) Orders (Northern Ireland), 1921 to 1928, and shall be construed as one.

Given under the Official Seal of the Minister of Labour for Northern Ireland, this 31st day of May, nineteen hundred and twenty-eight.

(Signed) *H. Conacher,*
(L.S.) Secretary to the Ministry of Labour for Northern Ireland.

This Order having lain before both Houses of Parliament for 10 *days in accordance with Section* 4 (1) *of the Rules Publication Act (Northern Ireland),* 1925, *duly came into force.*

FIRST SCHEDULE.

1. Clause 2 of the Scheme shall have effect as though :—
After the words " Special Order, 1923," there were inserted the words " as varied and amended by the provisions of paragraph 5 of the Schedule to the Unemployment Insurance (Insurance Industry Special Scheme) (Variation and Amendment) Special Order, 1926."

2. Clause 12 of the Scheme shall have effect as though :—

In paragraph (4) of Part II. Rules after the word " contributions " there were inserted the words " shall as from the 2nd January, 1928, be payable in respect of an insured person who is of the age of sixty-five or upwards and as from the 2nd January, 1928, in respect of a person who but for the provisions of paragraph (*a*) of Sub-section (7) of Section 15 of the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925, would be an insured person but " and at the end of the said paragraph there were added the words " nor in respect of any blind person who is in receipt of a pension under those Acts as extended by Section 1 of the Blind Persons' Act, 1920."

3. Clause 13 Part I. A (Rates of Benefit) of the Benefit Table forming part of the Scheme shall have effect as though :—

(i) There were inserted the words " any such period of " after the words " the first three days of."

(ii) At the end of sub-paragraph (v), paragraph (A), of the Supplementary Rules the word " who " were deleted and the words " under those Acts as extended by Section 1 of the Blind Persons Act, 1920, or " were added.

(iii) The following sub-paragraph were inserted after sub-paragraph (v) of paragraph (A) of the Supplementary Rules :—

" (vi) in receipt of an old age pension under the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925, or who."

(iv) The sub-paragraph figure (vi) were deleted and the sub-paragraph figure (vii) were substituted therefor.

(v) In sub-paragraph (ii), paragraph (E), of the Supplementary Rules there were inserted after the words " the remuneration," wherever they occur, the words " or profit " and after the words " is payable " the words " or is earned."

(vi) Paragraph (F) of the Supplementary Rules were deleted and there were substituted therefor the following paragraph :—

" (F) A person who, at any time during any continuous period of unemployment, is under the age of 18 shall be deemed for the purpose of determining the rate at which he is to receive benefit to be under that age until he has been again employed for a continuous period of 13 weeks."

(vii) The following paragraphs were inserted at the end of the Supplementary Rules :—

" (J) In any case in which an authority has granted outdoor relief to a person not in receipt of benefit in excess of the amount which would have been granted, if that person had been in receipt of benefit, the Board may, if a claim by that person for benefit in respect of any part of the period during which relief has been so granted is subsequently allowed, treat the benefit allowed in respect of that person as reduced for the purposes of this paragraph by an amount not exceeding such an amount as the authority certifies to have been so paid in excess in respect of the period for which the benefit was allowed, and the Board may pay to that authority the amount by which the benefit is treated as having been reduced as aforesaid, so, however, that the total charge on the Insurance Fund shall not be greater than the amount of the benefit allowed.

(K) As from the 2nd January, 1928, benefit shall not be payable in the case of an insured person who has attained or on his attaining the age of sixty-five nor in the case of a person who by virtue of the provisions of paragraph (*a*) of Sub-section (7) of Section 15 of the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925, is to be treated as if he were a person who had attained that age."

4. Clause 13, Part I. B (Duration of Benefit) shall have effect as though :—

(i) Paragraph 1 were deleted and there were substituted therefor the following paragraph :—

" 1. Up to and including the 18th April, 1928, benefit shall be paid at the standard rates during periods of unemployment which in the aggregate do not exceed one-sixth of the period or the aggregate of the periods subsequent to the 8th November, 1920, during which the insured person has been employed in the Insurance Industry provided that :—

(*a*) Such benefit shall not be paid for more than twenty-six weeks during any continuous period of unemployment.

