

6. These Regulations may be cited as the Unemployment Insurance (Collection of Contributions) (Amendment) Regulations, (Northern Ireland), 1926, and shall have effect from the date hereof.

Given under the Official Seal of the Ministry of Labour this
26th. day of May, 1926.

(L.S.)

R. R. Bowman,
Asst. Secretary to the Ministry of Labour.

**(Insurance Industry Special Scheme) (Variation and
Amendment) Special Order.**

1926. No. 83.

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, hereinafter referred to as the "principal act," 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 application has been made to the Ministry of Labour for Northern Ireland under sub-section 9 of section 18 of the said Act for the variation and amendment of the provisions of the said 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 Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) Special Order (Northern Ireland) (No. 2), 1923, is hereby revoked.

2. The Interpretation Act, 1889, shall apply in the construction of this Special Order in like manner as it applies in the construction of Acts of Parliament.

3. The variations and amendments of the provisions of the said Scheme contained in the Schedule hereto shall have effect.

4. This Special Order may be cited as the Unemployment Insurance (Insurance Industry Special Scheme) (Variation and Amendment) Special Order (Northern Ireland), 1926.

Given under the Official Seal of the Ministry of Labour for Northern Ireland this 21st day of June, nineteen hundred and twenty-six.

(L.S.)

H. Conacher,

Secretary to the Ministry of Labour
for Northern Ireland.

SCHEDULE.

ARRANGEMENT OF PARTS.

PART I.	General variations and amendments.
PART II.	Amended insurance provisions.
FIRST SCHEDULE TO PART II.	Powers and duties of Insurance Unemployment Board Incorporated.
SECOND SCHEDULE TO PART II.	General Provisions of the enactments relating to Unemployment Insurance in Northern Ireland applied with modifications.

PART I.

GENERAL VARIATIONS AND AMENDMENTS.

1. The Insurance Industry Unemployment Insurance Scheme as adapted to Northern Ireland by the Government of Ireland (Adaptation of Unemployment Insurance Acts) Order, 1922 (hereinafter referred to as "the adapted Scheme"), as varied and amended by the provisions of the respective Schedules (hereinafter called "the amending Schedules") to the Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) Order (Northern Ireland), 1922, to the Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) Order (Northern Ireland), 1923, to the Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) Order (No. 2) (Northern Ireland), 1923, and to the Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) Order (No. 3) (Northern Ireland), 1923, and by the provisions of the said Insurance Industry Unemployment Insurance Scheme (Amendment) Special Order (Northern Ireland), 1923, and by the provisions of this Schedule shall be called "The Insurance Industry Unemployment Insurance Scheme (Northern Ireland) (1926)."

2. Insurance Unemployment Board Incorporated as constituted by the Minister of Labour of the United Kingdom under the provisions of paragraphs 1 to 10 inclusive of the First Schedule to Part II of the Schedule to the Unemployment Insurance (Insurance Industry Special Scheme) (Variation and Amendment) Special Order, 1923, shall be the Body charged with the administration of the said Insurance Industry Unemployment Insurance Scheme (Northern Ireland), 1926 (hereinafter referred to as "the Scheme").

3. The joint insurance fund established under the Insurance Industry Unemployment Insurance Scheme (hereinafter referred to as "the insurance fund") shall continue under the control and management of Insurance Unemployment Board Incorporated (hereinafter referred to as "the Board").

4. There shall be substituted for the provisions of the adapted Scheme respectively mentioned in the first column of the following Table the provisions of Part II of this Schedule respectively set opposite to such first mentioned provisions in the second column of the said Table.

TABLE.

Provisions of the Adapted Scheme.	Substituted provisions of Part II of this Schedule.
Clauses 2 and 4	Clause 11. The First Schedule to Part II. Clauses 9 and 10.
Clause 3	
{ Clause 5	Clause 12.
{ The First Schedule	
{ Clauses 6 and 7	Clause 13. Clauses 14 and 15.
{ The Second Schedule	
Clause 9	Clause 16.
Clauses 11 to 14 (inclusive)	
Clause 15	Clause 18.
Clause 25	

5.—(1) The following provisions of the Adapted Scheme shall be deleted (that is to say) Clause 10, Clauses 16 to 24 (inclusive), Clause 26, the Third Schedule.

(2) Clause 27 of the Adapted Scheme shall have effect as though the words "order or" were inserted after the words "where by any."

6. The respective provisions of the amending Schedules and of the Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) Special Order (Northern Ireland), 1923, shall cease to have effect.

