

immediately preceding the date of payment of the last contribution in respect of which repayment is made" the words "seventh day of July, 1924."

2. These Regulations may be cited as the Unemployment Insurance (Repayment and Return of Contributions) (Amendment) Regulations (Northern Ireland), 1924.

Given under the official Seal of the Ministry of Labour for Northern Ireland, this seventh day of November, nineteen hundred and twenty-four.

(Signed) *H. Conacher,*

(L.S.)

Assistant Secretary to the Ministry  
of Labour for Northern Ireland.

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### **Temporary Provisions Act (Northern Ireland), 1924.**

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MADE BY THE GOVERNOR OF NORTHERN IRELAND UNDER THE  
UNEMPLOYMENT INSURANCE (TEMPORARY PROVISIONS) ACT  
(NORTHERN IRELAND), 1924.

1924. No. 58.

Whereas it is provided by section one of the Unemployment Insurance (Temporary Provisions) Act (Northern Ireland), 1924, (in this Order and in the Schedule thereto referred to as "the Act"), that in the event of any Acts being after the passing of the Act passed in the present session of the Parliament of the United Kingdom to amend the Unemployment Insurance Acts, 1920 to 1924, there shall apply to Northern Ireland so much as the Governor of Northern Ireland by Order in Council declares applicable of the enactments contained in any such Act, being enactments making provision for or with respect to the matters in sub-section (1) of section one of the Act mentioned; and that an Order in Council under the Act may make such adaptations of any such enactments as aforesaid as appear necessary or expedient for carrying into effect the application of those enactments to Northern Ireland, and that as from any date specified in the Order the Unemployment Insurance Acts (Northern Ireland), 1920 to 1924, shall have effect as amended by the enactments applied to Northern Ireland by the Order:

And Whereas the Unemployment Insurance (No. 2) Act, 1924, has been passed in the present session of the Parliament of the United Kingdom to amend the said Unemployment Insurance Acts, 1920 to 1924, and contains certain

enactments (which are set forth in the Schedule to this Order, and are in this Order referred to as "the scheduled enactments"), being enactments which the said Governor has power under the Act to declare applicable to Northern Ireland by Order in Council :

Now I, James Albert Edward, Duke of Abercorn, Governor of Northern Ireland, in exercise of the powers vested in me by the Act, and of all other powers enabling me in this behalf, by and with the advice of the Privy Council of Northern Ireland, do hereby order and declare as follows :—

1. It is hereby declared that the scheduled enactments are applicable to Northern Ireland, and they are hereby applied accordingly with the adaptations appearing therein for the period during which the Act continues in force.

2. The Unemployment Insurance Acts (Northern Ireland), 1920 to 1924, shall have effect as amended by the scheduled enactments as from the first day of August, 1924 ; and the said day is in the scheduled enactments referred to as "the commencement of this Act."

3. (1) This Order may be cited as the Unemployment Insurance Order (Northern Ireland), 1924.

(2) References in the scheduled enactments to enactments of the Parliament of the United Kingdom shall be construed as references to the last-mentioned enactments as they apply in Northern Ireland.

(Signed)

*Londonderry,*  
*R. Dawson Bates,*  
*John M. Andrews,*  
*Richard Best,*  
*R. G. Sharman-Crawford,*  
*James S. Stronge.*

Given at the Council Chamber, Stormont Castle, Belfast,  
 this 8th day of August, 1924.

#### SCHEDULE TO THE FOREGOING ORDER.

##### THE SCHEDULED ENACTMENTS.

*Rights of Insured Persons to Unemployment Benefit.* <sup>12 & 15</sup> 10 & 11 Geo. 5, c. 30.

1. (1) Until the date on which the Act ceases to be in force, an insured contributor who is unemployed shall, if and so long as the statutory conditions are fulfilled in his case and he is not disqualified under the Unemployment Insurance Act, 1920 (in this Act referred to as "the principal Act"), for the receipt of unemployment benefit (in this Act referred to as "benefit"), be entitled, subject to the provisions of the Unemployment Insurance Acts (Northern Ireland), 1920 to 1924, and to the provisions contained in Part I. of the First Schedule to this Act (which re-enacts with modifications the provisions of the Second Schedule to the principal Act), to receive such benefit in accordance with the provisions hereinafter contained in this section,

(2) An applicant for benefit in whose case the requirements of subsection (1) of this section are fulfilled shall, unless the number of the contributions paid in respect of him since the beginning of the insurance year next before the beginning of the benefit year in which the application for benefit is made is less than twenty, be entitled to receive benefit in the proportion of one week's benefit for every six contributions paid in respect of him and for periods not exceeding in the aggregate twenty-six weeks in a benefit year.

