

SECOND SCHEDULE.  
MINISTRY OF LABOUR.

UNEMPLOYMENT INSURANCE ACT (NORTHERN IRELAND), 1936.

*Certificate of Exemption.*

No. .... Date ..... 19 .....

THIS IS TO CERTIFY THAT .....  
residing at .....  
is exempted from liability to become or to continue to be insured under the  
Unemployment Insurance Act (Northern Ireland), 1936, until .....  
..... 19 .....

On behalf of the Ministry of Labour  
for Northern Ireland.

Assistant Secretary.

Ministry of Labour for Northern Ireland,  
Stormont,  
Belfast.

**Courts of Referees.**

THE UNEMPLOYMENT INSURANCE (COURTS OF REFEREES) REGULATIONS (NORTHERN IRELAND), 1937, DATED 19TH MAY, 1937, MADE BY THE MINISTRY OF LABOUR FOR NORTHERN IRELAND UNDER THE UNEMPLOYMENT INSURANCE ACT (NORTHERN IRELAND), 1936 (26 GEO. 5 & 1 EDW. 8, c. 30).

1937. No. 43.

The Ministry of Labour for Northern Ireland by virtue of the powers conferred on it by Sections 42, 44, 45, 49 and 111 of the Unemployment Insurance Act (Northern Ireland), 1936, and of all other powers in that behalf, hereby makes the following Regulations :—

1.—(1) These Regulations may be cited as the Unemployment Insurance (Courts of Referees) Regulations (Northern Ireland), 1937, and shall come into force on the date hereof.

Short title, commencement and repeal.

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

12 Geo 5, c. 4.

(3) The Regulations set out in the First Schedule hereto are hereby revoked, but such revocation shall not affect any right, privilege, obligation or liability acquired, accrued or incurred under those Regulations, or anything done or to be done thereunder.

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

Interpretation.

“ the Act ” means the Unemployment Insurance Act (Northern Ireland), 1936 ;

9 Edw. 7,  
c. 7.

“ Advisory Committee ” means an advisory committee appointed under sub-section (5) of section 2 of the Labour Exchanges Act, 1909 ;

“ Court ” means a court of referees for the purposes of the Act ;

“ employers’ panel ” and “ insured contributors’ panel ” mean the panels of persons chosen to represent employers and insured contributors respectively required to be constituted under sub-section (2) of section 42 of the Act ;

“ local office ” means an employment exchange or other office appointed by the Ministry as a local office for the purpose of the Act and of these Regulations ;

“ the Ministry ” means the Ministry of Labour for Northern Ireland.

(2) In these Regulations reference to claims for benefit shall include references to questions arising in connection with such claims and references to allowing or disallowing claims shall include references to determining questions in favour of or adversely to a claimant.

(3) Unless the context otherwise requires, any reference in these Regulations to the Unemployment Insurance Act (Northern Ireland), 1936, shall be construed as a reference to that Act as amended by any order or subsequent enactment.

Constitution  
of panels of  
persons  
chosen to  
represent  
employers  
and insured  
contributors  
respectively.

3.—(1) The panels of persons chosen to represent employers and insured contributors respectively required to be constituted by the Ministry shall be composed of such number of members as the Ministry sees fit to appoint for each district.

(2) Before appointing a person to be a member of a panel, the Ministry shall take into consideration the name of any person suggested for appointment by the Advisory Committee for the district concerned, or, if in the district there is no such Advisory Committee, it shall take into consideration the name of any person suggested for appointment by or on behalf of any employers or insured contributors, or by any associations of employers or employed persons if in its opinion the person or association making the suggestion is an interested party.

Term of  
Office of  
members of  
panels.

(3) The members of a panel shall hold office for three years from the date of their appointment or for such other term as the Ministry may direct :

Provided that the Ministry may at any time terminate the appointment of any member of a panel.

(4) Where a vacancy occurs by reason of the death or retirement of a member of a panel before the termination of his appointment, any person appointed by the Ministry to fill such vacancy shall hold office only until the expiration of the term for which that member was appointed :

Provided that nothing in these Regulations shall be construed as implying any obligation upon the Ministry to fill any vacancy in a panel.

4.—(1) A Court shall consist of a chairman appointed by the Ministry and one person drawn from the employers' panel and one person drawn from the insured contributors' panel and duly summoned to serve on the Court.

Constitution  
of a Court  
of Referees.

(2) Each member of a panel shall, so far as practicable, be summoned to serve in turn upon a Court.

(3) Any case may, with the consent of the claimant but not otherwise, be proceeded with in the absence of any member or members of the Court other than the Chairman, and in any such case the Court shall be deemed to be properly constituted, and the Chairman shall, if the number of the members of the Court is an even number, have a second or casting vote.