7. The general provisions of the principal Act set out with modifications in the Second Schedule to Part II of this Schedule shall apply for the purposes of the Scheme.

8. The provisions of this Schedule shall except where the said Schedule otherwise provides be deemed to have had effect as from the first day of January, 1926.

PART II.

AMENDED INSURANCE PROVISIONS.

ARRANGEMENT OF CLAUSES.

9. The Insurance Industry.
10. Scope of Scheme.
11. Body charged with the administration of the Scheme.
12. Contributions.
13. Benefit.
14. Rules.
15. Determination of Claims.
16. Financial Provisions.
17. Determination of Scheme.
18. Interpretation, etc. Schedules.

THE INSURANCE INDUSTRY.

9. The Insurance Industry shall consist of the undertakings of all persons or bodies of persons whether corporate or unincorporate and whether established within or without Northern Ireland engaged in Northern Ireland in all or any of the following classes of business :—

- (a) the granting of insurances under contract.
- (b) the administration of any system of insurance established by Act of the Imperial Parliament or the Parliament of Northern Ireland.

SCOPE OF SCHEME.

10.—(1) Subject to the provisions of the Scheme all persons of the age of sixteen and upwards employed in Northern Ireland in the Insurance Industry under any contract of service or apprenticeship written or oral whether expressed or implied and whether the employed person is paid by the employer or by some other person and whether under one or more employers and whether paid by time or by the piece or partly by time and partly by the piece or otherwise or except in the case of a contract of apprenticeship without any money payment shall (unless their employment is included in the employments specified in Part II of the First

Schedule to the principal Act as amended by any subsequent enactment) be insured against unemployment in manner hereby provided.

(2) The Scheme shall not apply to any persons who come within any of the following classes :—

- (a) Persons who are ordinarily engaged whether under a single employer or under two or more employers partly in the Insurance Industry and partly outside that Industry in some occupation employment in which makes them employed persons within the meaning of the principal Act as amended by any subsequent enactment if such persons are ordinarily and mainly dependent for their livelihood on their earnings in the occupation outside the Insurance Industry.
- (b) Persons employed by or under the Crown or under any local or other public authority.
- (c) Persons in the employment of Insurance Committees established under the enactments relating to National Health Insurance in Northern Ireland.

BODY CHARGED WITH THE ADMINISTRATION OF THE SCHEME.

11. The Board shall administer the Scheme in accordance with the provisions of the First Schedule to this Part of this Schedule.

CONTRIBUTIONS.

12. Every employer of any person to whom the Scheme applies (hereinafter referred to as "an insured person") shall be liable to pay contributions to the Board at the rates specified in Part I and in accordance with the rules set out in Part II of the following table :—

CONTRIBUTION TABLE.

PART I. (RATES).

For each quarter of a year—

in the case of male insured persons . . .	eight shillings and eight pence.
in the case of female insured persons . . .	seven shillings and seven pence.

PART II. (RULES).

(1) A quarterly contribution shall be payable on the first day of January in each year in respect of each insured person in the employment of the employer at any time on that day without reference to the duration of the employment of such insured person and further quarterly contributions shall be payable on the first days of April, July and October in each year on a similar footing.

Provided that the Board may direct that such other day as they may think fit of January, April, July or October as the case may be, be substituted for the first day thereof for the purposes of this rule.

(2) Where an insured person is employed in the Insurance Industry by two or more employers on any day on which a quarterly contribution is due the quarterly contribution due on that day shall be payable by such employers in equal shares.

(3) Notwithstanding any contract to the contrary an employer shall not be entitled to deduct from the salary or wages of the insured person or otherwise to recover from the insured person the employer's contribution.

(4) Contributions shall not be payable in respect of any person who is in receipt of an Old Age Pension under the enactments relating to Old Age Pensions in Northern Ireland.

(5) Contributions shall be payable in respect of insured persons who hold certificates of exemption under Section three of the principal Act.

BENEFIT.

13. Subject to any regulations made by the Ministry under Section nineteen of the principal Act every insured person who is unemployed shall be entitled to the benefits specified in Part I of the following table but subject to the fulfilment of the conditions mentioned in Part II thereof :—

BENEFIT TABLE.

PART I. (BENEFITS).

