powers conferred on me by Section 57 of the Unemployment Act (Northern Ireland), 1934, and of all other powers in that behalf, and with the consent of the Ministry of Finance, hereby make the following Order :—

1. For the purposes of the Unemployment Act (Northern Ireland), 1934, "the first appointed day" shall be the seventh day of January, 1935, and "the second appointed day" shall be the first day of March, 1935.

2. This Order may be cited as the Unemployment Act (Northern Ireland), 1934, (Appointed Days) Order (Northern Ireland), 1934.

Given under My Hand at Stormont this 31st day of December, 1934.

John M. Andrews,
Minister of Labour for Northern Ireland.

The Ministry of Finance hereby consents to the foregoing Order.

Given under the Official Seal of the Ministry of Finance this 31st day of December, 1934.

(L.S.) *G. C. Duggan,*
Assistant Secretary to the Ministry of Finance.

UNEMPLOYMENT ASSISTANCE.

Determination of Need.

THE UNEMPLOYMENT ASSISTANCE (DETERMINATION OF NEED AND ASSESSMENT OF NEEDS) REGULATIONS (NORTHERN IRELAND), 1934, MADE BY THE MINISTRY OF LABOUR FOR NORTHERN IRELAND UNDER THE UNEMPLOYMENT ASSISTANCE ACT (NORTHERN IRELAND), 1934 (24 AND 25 GEO. 5, CH. 12).

1934. No. 125.

The Ministry of Labour for Northern Ireland by virtue of the powers conferred on it by Sections 33 and 46 of the Unemployment Assistance Act (Northern Ireland), 1934, and of all other powers enabling it in that behalf, hereby makes the following Regulations :—

Short title and commencement.

I. These Regulations may be cited as the Unemployment Assistance (Determination of Need and Assessment of Needs) Regulations (Northern Ireland), 1934, and shall come into force on the seventh day of January, 1935.

Interpretation.

II.—1. In these Regulations unless the context otherwise requires, the following expressions have the meanings respectively assigned to them, that is to say :—

"Act" means the Unemployment Assistance Act (Northern Ireland), 1934.

"Applicant" means a person applying for an allowance under the Act.

"Earnings" includes net profits derived from the carrying on of any trade or calling and in relation to an employee means the net salary or wages less the employee's share of contributions payable under the National Health Insurance Acts (Northern Ireland), the Widows', Orphans' and Old Age Contributory Pensions Acts (Northern Ireland) and the Unemployment Insurance Acts (Northern Ireland), and any other sums the deduction of which is authorised by Statute.

"Proceeds of subletting" means the total amount received for each week from persons to whom accommodation (without board) is provided less a reasonable allowance for wear and tear and for lighting and any other common services.

"Outgoings" includes rates, a reasonable allowance towards any necessary expenditure on repairs or insurance and such portion of any sum payable in respect of a mortgage debt charged on the house in which the household resides (or on any interest therein) as is for the time being attributable to interest.

"Rent" means the weekly proportion of rent (excluding arrears of rent) and outgoings ; or, where no rent as such is payable, the weekly proportion of outgoings.

"Net Rent" means the amount actually paid by way of rent less the amount of any proceeds of subletting.

"Provisional assessment" means a sum calculated in the manner provided by Regulation IV.

"Available resources" means a sum calculated in the manner provided by Regulation V.

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

Determination of Need.

III. The need of an applicant shall be determined by reference to the amount at which his needs would be assessed under these Regulations if he had no resources, and to the amount of his available resources (such resources being computed in the manner hereinafter provided), but an applicant shall not be deemed to be or not to be in need of an allowance (as the case may be) by reason only of the fact that his available resources are less or greater than the amount at which his needs would be so assessed unless the amount by which they are so less or greater is substantial when considered in relation to all the circumstances of the case.

Calculation of provisional assessment of needs.

IV. A provisional assessment of the needs of an applicant, in which shall be included the needs of any members of the household of which he is a member who are dependent on or ordinarily supported by him (not being persons in whose case the qualifications set out in sub-section (1) of section thirty-one of the Act are fulfilled) shall be made on the basis of a week as follows :—

1. There shall be ascertained the total amount provided by the following scale for the applicant and the other members of the household whose needs are being included with those of the applicant.