(*b*) Any period of employment in the Insurance Industry separated by a period of more than 5 years from the next succeeding period of employment in the Insurance Industry shall not be taken into account in ascertaining the aggregate of the periods subsequent to the 8th November, 1920, during which the insured person has been employed in the Insurance Industry.

(*c*) A period of unemployment shall not be deemed to commence until the insured person has made application for benefit in the prescribed manner but the Board may where good cause is shown allow some earlier date to be substituted for the date of application.

(*d*) Any period subsequent to the seventeenth day of October, 1923 (but not any earlier period), during which any benefit has been received under the provisions of the Scheme as varied and amended by the provisions of the amending Schedules shall be treated as a period during which benefit has been received under the Scheme.

As from the 19th April, 1928, benefit shall be paid at the standard rate during any continuous period of unemployment not exceeding eighty-four weeks and falling within a period of two years calculated from the date of the application in the prescribed manner for benefit in respect of such continuous period of unemployment provided that :—

(*a*) A period of unemployment shall not be deemed to commence until the insured person has made application for benefit in the prescribed manner but the Board may where good cause is shown allow some earlier date to be substituted for the date of application.

(*b*) The 19th April, 1928, shall be substituted for the date of the application for benefit in the prescribed manner in all cases where such application was made before the 19th April, 1928."

(ii) In paragraph 2 the words "not exceeding one-half thereof" were deleted.

5. Clause 13, Part II. (Conditions for the Receipt of Benefit) shall have effect as though :—

(*a*) In paragraph (1) the words "since the 8th November, 1920," were deleted and the words "during the period of three years immediately preceding the date of his application for benefit in the prescribed manner" were substituted therefor, and the word "thirteen" were deleted and the word "thirty" were substituted therefor, and at the end of the said paragraph there were added the words "provided that during the period up to and including the 18th April, 1928, if and so far as may be necessary in order to place any insured person in a position not less favourable than that of a person insured under the General Provisions of the Act as amended by any subsequent enactment such insured person shall be entitled to receive benefit notwithstanding that this condition may not have been fulfilled in his case."

(*b*) In paragraph (2) the words "but unable to obtain suitable employment" were deleted and the words "employment but (*d*) unable to obtain suitable employment" were substituted therefor.

(*c*) There were added at the end of paragraph (10) the words "or under those Acts as extended by Section 1 of the Blind Persons Act, 1920, or of an Old Age Pension under the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1925."

(*d*) The following paragraph were added at the end thereof :—

"(11) He must not in respect of the period during which he claims benefit be in receipt of wages or any payment by way of compensation for the loss of and substantially equivalent to the remuneration which he would have received if his employment had not terminated."

6. The First Schedule to Part II shall have effect as though :—

(i) In paragraph 2 there were inserted the words "(which may be exercised and performed notwithstanding any vacancy in the membership of the Board)" after the words "duties of the Board."

(ii) Sub-paragraphs (*a*) to (*g*) inclusive of paragraph 2 were deleted, and the following sub-paragraphs were substituted therefor :—

(*a*) to control and administer the affairs of the Scheme ;
(*b*) to make provision for the working expenses of the Scheme ;
(*c*) To sell and dispose of any real and personal property vested in the Board ;
(*d*) to make standing orders governing the conduct of their business ;
(*e*) to keep proper records of their proceedings ;
(*f*) to appoint such officers, inspectors and servants as may be necessary to carry out the provisions of the Scheme, to determine their duties and fix their remuneration ;
(*g*) to establish and carry into effect a scheme for the superannuation of the officers and servants of the Board ;
(*h*) to appoint such Committees consisting of members of their own body as they may consider desirable and to delegate to such Committees any powers and duties they may think fit ;

(*j*) subject to the approval of the Ministry to make rules for any of the purposes for which rules may be made under the Scheme for prescribing anything which is to be prescribed thereunder and generally for carrying the Scheme into effect.

