2.—The Unemployment Assistance (Appeal Tribunals) Regulations (Northern Ireland), 1939, (a) and Article 4 of the Unemployment Assistance (Prevention and Relief of Distress) Regulations (Northern Ireland), 1939, (b) are hereby revoked but such revocation shall not affect any right, privilege, obligation or liability acquired, accrued or incurred under these Regulations, or anything done or to be done thereunder. Appeal Tribunals. Revocation.

Sealed with the Official Seal of the Ministry of Labour for Northern Ireland this 12th day of December, 1941, in the presence of

(L.S.) *R. R. Bowman*,
Secretary to the Ministry of Labour for Northern Ireland.

The Ministry of Finance for Northern Ireland hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 12th day of December, 1941, in the presence of

(L.S.) *C. H. Petherick*,
Assistant Secretary to the Ministry of Finance for Northern Ireland.

Determination of Need and Assessment of Needs.

REGULATIONS, DATED 26TH MAY, 1941, MADE BY THE MINISTRY OF LABOUR UNDER THE UNEMPLOYMENT ASSISTANCE ACT (NORTHERN IRELAND), 1934.

1941. No. 113.

WHEREAS the Ministry of Labour for Northern Ireland (hereinafter referred to as " the Ministry ") in pursuance of the powers conferred on it by the Unemployment Assistance Act (Northern Ireland), 1934 (hereinafter referred to as " the Act "), duly made for the purposes of the Act following Regulations, that is to say, the Unemployment Assistance (Determination of Need and Assessment of Needs) Regulations (Northern Ireland), 1936, the Unemployment Assistance (Winter Adjustments) Regulations (Northern Ireland) 1938, the Unemployment Assistance (Determination of Need and Assessment of Needs) (Amendment) Regulations (Northern Ireland), 1939, and the Unemployment Assistance (Determination of Need and Assessment of Needs (Amendment) Regulations (Northern Ireland), 1940 ;

(a) S. R. & O. (N.I.) 1939. No. 138.
(b) S. R. & O. (N.I.) 1939. No. 143.

AND WHEREAS by reason of the Determination of Needs Act (Northern Ireland), 1941, it is necessary to amend the said Regulations ;

NOW, THEREFORE, the Ministry, after consideration of draft Regulations prepared and submitted to the Minister of Labour for Northern Ireland by the Assistance Board for Northern Ireland, by virtue of the powers conferred on it by sections 33 and 46 of the Act and of all other powers in that behalf hereby makes the following Regulations :—

1.—(1) These Regulations may be cited as the Unemployment Assistance (Determination of Need and Assessment of Needs) (Amendment) Regulations (Northern Ireland), 1941, and shall come into force on the second day of June, 1941.

(2) These Regulations and the Unemployment Assistance (Determination of Need and Assessment of Needs) Regulations (Northern Ireland), 1936 (hereinafter referred to as " the principal Regulations "), the Unemployment Assistance (Winter Adjustments) Regulations (Northern Ireland), 1938, the Unemployment Assistance (Determination of Need and Assessment of Needs) (Amendment) Regulations (Northern Ireland), 1939, and the Unemployment Assistance (Determination of Need and Assessment of Needs) (Amendment) Regulations (Northern Ireland), 1940, shall be construed together and may be cited together as the Unemployment Assistance (Determination of Need and Assessment of Needs) Regulations (Northern Ireland), 1936 to 1941.

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

2.—(1)—(*a*). So much of paragraph 1 of Part I of the Second Schedule to the principal Regulations as requires the resources of other members of the household to be aggregated with those of the applicant shall apply as respects only the resources of the husband or wife of the applicant and of any member of the household dependent on the applicant : and accordingly for the words " all the other members of the household of which he is a member " in the said paragraph there shall be substituted the words " the husband or wife of the applicant being a member of the same household as the applicant and of any member of the household dependent on the applicant."

