Insurance Industry Special Scheme

ORDER, DATED 18TH JUNE, 1946, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE UNEMPLOYMENT INSURANCE ACT (NORTHERN IRELAND), 1936.

1946. No. 127

WHEREAS the Ministry of Labour for Northern Ireland by the Unemployment Insurance (Insurance Industry Special Scheme) Orders (Northern Ireland), 1921 to 1945, approved for the purposes of Section 18 of the Unemployment Insurance Act, 1920, a special scheme for the Insurance Industry and varied and amended the said scheme, which scheme as so varied and amended is hereinafter referred to as " the Scheme " ;

AND WHEREAS the Insurance Unemployment Board (hereinafter referred to as " the Board ") is the body charged with the administration of the Scheme ;

NOW, THEREFORE, the Ministry of Labour and National Insurance by virtue of the powers conferred upon it by Section 77 of the Unemployment Insurance Act (Northern Ireland), 1936, Regulation 12 of the Unemployment Insurance (Emergency Powers) Regulations (Northern Ireland), 1939, and of all other powers in that behalf and on the application of the Board hereby makes the following Order :—

1.—(1) This Order may be cited as the Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) Order (Northern Ireland), 1946, and this Order and the Unemployment Insurance (Insurance Industry Special Scheme) Orders (Northern Ireland), 1921 to 1945, may be cited together as the Unemployment Insurance (Insurance Industry Special Scheme) Orders (Northern Ireland), 1921 to 1946.

(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.

2. The provisions of the Scheme shall be varied and amended as follows :—

(*a*) The following clause shall be substituted for Clause 37 of the Scheme :—

" Right to benefit.

37 (1). Subject to any regulations made by the Ministry under Section 77 of the Unemployment Insurance Act (Northern Ireland), 1936, every person insured under the scheme who has attained the age of sixteen and is unemployed so long as he fulfils the conditions laid down by the scheme and is not disqualified under the scheme from receipt of benefit shall be entitled to receive benefit in a claim year in respect of periods amounting in the aggregate

to one hundred and eighty days together with the number (if any) of additional days for which he may be qualified under the next following sub-clause.

(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 paragraph as if he has 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 five days for every eight weeks in which he has been insurably employed during the four 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 ten days during the four insurance industry years aforesaid in respect of which benefit has been paid to him. Provided always that the Board may waive in whole or in part the deduction from additional days hereinbefore directed to be made on account of days in respect of which benefit has been paid ;

(*d*) A person

(i) in whose case a claim year had ended between the 31st December, 1945, and the 8th April, 1946 (both dates exclusive) ; and

(ii) who had in that claim year received benefit in respect of periods amounting in the aggregate to one hundred and eighty days, of which the last day occurred between the said dates ;

shall be entitled to receive in respect of that claim year benefit for additional days of unemployment,

calculated in accordance with the foregoing provisions of this clause, which occur on or after the 8th April, 1946, and before the end of the last of the ten weeks mentioned in clause 40 (1) (*d*) of this scheme ; so, however, that no such person shall be deemed not to have exhausted his rights to benefit in that claim year by reason only of such entitlement to benefit for such additional days ;

(*e*) A person who in a claim year current on the 8th April, 1946, had before that date received benefit in respect of periods amounting in the aggregate to one hundred and eighty days shall be entitled to receive benefit for additional days of unemployment, calculated in accordance with the foregoing provisions of this clause, which occur in that claim year on or after the 8th April, 1946, and such person, if so entitled to benefit for additional days as aforesaid, shall not be treated as having exhausted his rights to benefit in that claim year by reason only of the fact that he had before the 8th April, 1946, received benefit in that claim year in respect of periods amounting in the aggregate to one hundred and eighty days.

(3) The Board may by rules make provision as to the circumstances in which and the extent to which sums paid to a person by way of benefit while he was not entitled thereto are to be taken into account for the purpose of this clause.

(4) Where two or more claims for benefit are made by a person insured under the Scheme in respect of different periods in a claim year and at the date when a claim in respect of any such period is determined or revised in favour of the insured person by the Claims Officer, an Appeal Committee or the Umpire, benefit has been received by him in respect of any subsequent period or periods, the amount of benefit payable after that date in respect of the several claims shall be adjusted so as to secure that the aggregate number of days in that year for which benefit is payable in respect of all the claims shall not exceed the number of days for which his benefit rights entitle him to receive benefit.

(5) For the purpose of this clause—

(*a*) fractions of a day shall be disregarded ;

(*b*) when benefit has been paid by reference to a week a full week's benefit shall be counted as six days' benefit."

(*b*) The following paragraph shall be substituted for paragraph (*d*) of sub-clause (1) of clause 40 of the Scheme (which relates to benefit conditions) :—

" (*d*) In the case of a person who has exhausted his rights to benefit in the last preceding claim year, that since—

(i) exhausting such rights ; or

(ii) (in respect of a claim year current on the 8th April, 1946, and where that person had before that date in that claim year received benefit for periods amounting in the aggregate to one hundred and eighty days) the last day before the 8th April, 1946, in respect of which he had received benefit in that year ;

he has been employed in insurable employment in the insurance industry in each of ten weeks ; provided that in any case where any such adjustment has been made as is referred to in sub-clause (4) of clause 37 of the Scheme, such a person shall be deemed to have exhausted his rights to benefit on the day on which he would have exhausted such rights if the claim in respect of each of the periods referrred to in the said sub-clause had been finally determined before the claim in respect of any subsequent period was made."

Sealed with the Official Seal of the Ministry of Labour and National Insurance this 18th day of June, 1946, in the presence of

(L.S.) *F. C. S. Moore*,
Assistant Secretary to the Ministry of Labour and National Insurance.

ORDER DATED 3RD OCTOBER, 1946, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE FOR NORTHERN IRELAND UNDER THE UNEMPLOYMENT INSURANCE ACT (NORTHERN IRELAND), 1936.

1946. No. 180

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 said scheme has been varied and amended and as so varied and amended is hereinafter referred to as " the Scheme" ;