(iii) The following paragraph were inserted after paragraph 2 :—

" 3. Anything required or authorised under the Scheme to be done by, to, or before the Board may be done by, to, or before the Secretary of the Board or other person in that behalf authorised by the Board."

(iv) There were substituted respectively for the paragraph figures :— 3, 4, 5, 6, 7, and 8 the paragraph figures, 4, 5, 6, 7, 8 and 9.

SECOND SCHEDULE.

A. Clause 13, Part I. A (Rates of Benefit) of the Benefit Table forming part of the Scheme shall have effect as though :—

(i) The words " as from the fourteenth day of August, 1924 " were omitted wherever they occur.

(ii) the following sub-paragraph were substituted for sub-paragraph (*b*) :—

" (*b*) a man not otherwise qualified to receive benefit at the higher rate who has residing with him and is wholly or mainly maintaining a female person who has the care of his dependent children."

(iii) Sub-paragraph (*c*) were omitted.

(iv) In sub-paragraphs (*d*) and (*g*) where the words " widowed mother " occur there were substituted for such words the words " mother or widowed step-mother."

(v) In sub-paragraph (*d*) the words " widower or an unmarried " were omitted.

(vi) The following sub-paragraph were substituted for sub-paragraph (*f*) :—

" (*f*) a woman not otherwise qualified to receive benefit at the higher rate who has residing with her and is wholly or mainly maintaining a female person who has the care of her dependent children."

(vii) In sub-paragraph (*g*) the words " widow or unmarried " were omitted.

(viii) The words " twenty-three shillings " were substituted for the words " twenty-one shillings."

(ix) The following provisions were inserted immediately before the Supplementary Rules :—

In the case of any person under the age of twenty-one years whose normal rate of weekly earnings is less than the rate of benefit applicable to him under the foregoing provisions . . . such rate not being less than his normal rate of weekly earnings or less than the rate which would be applicable to him if he were insured under the General Provisions of the Act and not being greater than the rate applicable under the foregoing provisions as the Board may direct in his case.

(x) In sub-paragraph (E) of the Supplementary Rules the words " could ordinarily have " were substituted for the words " has ordinarily."

(xi) In sub-paragraph (H) of the Supplementary Rules the word " ten " were substituted for the word " thirteen."

B. Clause 13. Part II. (Conditions for the Receipt of Benefit) of the said Benefit Table shall have effect as though :—

(*a*) The following paragraph were substituted for paragraph (1) :—

" (1) He must during the period of three years immediately preceding the date of his application for benefit in the prescribed manner or the 19th April, 1928, if application was made before that date, have been employed in the Insurance Industry in each of thirty weeks provided that :—

(i) On each of the dates on which the period of six weeks after such application or after the 19th April, 1928, as the case may be and every successive period of six weeks comprised in the same continuous period of unemployment ends, the question whether this condition continues to be fulfilled shall be reviewed, and if on any such date or at any time during any such period of six weeks it is determined that this condition is fulfilled in the case of any insured person this condition shall be deemed to continue to be fulfilled in the case of that person until the beginning of the next successive period of six weeks.

(ii) The Board shall have power to substitute either generally or in any particular case for the period of three years mentioned in this condition such longer period as the Board may direct.

(iii) If an insured person proves in the prescribed manner that he was during any periods falling within the said period of three years incapacitated for work by reason of some specific disease or by bodily or mental disablement this condition shall have effect as if for the said period of three years there were substituted a period of three years increased by the said periods of incapacity but so that such substituted period shall not in any case exceed four years.

(iv) If an insured person who is or has at any time during the said period of three years been in receipt of a pension paid out of moneys provided by the Parliament of the United Kingdom in respect of a disability contracted by him during the late War proves that non-fulfilment in his case of this condition is due to that disability he shall be treated for all the purposes of this Scheme as if he had proved that this condition was fulfilled in his case."

(*b*) The following Transitional Provisions were inserted at the end of paragraph 1 as substituted :—

TRANSITIONAL PROVISIONS.