(*b*) The following sub-paragraph shall be inserted after sub-paragraph (*i*) of paragraph 1 of Part I of the said Second Schedule :—

" (*ia*) Where the applicant is the householder or the husband or wife of the householder, the resources of the applicant shall, unless exceptional circumstances are shown, be deemed to include

a contribution towards the expenses of his household from each member of the household who is not a dependent member of 7s. a week or such less amount as having regard to the member's circumstances and personal responsibilities is reasonable; so, however, that where it appears that a member's resources consist solely of earnings of less than 55s. a week, the contribution from that member so deemed to be included shall not exceed the following amounts that is to say, where the earnings are less than 55s. a week but more than 30s. a week—5s. a week: where the earnings do not exceed 30s. a week but are more than 20s. a week—2s. 6d. a week: and where the earnings do not exceed 20s. a week he shall not be deemed to make any contribution.

In computing the earnings of a member for the purposes of this sub-paragraph, there shall be excluded any remuneration which if it were the remuneration of a householder would be excluded in computing the weekly income of the householder for the purposes of sub-paragraph (1*a*) of paragraph 1 of the First Schedule to these Regulations."

(2) The following sub-paragraph shall be inserted after sub-paragraph (*ii*) of the said paragraph 1:—

"(*iia*) The amount of any war savings and any income receivable therefrom required to be disregarded by section 3 of the Determination of Needs Act, (Northern Ireland), 1941, shall be disregarded."

3.—The first proviso to Regulation 4 of the principal Regulations shall cease to have effect and thereupon the scale rate for the householder and the householder's wife or husband shall be 26s. a week instead of 24s. a week, and accordingly in sub-paragraph (1) of paragraph 1 of the First Schedule to those Regulations for the expression "24s. a week" there shall be substituted the expression "26s. a week."

4.—The following amendments shall be made in the First Schedule to the principal Regulations:—

(1) At the end of sub-paragraph (1) of paragraph 1 there shall be added the following proviso:—

"Provided that where the applicant is living as a member of a household of which the applicant's father, mother, son or daughter is the householder and the householder's income calculated in accordance with sub-paragraph (1*a*) of this paragraph is of the amount therein specified as the appropriate amount then, unless there is some other member of the household dependent on the applicant or exceptional circumstances are shown, the scale rate for the applicant shall be 5s. a week."

(2) After sub-paragraph (1) of paragraph 1 there shall be inserted the following sub-paragraph:—

"(1*a*)—(*a*) The appropriate amount of income for the purpose of determining whether the rate of 5s. specified in the proviso to sub-paragraph (1) of paragraph 1 of this Schedule is applicable shall subject as hereinafter provided be £6 a week or more.

Provided that—

(*i*) if the householder is the father or mother of the applicant and the applicant has not attained the age of 18 years the amount shall be £5 5s. a week instead of £6 a week; and

(*ii*) if in any case there are special circumstances the sum of £6 or £5 5s. (as the case may be) shall be increased by such amount as is reasonable in the circumstances and in particular if there are two or more members in the household not themselves being applicants who are dependent on or ordinarily supported by the householder, there shall be added 15s. in respect of the second and each such succeeding member, and if there are two or more applicants in the household to whom the said rate of 5s. might apply, there shall be added 25s. in respect of the second and each succeeding applicant.

(*b*) The weekly income of the householder for the purposes aforesaid shall be calculated by reference to either the total income of the householder, or, where the householder is the father or mother of the applicant and the applicant's mother or father is also a member of the household, the aggregate of the total incomes of both the father and mother, and the expression 'householder's income' shall be construed accordingly.

Provided that—

(*a*) there shall be excluded—

(*i*) in the case of earnings, any remuneration received in respect of hours worked in excess of the hours ordinarily worked before the war by persons in the same grade or class as the person concerned and in the same class of employment and any additional remuneration received by reason of the fact that work has been performed at times when before the war such persons did not ordinarily work; and

(*ii*) in the case of income other than earnings, any income which if it were the income of the applicant would be disregarded in computing his available resources under paragraph 1 of Part I of the Second Schedule; and

(*b*) where the householder's income is irregular or varies from week to week the householder shall not be deemed to have a weekly income of the appropriate amount unless the officer, or on an appeal the Appeal Tribunal, is of the opinion that, over such period as appears to him or them to be reasonable, the householder has on an average had and is likely to continue to have a weekly income of at least that amount."

