
Status: This is the original version (as it was originally enacted).

SCHEDULE

SUBSIDIARY PROVISIONS AS TO ALLOWANCES FROM THE ASSISTANCE BOARD, AND AS TO CHARGES FOR ACCOMMODATION, ETC., PROVIDED BY THEM

PART I

Modifications of the Unemployment Assistance Act, 1934, in its application by virtue of section two of this Act

- 1 (1) Persons falling within subsection (1) of section two of this Act shall be included in the class of persons to whom the Unemployment Assistance Act, 1934 (in this Schedule referred to as " the Act of 1934 "), applies, notwithstanding that the qualifications set out in subsection (1) of section thirty-six of that Act are not fulfilled.
- (2) Any question whether a person is or is not a person to whom the Act of 1934 applies by virtue of this paragraph shall be determined in accordance with the provisions of section thirty-six of that Act, with the substitution, for references therein to the qualifications set out in subsection (1) thereof, of references to a person's falling within subsection (1) of section two of this Act, and without regard to the provisions of subsection (2) of the said section thirty-six or to the proviso to subsection (3) thereof (which relate only to the qualifications set out in subsection (1) thereof).
- 2 On an application for the grant of an allowance by virtue of section two of this Act, subsection (1) thereof shall apply in substitution for subsection (1) of section thirty-eight of the Act of 1934 (which specifies matters to be proved as conditions for the grant of allowances).

PART II

Provisions as to charges for accommodation etc. provided under section three of this Act

- 3 Payments for benefits provided for any person under section three of this Act may be required under subsection (6) of that section from that person, or, in the case of a married person, from his wife or her husband, or, in the case of a person who is under the age of sixteen years and has parents or a parent living (including in that expression the step-father of such a person who is deemed to be part of the step-father's family for the purposes of the Poor Law Act, 1930), from the parents or either of them.
- 4 The amounts of the payments which may be required shall be such amounts, not exceeding what appears to the Assistance Board (in this Part of this Schedule referred to as " the Board ") to be the appropriate scale charge fixed under the said subsection (6), as may appear to the Board to be reasonable having regard to all the circumstances affecting the person on whom the requirement is made :
Provided that the appeal tribunal constituted under the Act of 1934 shall have power, on reference to them of such a requirement in the manner and within the time prescribed for appeals under subsection (5) of section thirty-nine of the Act of 1934, to determine what scale charge is appropriate and whether the amounts required to be paid are reasonable having regard to the circumstances aforesaid, and if they think fit, to vary those amounts.

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- 5 Sums required to be paid in accordance with the preceding provisions of this Part of this Schedule shall, without prejudice to any other remedy be recoverable summarily as a civil debt, and proceedings for such recovery may, notwithstanding anything in any Act to the contrary, be brought at any time within one year from the time when the matter complained of arose.
- 6 In any proceedings for recovery of sums required to be paid as aforesaid a document signed by an officer of the Board stating the making and particulars of the requirement, whether there was any reference to the appeal tribunal duly made and, if there was, the determination of the tribunal, shall be evidence of the facts stated, and a document which purports to be so signed shall, unless the contrary is proved, be deemed to be so signed.
- 7 Any person who, in connection with the ascertainment of amounts which he may be reasonably required to pay under subsection (6) of section three of this Act, knowingly makes any false statement or false representation as to the circumstances affecting him shall be liable on summary conviction to imprisonment for a term not exceeding three months.
- 8 If it is found at any time that a person required to pay amounts under subsection (6) of section three of this Act, has, whether fraudulently or otherwise, procured by the non-disclosure or misrepresentation of a material fact that the amounts required to be paid should be less than they would otherwise have been, a further requirement may be made upon him under the said subsection in respect of the benefits in question, and the preceding provisions of this Part of this Schedule shall apply thereto with requisite modifications.