A. RATES OF BENEFIT.

Benefit shall be payable in respect of each week of any continuous period of unemployment (after the first three days of unemployment) and shall be at the standard weekly rates following:—

in the case of a man (ordinary rate)	Twenty Shillings.
in the case of (a) a married man whose wife is living with him or is being maintained wholly or mainly by him ; (b) a widower or unmarried man who has residing with him any female person for the purpose of having the care of his dependent children and is maintaining that person, or who has and has had living with him as his wife any female person ; (c) a married man who is neither living with nor wholly or mainly maintaining his wife but who has residing with him a female relative for the purpose of having the care of his dependent children and is maintaining her ; and (as from the fourteenth day of August, 1924) in the case of (d) a widower or an unmarried man not otherwise qualified to receive benefit at the higher rate who has residing with him and is wholly or mainly maintaining his widowed mother (higher rate)	Twenty-five Shillings. Sixteen shillings.
in the case of a woman (ordinary rate)	
in the case of (e) a married woman who has a husband dependent on her ; and (as from the fourteenth day of August, 1924) in the case of (f) a widow or unmarried woman who has residing with her any female person for the purpose of having the care of her dependent children and is maintaining that person ; and (g) a widow or unmarried woman who has residing with her and is wholly or mainly maintaining her widowed mother (higher rate)	Twenty-one Shillings.
in the case of a man or woman having a dependent child the weekly rate of benefit payable to him or her is to be increased as from the fourteenth day of August, 1924, in respect of each such child by	Two Shillings.
in the case of a boy under the age of eighteen years	Ten Shillings.
in the case of a girl under the age of eighteen years	Eight Shillings.
in the case of any person in receipt of a pension, annuity or retiring allowance derived wholly or partly from the Insurance Industry or who within one year prior to the commencement of the period of unemployment under review has been the recipient on retirement of a lump sum wholly or partly so derived (whether such pension, annuity retiring allowance or lump sum is or has been paid in pursuance of a legal obligation or not) (reduced rate)	

The rate stated to be applicable to such person less the excess in value in terms of an equivalent weekly payment as determined by the Board but subject to review by the Ministry (such review to be final and conclusive) of so much of the pension, annuity, retiring allowance or lump sum in question as is derived from the Insurance Industry over the weekly sum of five shillings.

Supplementary Rules.

(A.) A man is not entitled to receive benefit at the higher rate in respect of a wife, female person or female relative who is (i) in receipt of unemployment benefit under the general provisions of the Acts or (ii) in receipt of benefit under any special scheme or (iii) in regular wage-earning employment otherwise than as having the care of the dependent children of the person entitled to benefit or (iv) engaged in any occupation ordinarily carried on for profit or (v) in receipt of an old-age pension under the enactments relating to Old Age Pensions in Northern Ireland, or who (vi) if herself in receipt of benefit under the Scheme would be entitled only to benefit at the reduced rate.

(B.) In this Table the expression "child" includes a stepchild, an adopted child and an illegitimate child, the expression "a dependent child" means (i) any child under the age of fourteen years who is maintained wholly or mainly at the cost of the person entitled to benefit or (ii) any child between the ages of fourteen and sixteen who is under full time instruction in a day school and is so maintained as aforesaid, and the expression "derived from the Insurance Industry" means either paid directly by any employer in the Insurance Industry or paid in respect of a consideration moving from any such employer either alone or together with his employees or any of them.

(C.) A husband shall be deemed to be dependent on his wife if he is (i) prevented by physical or mental infirmity from supporting himself and (ii) maintained wholly or mainly by her.

(D.) No person shall receive benefit in respect of any period less than one day and where benefit is payable for a period of less than a week it shall be paid at a daily rate equal to one-sixth of the weekly rate applicable to the person receiving the benefit.

(E.) A person shall be deemed to be employed on any day on which he is following any occupation from which he derives any remuneration or profit unless (i) that occupation has ordinarily been followed by him in addition to his usual employment and outside the ordinary working hours of that employment and (ii) the remuneration received therefrom in respect of that day does not exceed three shillings and fourpence or where the remuneration is payable in respect of a period longer than a day the remuneration does not on the daily average exceed that amount.

(F.) No holder of a Certificate of Exemption under section three of the principal Act shall receive benefit while such certificate is in force.

(G.) There shall be deducted from any benefit payable to an insured person any sum which such person may be liable to repay to the insurance fund in respect of benefit received, unless that person shows that the sum was received by him in good faith and without knowledge that he was not entitled thereto, but without prejudice to any other remedy in respect of such sum and if any question arises whether any person is liable to have such a deduction made, it shall be decided by the Ministry.

(H.) As from the first day of July, 1925, any two periods of unemployment separated by a period of employment not exceeding thirteen weeks shall be deemed to be one continuous period of unemployment.