(3) If an applicant for benefit in whose case the requirements of sub-section (1) of this section are fulfilled is not entitled thereto under the provisions of the last preceding subsection, by reason either that the number of contributions paid in respect of him within the period therein mentioned is less than twenty, or that sufficient contributions are not standing to his credit or that he has already received benefit for periods amounting in the aggregate to twenty-six weeks in the benefit year in which the application is made, he shall nevertheless be entitled to receive benefit if in addition to satisfying the requirements aforesaid he also proves—

- (a) that he is normally employed in such employment as would make him an employed person within the meaning of the principal Act (in this Act referred to as "insurable employment"), and will normally seek to obtain his livelihood by means of insurable employment;
- (b) that in normal times insurable employment suited to his capacities would be likely to be available for him;
- (c) that he has during the two years immediately preceding the date of the application for benefit been employed in an insurable employment to such an extent as was reasonable, having regard to all the circumstances of the case and in particular to the opportunities for obtaining insurable employment during that period;
- (d) that he is making every reasonable effort to obtain employment suited to his capacities and is willing to accept such employment.

For the purposes of paragraph (c) of this subsection:

- (i) in the case of a seaman, marine, soldier or airman in respect of whom a payment is to be made or has been made under section forty-one of the principal Act, service as seaman, marine, soldier, or airman; and
- (ii) in the case of any person formerly engaged in war service, the undergoing of training for an insurable occupation, where the cost of the training is defrayed out of funds administered by the Minister of Labour of the United Kingdom or by the Minister of Pensions thereof;

shall be treated as employment in insurable employment.

In the foregoing provision the expression "person formerly engaged in war service," has the same meaning as in the Unemployment Insurance Act, (Northern Ireland), 1922.

(4) Notwithstanding that the employment of an insured contributor has terminated, he shall not be deemed to be unemployed within the meaning of this section during a period in respect of which he continues to receive wages or receives any payment by way of compensation for the loss of, and substantially equivalent to, the remuneration which he would have received if the employment had not terminated.

(5) For the purposes of this Act the expression "benefit year" means in relation to any insured contributor the period commencing on the date on which that contributor first makes an application for benefit next after this Act comes into operation, and terminating on the date on which the Act ceases to be in force:

Provided that if in the case of any insured contributor this Act comes into operation at a time when he is continuously unemployed, the benefit year current at the commencement of this Act shall, unless the Ministry of Labour for Northern Ireland (in this Act referred to as the "Ministry") otherwise directs, continue in relation to him until the date on which the period of continuous unemployment ceases, but not in any case beyond the fifteenth day of October, nineteen hundred and twenty-four.

(6) In the case of a person who has satisfied the requirements for the receipt of benefit in the first benefit year, as defined in section three of the Unemployment Insurance Act (Northern Ireland), 1923, the Ministry may, during such period as may be necessary for the examination of his qualifications for the receipt of benefit under this Act, but not exceeding six weeks next after the first day of August, nineteen hundred and twenty-four, authorise payment of benefit to him under subsection (3) of this section, as if he were a person who complied with the requirements of that sub-section.

*Rates of Unemployment Benefit.*

2. (1) As from the second Thursday next after the commencement of this Act benefit shall be at the weekly rates set out in Part II. of the First Schedule to this Act.

(2) Section one of the Unemployment Insurance Act (Northern Ireland), 1922, (which provides that the weekly rate of benefit authorised by the Unemployment Insurance Acts, 1920 and 1921, shall be increased in respect of certain dependants), shall apply to the weekly rate of benefit authorised by this section as it applies to the weekly rate of benefit authorised by the said Acts, subject to the following modifications, namely, that the increase :—

- (a) shall be allowed in the case of an unmarried person (not being a person entitled to an increase under the said section otherwise than in respect of his dependent children) who has living with him and is wholly or mainly maintaining his widowed mother ;
- (b) shall be allowed in the case of a widow or an 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
- (c) in respect of a child shall be two shillings instead of one shilling.