(4) No member of a panel shall act as a member of a Court during the consideration of a case :—

- (a) in which he appears as the representative of the claimant ; or
- (b) by which he is or may be directly affected ; or
- (c) in which he has taken any part as an official of an association or as an employer or as a witness or otherwise ; or
- (d) whilst, being unemployed, he is—
  - (i) claiming benefit, or any payment in respect of unemployment from an association with which a special arrangement under section 72 of the Act is in force ; or
  - (ii) signing the register as evidence of being unemployed ; or
  - (iii) a person in respect of whom a disallowance of his claim for benefit is in force ; or
- (e) whilst he is in receipt of an allowance under the Unemployment Assistance Act (Northern Ireland), 1934.

24 & 25 Geo. 5  
c. 12.

5. Any claim for benefit may at any time prior to consideration by the Court be referred by the Chairman thereof for previous examination and report to two persons, who are persons resident

Report to  
Court of  
Referees.

in the neighbourhood in which the claimant resides, and of whom one shall be drawn from the employers' panel and the other from the insured contributors' panel.

Appeal to  
Court of  
Referees.

6. Where the Insurance Officer has disallowed a claim for benefit, any appeal against such a disallowance shall be made in writing, shall contain a statement of the grounds of the appeal and shall be lodged at a local office of the Ministry.

Procedure of  
a Court of  
Referees.

7.—(1) (a) Reasonable notice of the time and place at which a Court will sit for the consideration of any case shall be given to the claimant and except by consent of the claimant a Court shall not proceed to the consideration of any case unless such notice has been given.

(b) During the consideration by a Court of any case the claimant, an Insurance Officer, and any officer of the Ministry that the Ministry may direct shall be entitled to be present at the sitting of the Court and the claimant may be represented at the sitting of the Court by any person, not being counsel or solicitor, authorised by him, but for the purpose of discussing its decisions the Court may order all persons not being members of the Court to withdraw from the sitting of the Court.

(2) The Court may allow any person appearing to the Court to be likely to be affected by the decision of the Court to be present during the consideration of a case but, save as aforesaid, there shall not be admitted to the sitting of the Court any member of the public or the representative of any newspaper.

(3) The decision of a majority of a Court shall be the decision of the Court, but if the decision disallowing a claim for benefit is not unanimous a statement that one of the members dissented, and the reason given by him for so dissenting, shall be recorded in the report of the proceedings of the Court.

(4) Any notice which under the provisions of these Regulations or of sections 44 or 45 of the Act is, or is required to be, given to the claimant, shall be deemed to have been given if it was sent by post to the last address given by the claimant to the local office, unless in any particular case the claimant proves that he has not in fact received the notice, that he has changed his address since notifying his last address to the local office, that he had good cause for failing to notify such change of address to the local office, and that it is reasonable to suppose that the failure to receive the notice was due to the change of address.

Leave to  
appeal from  
Court of  
Referees.

8. A claimant who desires to appeal against a decision of a Court where leave to appeal is not granted by the Chairman when the decision of the Court is given, shall within twenty-one days after the date of the decision, or within such longer period

as the Chairman may in any case for special reason allow, make application for such leave in the form set out in the Second Schedule hereto, or in such form substantially to the like effect as may from time to time be approved by the Ministry.

Given under the Official Seal of the Ministry of Labour for Northern Ireland this 19th day of May, 1937.

(L.S.)

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

FIRST SCHEDULE.

Unemployment Insurance (Courts of Referees) Regulations (Northern Ireland), 1930 (S.R. & O. of N.I. 1930 (No. 74) p. 388).

Unemployment Insurance (Courts of Referees) (Amendment) Regulations (Northern Ireland), 1934 (S.R. & O. of N.I. 1934 (No. 64) p. 425).

SECOND SCHEDULE.

MINISTRY OF LABOUR—UNEMPLOYMENT INSURANCE ACT  
(NORTHERN IRELAND), 1936.

*Application for leave to appeal to the Umpire against a Decision of the Court of Referees.*

(This form must be completed and handed in at the Local Office within twenty-one days of the date of Decision shown below.)

Name of Claimant..... Case No.....

Court of Referees..... Date of Decision.....

To the Chairman of the Court of Referees :

I hereby apply for leave to appeal to the Umpire against the above-mentioned decision of the Court of Referees on the following grounds :—

See Note below.

Date..... Signature of Claimant.....

NOTE.—Section 45 (4) of the Unemployment Insurance Act (Northern Ireland), 1936.

“ An application for leave to appeal under this section shall be granted by the chairman if it appears to him that there is a principle of importance involved in the case or any other special circumstance by reason of which leave to appeal ought to be given.”