B. DURATION OF BENEFIT.

1. 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:—

- (i) Such benefit shall not be paid for more than twenty-six weeks during any continuous period of unemployment or any series of periods of unemployment liable to aggregation.
- (ii) Any series of periods of unemployment in the intervals of which there is no period of continuous employment in the Insurance Industry of at least thirteen weeks shall be liable to aggregation.
- (iii) As from the commencement of any period which is preceded by a period of not less than twenty-six weeks during which the insured person has received no benefit either at the standard rate or at the lesser rate hereinafter mentioned no account shall be taken in applying the two foregoing provisions to the case of such insured person of any benefit at the standard rate received by him prior to the date of such commencement.

- (iv) 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.
- (v) 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 adapted 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 and
- (vi) In the case of any person who has during any period or periods of employment been the holder of a Certificate of Exemption under section three of the principal Act one-twelfth only of such period or periods shall be taken into account in lieu of one-sixth thereof.

2. Upon each occasion on which the benefit payable at the standard rates has been exhausted or suspended benefit may notwithstanding the foregoing provisions subsequently be paid at such fixed or varying proportion of the standard rate not exceeding one half thereof for such further period or periods not exceeding one year as the Board may in their discretion and either generally or in any particular case sanction.

3. Notwithstanding the foregoing provisions if and so far as may be necessary in order to place insured persons or any class of them in a position not less favourable than that of persons insured under the general provisions of the Acts the Board may or if so required by the Ministry shall prescribe an extension of the period for which benefit may be paid at the standard rate.

PART II.

CONDITIONS FOR THE RECEIPT OF BENEFIT.

An insured person in order to qualify for receipt of benefit under the Scheme must satisfy the following conditions:—

(1) He must since the 8th November, 1920, have been employed in the Insurance Industry in each of thirteen weeks.

(2) He must be (a) capable of and (b) available for work and (c) genuinely and constantly seeking but unable to obtain suitable employment. Provided that where it is held that an insured person does not satisfy this condition his application if renewed shall be reviewed from time to time at the expiration of periods of not less than six weeks.

(3) He must make application for benefit in the prescribed manner.

(4) He must not have exhausted his right to benefit under the Scheme.

(5) His unemployment must not be due to participation in a trade dispute. Provided that it shall not be necessary to satisfy this condition after the stoppage of work caused by such trade dispute has ceased.

(6) He must not have lost his employment through misconduct or have voluntarily left his employment without just cause but this condition shall have effect only for six weeks or such less period as the Board may determine after the date of his losing or leaving his employment.

(7) He must not be an inmate of any prison or workhouse or other institution supported wholly or partly out of public funds.

(8) He must not be resident temporarily or permanently outside Northern Ireland.

Provided that, as from the first day of July, 1925, the Board shall have power to dispense with this condition in the case of any insured person who is resident temporarily or permanently in Great Britain or in the Irish Free State.

(9) He must not be in receipt of any sickness or disablement benefit or disablement allowance under the enactments relating to National Health Insurance in Northern Ireland.

(10) He must not be in receipt of an old age pension under the enactments relating to Old Age Pensions in Northern Ireland.

RULES.

14.—(1) Rules shall be made by the Board—

- (a) for providing for the delivery by employers of insured persons to such insured persons of certificates of insurance against unemployment in a prescribed form.
- (b) for providing for the rendering by employers of returns of all matters necessary for determining the existence and extent of any claim to benefit under the Scheme and requiring employers to answer enquiries relating to such matters.
- (c) for prescribing the evidence to be furnished by claimants to benefit and for that purpose requiring their attendance at such offices or places and at such times as may be determined by the Board.

(2) Rules may be made by the Board—

- (a) for providing for the transition from the provisions of the adapted Scheme as varied and amended by the provisions of the amending Schedules to those of the Scheme.
- (b) for providing for the revision of the Contribution and Benefit Tables contained in the Scheme.

DETERMINATION OF CLAIMS.

15.—(1) Subject to the provisions of the Scheme all claims to benefit under the Scheme and all questions arising in connection with such claims shall be determined by the Board whose decision shall be final and conclusive and not subject to appeal to any Court, except in the cases where it is hereby provided that the final adjudication upon the matter at issue shall rest with the Umpire and in such cases the decision of the Umpire shall be final and conclusive and not subject to appeal to any Court.

(2) The Umpire shall finally adjudicate in the following cases:—

- (a) in any case where the Board refers the matter at issue to him;
- (b) in any case where the Ministry being of opinion that some point of general importance is involved directs the matter to be so referred;
- (c) in any case where the Board grants leave to appeal to an insured person desirous of appealing from a decision of the Board, and
- (d) in any case where an association of workers of which an insured person is a member is desirous of appealing from a decision of the Board affecting such person.