SCALE.

Part I.

Where the application is made by a person living as a member of a household consisting of two or more persons :

(a) For the householder and the householder's wife or husband .. .. .. 24s. a week.

(b) For the householder (where rate (a) is not applicable) male .. .. .. 16s. a week.
female .. .. .. 14s. a week.

(c) For each member of the household to whom the foregoing rates do not apply :—
If aged 21 years or over—
For the first such member, male .. 10s. a week.
female .. 8s. a week.
For each subsequent member, male .. 8s. a week.
female 7s. a week.
If aged 18 years or over but less than 21 years, male .. .. .. 8s. a week.
female .. .. .. 7s. a week.
If aged 14 years or over but less than 18 years .. .. 6s. a week.
If aged 11 years or over but less than 14 years .. .. 4s. 6d. a week.
If aged 8 years or over but less than 11 years .. .. 4s. a week.
If aged 5 years or over but less than 8 years .. .. 3s. 6d. a week.
If under the age of 5 years .. .. 3s. a week.

(d) Where the household consists of only one child in addition to not more than two adults, the amount allowed in respect of that child shall be not less than 4s.

(e) Where in any household there are more than five members, the total for that household shall be reduced by 1s. in respect of each member in excess of five.

Part II.

Where the application is made by a person living otherwise than as a member of a household consisting of two or more persons :—

(a) If aged 18 years or over, male .. .. 15s. a week.
female .. 14s. a week.

(b) If under the age of 18 years, male .. 13s. a week.
female .. 12s. a week.

Adjustment for rent.

2.—(1) Where the application is made by a person who is living as a member of a household consisting of two or more persons and the amount of net rent paid by the applicant or by some other member of the household is greater or less than the basic rent allowance as hereinafter defined the total ascertained in accordance with paragraph 1 of this Regulation shall be subject to adjustment as follows :—

(*a*) If the net rent so paid is greater than the basic rent allowance the total so ascertained shall, if the amount of net rent so paid is in all the circumstances reasonable, be increased by the amount of such excess, or by an amount equal to one-third of the basic rent allowance, whichever is the less ; and

(*b*) if the net rent so paid is less than the basic rent allowance, the total so ascertained shall be reduced by the amount by which it is so less ; so, however, that where special circumstances exist the amount of such reduction may be decreased by a sum not exceeding 1s. 6d.

Provided that where more than one allowance is payable in respect of the same household an adjustment under this paragraph shall only be made in the case of one of such allowances.

(2) For the purpose of the foregoing provisions the expression " basic rent allowance " means a sum ascertained by reference to the total amount of the scale allowances for all members of the household (whether they are persons whose needs have been included with those of the applicant or not) as follows :—

(*a*) Where the total is 24s. or over but does nor exceed 30s. the sum of 7s. 6d.

(*b*) Where that total is less than 24s. the sum of 7s. 6d. reduced by one-quarter of the amount by which it is so less.

(*c*) Where that total is greater than 30s. the sum of 7s. 6d. increased by one-quarter of the amount by which it is so greater.

Computation of available resources.

V. The amount of the applicant's available resources shall be calculated as follows :—

1. All money and investments treated as capital assets belonging to the applicant or to any other member of the household of which the applicant is a member (exclusive of the capital value of any interest in the house in which the household resides) shall be aggregated and in respect of the aggregate value thereof there shall be taken into account a sum computed as follows :—

(*a*) the first twenty-five pounds of such value shall be disregarded ;

(*b*) in so far as such value exceeds twenty-five pounds but does not exceed (subject as hereinafter provided)

the sum of three hundred pounds, there shall be taken into account a sum equivalent to one shilling per week for every complete twenty-five pounds ;

(*c*) in so far as such value exceeds three hundred pounds the amount of such excess shall, subject as hereinafter provided, be taken into account.