(1) In the case of a person who immediately before the 19th April, 1928, satisfied the requirements for the receipt of benefit laid down by the Scheme, benefit may, during such period as may be necessary for the examination of the qualifications of that person for the receipt of benefit under the Scheme, but not in any case after the expiration of six months from the 19th April, 1928, be paid to him in accordance with the provisions of the Scheme in force on the 18th April, 1928.

(2) If at any time within twelve months after the 19th April, 1928, an insured person who has attained the age of eighteen years but in whose case the first of the conditions for the receipt of benefit is not fulfilled makes an application for benefit and in addition to proving that the said conditions (other than the first such condition) are fulfilled in his case, also proves—

(*a*) that during the period of two years immediately preceding the date of the application for benefit, he has been employed in the Insurance Industry in each of eight weeks or that at any time he has been so employed in each of thirty weeks ; and

(*b*) that he is normally employed in such employment as would make him an insured person under the Scheme or an employed person within the meaning of the General Provisions of the Act (in this paragraph referred to as "insurable employment"), and that he will normally seek to obtain his livelihood by means of insurable employment ; and

(*c*) that he has, during the two years immediately preceding the date of the application for benefit been employed in an insurable employment to such an extent as was reasonable, having regard to all the circumstances of the case and in particular to the opportunities for obtaining insurable employment during that period,

he shall, notwithstanding that the first of the said conditions is not fulfilled in his case be treated for all the purposes of the Scheme as if he had proved that that condition was fulfilled in his case, and shall continue to be so treated throughout a period of two years after the 19th April, 1928, and references in the third

and fourth provisos to paragraph (1) of the conditions for the receipt of Benefit to the condition therein specified shall be deemed to include a reference to the conditions contained in sub-paragraphs (*a*), (*b*) and (*c*) of this paragraph.

Provided that sub-paragraph (*a*) of this paragraph shall not apply in the case of a person who is, or has at any time during the two years immediately preceding the date of the application for benefit been in receipt of a pension paid out of moneys provided by the Parliament of the United Kingdom in respect of a disability contracted during the late War, if he proves that the non-fulfilment in his case of the condition contained in the said sub-paragraph (*a*) was due to that disability.

Provided further that paragraph (2) of this clause shall apply in the case of an insured person who has not attained the age of eighteen years if the Board so direct in his case.

In the case of any person formerly engaged in war service, the undergoing of training for an insurable employment shall, where the cost of the training is defrayed out of funds administered by the Minister of Labour for Great Britain or by the Minister of Pensions, be treated for the purposes of sub-paragraph (*c*) of this paragraph as employment in insurable employment.

In the foregoing provisions, the expression " person formerly engaged in war service " has the same meaning as in the Unemployment Insurance Act (Northern Ireland), 1922.

Insurance Year.

THE UNEMPLOYMENT INSURANCE (INSURANCE YEAR) REGULATIONS (NORTHERN IRELAND), 1928, DATED JUNE 15TH, 1928, MADE BY THE MINISTRY OF LABOUR FOR NORTHERN IRELAND UNDER THE UNEMPLOYMENT INSURANCE ACT, 1920 (10 AND 11 GEO. 5, c. 30).

1928. No. 73.

The Ministry of Labour for Northern Ireland by virtue of the powers conferred on it by Sections 35 and 47 of the Unemployment Insurance Act, 1920, as adapted to Northern Ireland by the Government of Ireland (Adaptation of Unemployment Insurance Acts) Order, 1922, and of all other powers enabling it in that behalf hereby makes the following regulations :—

1. The period commencing on the second day of July, 1928, (being the day next after the last day of the preceding Insurance Year) and ending on the seventh day of July, 1929, shall be an Insurance Year.

2. These Regulations may be cited as the Unemployment Insurance (Insurance Year) Regulations (Northern Ireland), 1928, and shall come into force on the date hereof.

Given under the Official Seal of the Ministry of Labour for Northern Ireland this fifteenth day of June, 1928.

(Signed) *J. S. Godden*,
(L.S.) Assistant Secretary to the Ministry of Labour for Northern Ireland.