(3) The Board and the Umpire may respectively refer to local referees for examination and report any matter to be decided by them or him under the Scheme; such local referees being appointed in accordance with rules made by the Board.

(4) The Board shall so far as is practicable give their decision upon any matter to be decided by them under the Scheme within fourteen days from the date on which such matter was submitted for decision.

(5) The Arbitration Act, 1889, shall not apply to proceedings under the Scheme except so far as it may be applied by rules under the Scheme.

FINANCIAL PROVISIONS.

16.—(1) All contributions payable under the Scheme and all other receipts of the Board shall be paid into the insurance fund and all payments authorised by the Scheme in respect of benefit the working expenses of the Scheme or otherwise shall be made out of the insurance fund.

(2) If the Minister of Labour of the United Kingdom shall with reference to any period direct that the working expenses of the Insurance Industry (Amended) Scheme (1923) during such period shall not be in excess of a sum which is a particular proportion of the aggregate of the sums which during the same period are payable into the insurance fund in respect of contributions by employers under the provisions of the said Insurance Industry (Amended) Scheme, 1923, it shall not be lawful during such period to make any payment out of the insurance fund in respect of the working expenses of the Scheme which shall be in excess of a sum which is the same particular proportion of the aggregate of the sums which during the same period are payable into the insurance fund in respect of contributions by employers under the provisions of the Scheme.

(3) Rules under the Scheme may provide for the payment out of the insurance fund as part of the working expenses of the Scheme of the travelling and other expenses (including loss of remunerative time) of any person attending the Board or appearing before the Umpire upon the consideration of any question which under the Scheme is to be determined by them or him.

(4) (a) The Board shall cause full and accurate accounts to be kept in such form as the Ministry shall approve of all moneys paid into and out of the insurance fund in respect of the Scheme and of the matters to which the receipts and expenditure relate and such accounts shall be audited by an auditor appointed by the Board and approved by the Ministry.

(b) The accounts of the Board shall show separately the respective amounts of contributions paid under the Scheme in respect of men, women, boys and girls respectively.

(c) The Board shall furnish accounts to the Ministry in such form and at such times as it may require.

(d) The Board shall comply with any directions from time to time given to them by the Ministry as to the publication of the accounts of the Scheme and auditors' reports thereon.

(e) The Ministry may at any time direct such further or special examination of the accounts of the Scheme as it may think necessary.

(5) (a) If at any time and from time to time before the fourth day of July, 1928, the insurance fund shall become insolvent the employers of all persons who have at any time been insured in Northern Ireland under the special scheme for insurance against unemployment in the insurance industry shall be liable to make good to the insurance fund such a sum as together with the sum contributed for that purpose under the Insurance Industry (Amended) Scheme (1923) will restore its solvency upon the basis of each of such employers contributing for that purpose rateably according to the aggregate amount of the contributions paid by him under the said special scheme in respect of persons insured as aforesaid during the period which has elapsed in the case of a first insolvency between the fourth day of July, 1921, and such insolvency and in the case of a subsequent insolvency between the date of the last preceding insolvency and such insolvency.

(b) The amount of the contribution due from each employer liable to contribute for the purpose of restoring the solvency of the insurance fund shall be determined by the Board and shall be paid by such employer to the Board at such time as they may direct.

Provided that the same rate shall be applied for the purpose of determining the amount to be made good under the provisions of the preceding sub-section as is applied under the corresponding provisions of Insurance Industry (Amended) Scheme (1923).

(c) An assessment made in the prescribed manner upon any employer liable to contribute as aforesaid shall be *prima facie* evidence that the sum assessed is due and owing from such employer.

OFFENCES UNDER THE ACTS—LEGAL PROCEEDINGS.

17. The wife or husband of a person charged with an offence under the Scheme may be called as a witness either for the prosecution or the defence and without the consent of the person charged.

DETERMINATION OF SCHEME.

18.—(1) If at any time the Board shall for any reason with the consent of the Ministry pass a resolution for the winding-up of the Scheme the affairs of the Scheme shall be wound up in such manner as the Ministry may direct and as soon as the affairs of the Scheme have been completely wound up the Ministry shall make an order that the Scheme be determined and the Scheme shall be determined accordingly.

(2) The Ministry may, if, in its opinion, circumstances so require, provide by special order for the determination of the Scheme and any matters incidental thereto.