Provided that where in any case not less than one-half in value of the capital assets belongs to a member or members of the household other than the applicant or the wife, husband, father or mother of the applicant, the foregoing sub-paragraphs (*b*) and (*c*) shall (by way of an allowance for personal requirements and without prejudice to the provisions of paragraph 3 of this Regulation) be applied as though for the said sum of three hundred pounds there were substituted the sum of four hundred pounds.

2. All the other resources (including earnings) of the applicant and of all the other members of the household of which the applicant is himself a member shall be aggregated and in computing the amount to be taken into account in respect thereof the following provisions shall be complied with, that is to say :—

(1) there shall be disregarded—

(*a*) the first five shillings a week of any sick pay from a Friendly Society, the first seven shillings and sixpence a week of any benefit under the National Health Insurance Acts (Northern Ireland), 1924-1932, and the whole of any maternity benefit under these Acts (exclusive of any increase of such benefit by way of additional benefits and of any second maternity benefit) ;

(*b*) the first one pound a week of any wounds or disability pension ; and

(*c*) one-half of any weekly payment by way of compensation under the enactments relating to workmen's compensation.

(2) proceeds of subletting and sums derived from the provision of board and lodging shall be treated as a resource to the following extent only, namely :—

(*a*) proceeds of subletting shall only be taken into account as a resource to the extent (if any) to which they exceed the amount of rent actually paid by the applicant or by some other member of the household ;

(*b*) where lodging with full board is provided there shall be taken into account as a resource one-third of the amount by which the sum actually

received exceeds the appropriate scale allowance for the lodger regarded as a member of the household ;

(*c*) where lodging with only partial board is provided there shall be taken into account as a resource such proportion of the sum actually received as is reasonable in all the circumstances of the case.

3. An allowance for personal requirements consisting of the aggregate of the several sums calculated as follows shall be made out of the resources respectively belonging to the applicant and to any other member of the household, that is to say :—

Allowances for personal requirements.

(1) in the case of earnings there shall be allowed for each week—

(*a*) to the applicant or to the wife, husband, father or mother of the applicant the first 5s. or one-half whichever is the less ;

(*b*) to the son or daughter, brother or sister of the applicant one-third of all earnings up to 20s. and in addition, where the earnings exceed that sum, one-quarter of the excess ;

(*c*) to any other member one-third of all earnings.

(2) in the case of capital assets belonging to a member other than the applicant or the husband, wife, father or mother of the applicant there shall be allowed the amount (if any) by which the sum taken into account under paragraph (1) (*b*) of this Regulation in respect of such capital assets exceeds the actual income thereof ;

(3) in the case of resources other than those derived from earnings or from capital assets there may, where such resources belong to a member other than the applicant, be allowed such amount as is reasonable in all the circumstances ; so, however, that (except in the cases specified in paragraph 2 (1) of this Regulation or in the case of sums received by way of outdoor relief) there shall be allowed out of any money payments received by such member not less than one-third of the amount by which they exceed in the aggregate the total of the scale allowances for that member and for any other member dependent on him ;

(4) where special circumstances exist, and in particular where special expenditure is necessarily incurred in connection with a person's employment, the amounts of the foregoing allowances may be adjusted in such manner as is reasonable in all the circumstances ;

(5) where the needs of a member have not been included with those of the applicant in calculating the provisional assessment there shall further be allowed for maintenance the appropriate scale allowance for that member and for any other member of the household dependent on him whose needs have similarly not been so included.

VI. The final assessment of the needs of the applicant shall, subject as hereinafter provided, be the amount by which the provisional assessment in that case exceeds the amount of the applicant's available resources. Final assessment of needs.

Provided always that—

(1) No applicant shall be assessed at a sum which is equal to or greater than the amount which would ordinarily be available by way of earnings for the support of the household if he and other members of the household whose needs have been taken into account were following the occupations normally followed by them.

(2) A final assessment may in any case where special circumstances exist, be adjusted by way of increase or reduction to meet such special circumstances.

(3) A final assessment may be increased to provide for needs of an exceptional character by such amount as is reasonable.

Given under the Official Seal of the Ministry of Labour for Northern Ireland this 31st day of December, 1934.

(L.S.)

H. Conacher,
Secretary to the Ministry of Labour for Northern Ireland.