(3) The adjustment authorised by sub-paragraph (2)—(*a*) of paragraph 1 in respect of the net rent actually paid shall only be made where the applicant is the householder and in such a case the adjustment shall be made by reference to the total of the scale rates for the applicant and any member of the household whose needs are to be included with those of the applicant and not by reference to the total of the scale rates for all the members of the household; and accordingly in the said sub-paragraph (2)—(*a*) for the words from the beginning of the said sub-paragraph to "sub-paragraph" there shall be substituted the following words: "If the applicant is the householder and the net rent actually paid is greater or less than one-quarter of the amount ascertained under sub-paragraph (1) of this paragraph, the amount so ascertained."

(4) The following sub-paragraph shall be inserted after sub-paragraph (2) of pragraph 1:—

"(3) If the applicant is not the householder and the provisions of the proviso to sub-paragraph (1) of this paragraph do not apply in his case, there shall, unless the applicant has not attained the age of 18 years or exceptional circumstances are shown, be added to the amount provided for such an applicant by the scale set out in sub-paragraph (1) such amount not exceeding 5s. or where there is some other member of the household dependent on or ordinarily supported by the applicant not exceeding 7s. by way of a contribution towards rent as is reasonable having regard to the number of persons between whom the accommodation is shared and to all the other circumstances of the case."

5.—(1) The following amendments shall be made in the provisions of the principal Regulations:—

(*a*) In paragraph (1) of Regulation 2 the definitions of "benefit rate" and "appropriate benefit rate" shall be deleted and at the end of the said paragraph there shall be inserted the following definition:—

"'dependent member' means, in relation to an applicant, a member of the household who is a person dependent on or ordinarily supported by the applicant, not being a member in whose case the qualifications set out in sub-section (1) of section thirty-one of the Act, are fulfilled, and the expression 'member of the household dependent on the applicant' shall be construed accordingly."

(*b*) The second proviso to Regulation 4 is hereby revoked.

(*c*) In sub-paragraph (*iii*) of paragraph 1 of Part I of the Second Schedule, after the words "capital assets," there shall be inserted the words "other than war savings required to be disregarded by sub-paragraph (*iia*),"

(*d*) In sub-paragraph (2) of paragraph 1 of Part II of the Second Schedule, for the words "wife, husband, father or mother" there shall be substituted the words "wife or husband."

(*e*) For sub-paragraph (3) of paragraph 1 of Part II of the Second Schedule there shall be substituted the following sub-paragraph :—

"(3) To any other earner who is a member of the household dependent on the applicant and is included in the scale allowance, one-third of his earnings."

(*f*) Sub-paragraphs (4) and (5) of paragraph 1 and paragraph 2 of Part II of the Second Schedule are hereby revoked.

(2) The following amendment shall be made in Regulation 2 of the Unemployment Assistance (Determination of Need and Assessment of Needs) (Amendment) Regulations (Northern Ireland), 1939 :—

In sub-paragraph (1) there shall be inserted after the words "principal Regulations" the words "(other than the rate of 5s. prescribed by the proviso to the said sub-paragraph)," and references in the said sub-paragraph to the rate of 24s. shall be construed as references to the rate of 26s. substituted therefor by Regulation 3 of these Regulations.

6.—Save as herein expressly provided nothing in these Regulations shall affect the operation of any provision of any of the Unemployment Assistance (Determination of Need and Assessment of Needs) Regulations (Northern Ireland), 1936 to 1940.

Sealed with the Official Seal of the Ministry of Labour for Northern Ireland this 26th day of May, 1941, in the presence of

(L.S.)

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

Prevention and Relief of Distress : Refugees.

REGULATIONS, DATED 18TH MARCH, 1941, MADE BY THE MINISTRY OF LABOUR UNDER THE UNEMPLOYMENT ASSISTANCE (EMERGENCY POWERS) ACT (NORTHERN IRELAND), 1939.

1941. No. 77.

The Ministry of Labour for Northern Ireland (hereinafter referred to as "the Ministry"), by virtue of the powers conferred on it by the Unemployed Assistance (Emergency Powers) Act (Northern Ireland),