INTERPRETATION, ETC.

19. For the purposes of the Scheme—

(a) The expression "the principal Act" means the Unemployment Insurance Act, 1920, as adapted to Northern Ireland by the Government of Ireland (Adaptation of Unemployment Insurance Acts) Order, 1922;

- (b) The expression "the Acts" means the Unemployment Insurance Acts (Northern Ireland), 1920 to 1925;
- (c) The expression "the Ministry" means the Ministry of Labour for Northern Ireland;
- (d) The expression "the Umpire" means the Umpire for Northern Ireland appointed under the Acts;
- (e) The expression "special order" has the same meaning as in the principal Act;
- (f) The expression "trade dispute" means any dispute between employers and employees or between employees and employees which is connected with the employment or non-employment or the terms of employment or the conditions of employment of any persons whether employees in the employment of the employer with whom the dispute arises or not;
- (g) A person shall be deemed not to have attained the age of sixteen until the commencement of the sixteenth anniversary of the day of his birth and similarly with respect to other ages.

NOTIFICATION OF VACANCIES, ETC.

20.—(1) The Board shall establish such organisation, both at the principal office and elsewhere, as they may in their discretion deem reasonable and necessary to bring to the notice of unemployed persons formerly employed in or connected with the Insurance Industry vacancies for employment either within or without the Insurance Industry and to give particulars to employers having vacancies for employment of unemployed persons suitable to fill such vacancies, and any expenses incurred for these purposes shall be paid out of the insurance fund.

(2) Where any travelling or other expenses (including loss of remunerative time) are incurred by any person at the request of the Board by attending upon employers or otherwise in pursuance of the objects set out in this clause, application may be made to the Board for the repayment of such expenses and the Board, after investigating such application, may repay to such persons out of the insurance fund the whole of such expenses or such proportion thereof as the Board may deem reasonable.

THE FIRST SCHEDULE TO PART II.

1. The common seal of the Board shall not be affixed to any instrument except by the authority of a resolution of the Board and in the presence of at least three members and of the Secretary or such other person as the Board may appoint for the purpose and the members present and the Secretary or other person as aforesaid shall sign every instrument to which the common seal is so affixed in their presence.

2. The powers and duties of the Board shall be :—

- (a) To control and administer the affairs of the Scheme.
- (b) To make provision for the working expenses of the Scheme.
- (c) To make standing orders governing the conduct of their business.
- (d) To keep proper records of their proceedings.
- (e) 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.
- (f) 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.
- (g) 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 out the Scheme into effect.

3. Rules made by the Board under the Scheme shall if approved by the Ministry have effect as if enacted in the Scheme and may apply with or without modification any of the regulations made by the Ministry under the general provisions of the Acts.

4. Impressions of the common seal of the Board shall be judicially noticed and admitted in evidence.

5. Prima facie evidence of any rule made by the Board under the Scheme and of the Ministry's approval thereof may be given by the production of a copy or copies of the rule and of the instrument or writing containing the Ministry's approval respectively purporting to be sealed with the common seal of the Board.

6. Such proportion of the yearly sum of One Thousand Pounds mentioned in paragraph 16 of the First Schedule to Part II. of the Schedule to the Unemployment Insurance (Insurance Industry Special Scheme) (Variation and Amendment) Special Order, 1923, as the Board with the approval of the Ministry may determine shall be deemed to be part of the working expenses of the Scheme.

7. The Board shall in exercising their powers and in carrying out their duties under the Scheme give effect to any general directions which from time to time may be given by the Ministry after consultation with the Board.

8. If the Ministry shall at any time be satisfied that it has become impracticable for the affairs of the Scheme to continue to be administered by the Board or that the affairs of the Scheme are being administered in a manner prejudicial to the interests of persons engaged in the Insurance Industry the Ministry may provide in such manner as it shall think fit for the temporary administration of the affairs of the Scheme, and may for that purpose empower any person or persons selected by the Ministry to exercise any of the powers or carry out any of the duties of the Board in so far as they relate to Northern Ireland.

SECOND SCHEDULE TO PART II.

(General Provisions of the principal Act applied with modifications.)

Section 9. Every assignment of, or charge on, and every agreement to assign or charge any of the benefits conferred by the Scheme shall be void, and, on the bankruptcy of any person entitled to any such benefit, the benefit shall not pass to any trustee or other person acting on behalf of his creditors.

Section 22(I) as amended by Section 11 of Unemployment Insurance Act (Northern Ireland), 1922. If for the purpose of obtaining any benefit or payment under the Scheme, either for himself or for any other person or for the purposes of avoiding any payment to be made by himself under the Scheme, or enabling any other person to avoid any such payment, any person knowingly makes any false statement or false representation, he shall be liable on summary conviction to imprisonment for a term not exceeding six months, with or without hard labour. A Court of Summary Jurisdiction in Ireland shall have the same power as a Court of Summary Jurisdiction in England in the case of a person convicted for an offence under this sub-section of imposing a fine not exceeding twenty-five pounds instead of imprisonment if the Court is of opinion that the justice of the case would be better met by a fine than by imprisonment.

Section 22 (2). If any employer has failed or neglected to pay any contributions which he is liable under the Scheme to pay, or if any employer or insured person or any other person refuses or neglects to comply with any of the requirements of the Scheme or the rules made thereunder, or if any employer deducts or attempts to deduct from the wages or other remuneration of an insured person the whole or any part of the employer's contribution, he shall, for each offence, be liable on summary conviction to a fine not exceeding ten pounds.

Section 22 (3). Where an employer has been convicted under the foregoing provisions of this section of the offence of failing or neglecting to pay any contribution under the Scheme, he shall be liable to pay to the insurance fund a sum equal to the amount which he has so failed or neglected to pay, and on such a conviction if notice of the intention to do so has been served with the summons or warrant, evidence may be given of the failure or neglect on the part of the employer to pay other contributions in respect of the same person during the year preceding the date when the information was so laid, and on proof of such failure or neglect the employer shall be liable to pay to the insurance fund a sum equal to the total of all the contributions which he is so proved to have failed or neglected to pay.

Any sum paid by an employer under the foregoing provision shall be treated as a payment in satisfaction of the unpaid contributions.

Section 22 (4). Every person who buys, sells, or offers for sale, takes or gives in exchange, or pawns or takes in pawn, any certificate of insurance against unemployment shall be liable on summary conviction to a fine not exceeding twenty pounds.

If it is found at any time that a person has been in receipt of benefit under the Scheme whilst the conditions laid down by the Scheme for receipt of benefit were not fulfilled in his case, or whilst he was disqualified under the Scheme for receiving benefit, he shall be liable to repay to the insurance fund any sums paid to him in respect of benefit while the said conditions were not fulfilled, or while he was disqualified for receiving the benefit.

Section 22
(5).

Nothing in this section shall be construed as preventing the recovery of any sum due to the insurance fund by means of civil proceedings and any such sum shall be a debt due to the Board and without prejudice to any other remedy recoverable summarily as a civil debt.

Section 22
(6)

In any proceedings under this section or in any proceedings involving any question as to the payment of contributions under the Scheme or for the recovery of any sums due to the insurance fund the decision of the Ministry on any question whether a person is or was an employed person within the meaning of this Act or not, or any question whether a person is or was a person to whom the Scheme applies or not, shall, unless an appeal against the decision is pending, or the time for appealing against the decision has not expired, be conclusive for the purpose of those proceedings, and if such a decision has not been obtained and the decision of the question is necessary for the determination of the proceedings the question shall be referred to the Ministry for decision in accordance with the provisions of this Act, and where any such appeal is pending, or the time for so appealing has not expired or any question has been so referred to the Ministry the court dealing with the case shall adjourn the proceedings until such time as a final decision on the question has been obtained.

Section 22
(7).

Proceedings for an offence under the Scheme shall not be instituted except by or with the consent of the Ministry or by an inspector or other officer of the Board authorised in that behalf by the Board.

Section 23
(1).

Notwithstanding any provision in any Act prescribing the period within which summary proceedings may be commenced, proceedings for an offence under the Scheme may be commenced at any time within three months from the date on which evidence, sufficient in the opinion of the Board to justify a prosecution for the offence, comes to their knowledge, or within six months after the commission of the offence, whichever period is the longer.

Section 23
(2).

For the purposes of the foregoing provision, a certificate purporting to be signed on behalf of the Board, as to the date on which such evidence as aforesaid came to their knowledge shall be conclusive evidence thereof.

There shall be included among the debts which, under section two hundred and nine of the Companies (Consolidation) Act, 1908, are, in the distribution of the assets of a company being wound up to be paid in priority to all other debts, all contributions payable under the Scheme by the company in respect of insured persons during the four months before the commencement of the winding-up or the winding-up order, and that Act shall have effect accordingly, and formal proof of the debts to which priority is given under this section shall not be required except in cases where it may otherwise be provided by rules made under that Act.

Section 26
(1).

This section shall not apply where a company is wound up voluntarily merely for the purposes of reconstruction or of amalgamation with another company.

Section 26
(3).

There shall be included among the debts which, under section four of the Preferential Payments in Bankruptcy (Ireland) Act, 1889, are, in the distribution of the property of a bankrupt or arranging debtor, to be paid in priority to all other debts, all contributions payable under the Scheme by the bankrupt or arranging debtor in respect of employed persons during the four months before the date of the order of adjudication in the case of a bankrupt or the filing of the petition for arrangement in the case of an arranging debtor, and that Act shall have effect accordingly, and formal proof of the debts to which priority is given under this sub-section shall not be required except in cases where it may otherwise be provided by general orders made under the said Act.

Section 26
(5).

The rules made under the Scheme shall provide for the return to employers of any contributions paid by them under the erroneous belief that the contributions were payable under the Scheme in respect of any person.

Section 28
(1).

Provided that no return of contributions shall be made under this provision except on an application made in the prescribed manner and within the prescribed period, not being less than one year from the date on which the contributions were paid.

Section 29
(1).

An inspector appointed under the Scheme shall, for the purposes of the execution of the Scheme, have power to do all or any of the following things, namely :—

- (a) To enter at all reasonable times any premises or place other than a private dwelling-house not being a workshop, where he has reasonable grounds for supposing that any insured persons are employed ;
- (b) To make such examination and inquiry as may be necessary for ascertaining whether the provisions of the Scheme are complied with in any such premises or place ;
- (c) To examine, either alone or in the presence of any other person, as he thinks fit, with respect to any matters under the Scheme, every person whom he finds in any such premises or place, or whom he has reasonable cause to believe to be or to have been an insured person, and to require every such person to be so examined, and to sign a declaration of the truth of the matters in respect of which he is so examined ;
- (d) To exercise such other powers as may be necessary for carrying the Scheme into effect.

Section 29
(2).

The occupier of any such premises or place and any other person employing any insured person, and the servants and agents of any occupier or other person, and any insured person shall furnish to any inspector all such information and shall produce for inspection all such registers, books, cards, wages sheets, records of wages, and other documents as the inspector may reasonably require.

Section 29
(3).

If any person wilfully delays or obstructs an inspector in the exercise of any power under this section or fails to give such information or to produce such documents as aforesaid, or conceals or prevents or attempts to conceal or prevent any person from appearing before or being examined by an inspector, he shall be liable on summary conviction to a fine not exceeding five pounds ;

Provided that no one shall be required under this section to answer any question or give any evidence tending to incriminate himself.

Section 29
(4).

Where any such premises or place are liable to be inspected by inspectors or other officers employed by, or are under the control of, some Government Department, the Board may make arrangements with that Government Department, for any of the powers and duties of inspectors under this section being carried out by inspectors or other officers of such Government department, and, where such an arrangement is made, such inspectors and officers shall have all the powers of an inspector under this section.

Section 29
(5).

Every inspector shall be furnished with the prescribed certificate of his appointment, and on applying for admission to any Premises or place, for the purposes of the Scheme, shall, if so required, produce the said certificate to the occupier.

Section 30.

Where any person to whom an advance on account of the expenses of travelling to a place where employment has been found for him has been made under subsection (1) of section two of the Labour Exchanges Act, 1909, is an insured person who would in the opinion of the Board be entitled to receive or to continue to receive benefit under the Scheme if he became or remained unemployed, the Board may repay out of the insurance fund to the fund out of which the advance was made such part of the advance as may with the consent of the Ministry be prescribed, but if the person to whom the advance was made fails without reasonable excuse to enter on the employment found for him the sum so repaid out of the insurance fund may be recovered from him or deducted from any benefit which may thereafter become payable to him, and if so recovered shall be paid into the insurance fund.

Section 32.

Where, for the purposes of the Scheme, the age, marriage, or death of any person is required to be proved by the production of a certificate of birth, marriage or death, any person shall, on presenting a written requisition in such form and containing such particulars as may be from time to time prescribed by the Registrar-General for Northern Ireland, and, on payment of a fee in the case of a birth certificate of sixpence and in the case of a marriage or death certificate of one shilling, be entitled to obtain a certified copy of the entry of the birth, marriage, or death, as the case may be, of that person in the register of births, marriages, or deaths, as the case may be, under the hand of the registrar or other person having the custody thereof, and forms for such requisition shall on request be supplied without any charge by every registrar of births and deaths, and by every registrar or other person having the custody of the register.