*Amendment as to Statutory Conditions.*

3. (1) Section seven of the principal Act (which prescribes the statutory conditions for the receipt of benefit) shall be amended as follows :—

(a) The following paragraphs shall be substituted respectively for paragraphs (i), (iii) and (iv) of subsection (1) :—

“(i) that he proves that not less than thirty contributions have been paid in respect of him under this Act since the beginning of the first of the two insurance years next before the beginning of the benefit year in which the application for benefit is made ;”

“(iii) that he is capable of and available for work ;”

“(iv) that he is genuinely seeking work, but unable to obtain suitable employment ;”

(b) After the words “than those” in paragraph (b) of the proviso to subsection (1) there shall be inserted the words “which he might reasonably have expected to obtain having regard to those.”

(2) During the period between the commencement of this Act and the date on which the Act ceases to be in force, a person shall be entitled to receive benefit if the Ministry thinks fit so to direct in his case, notwithstanding that the first statutory condition may not have been fulfilled in his case.

*Amendments as to Disqualifications for Receipt of Unemployment Benefit.*

4. (1) Subsection (1) of section eight of the principal Act (which imposes a disqualification for the receipt of benefit during a stoppage of work) shall not apply in any case in which the insured contributor proves that he is not participating in or financing or directly interested in the trade dispute which caused the stoppage of work and that he does not belong to a grade or class of workers members of which are participating in or financing or directly interested in the dispute, or that the stoppage is due to an employer acting in a manner so as to contravene the terms or provisions of any agreement existing between a group of employers where the stoppage takes place, or of a national agreement to either of which the employers and employees are contracting parties.

(2) Subsection (3) of section eight of the principal Act (which disqualifies an insured contributor for the receipt of benefit while he is an inmate of any workhouse or other institution supported wholly or partly out of public funds) shall not apply in the case of an insured contributor who is an inmate of an institution used as a place of residence for workers if he proves that he was an inmate of the institution immediately before he became unemployed and that during the time when he was employed he paid the whole or a substantial part of the cost of his maintenance as such inmate.

*Provisions as to Special Schemes.*

8. (2) For the purpose of securing in the case of a special scheme that like rates of benefit shall be payable to the persons to whom the scheme applies as are payable under this Act, and that the benefits under the scheme shall otherwise be

not less favourable than those provided by the general provisions of the Unemployment Insurance Acts (Northern Ireland), 1920 to 1924 (but for no other purpose), the Ministry may, after consultation with the body charged with the administration of the scheme, notwithstanding anything in section eighteen of the principal Act, by order vary or amend the provisions of the scheme, and any such order may provide for consequential amendments as to the rates of contribution and otherwise.

(3) Subsection (7) of section eighteen of the principal Act (which provides for the payment of a certain sum in every year out of moneys provided by Parliament to the body charged with the administration of a special scheme) shall cease to have effect.

(4) The power of the Ministry under subsection (9) of section eighteen of the principal Act to vary or amend the provisions of a scheme made under that section may, except in the case of provisions relating to rates of contribution, rates or duration of benefit, or the constitution of the body charged with the administration of the scheme, be exercised by order instead of by special order.

Any order, not being a special order, made under the said subsection (9), as amended by this subsection, for varying or amending the provisions of a scheme shall be laid before both Houses of Parliament in the same manner as regulations made under the principal Act, and subsection (3) of section thirty-five of the principal Act shall apply accordingly.

*Amendment as to Refunds of Contributions.*

9. (1) If on an application made under this section the Ministry is satisfied that any person who is or has been an insured contributor had before the date on which this section comes into operation—

- (a) paid contributions in respect of not less than fifty weeks in accordance with the general provisions of the principal Act; and
- (b) reached the age of fifty years;

that person or his personal representative shall be entitled to be paid out of the Northern Irish unemployment fund a sum representing the present worth as on that date of the amount of the excess value of the contributions paid by him as increased (in the case of an insured contributor who has not attained the age of sixty years) by compound interest at the rate of two-and-a-half per cent. per annum on the amount of that excess value from the date aforesaid until the date on which he would attain the age of sixty years.

(2) An application for a payment under this section must be made in the prescribed manner.

(3) For the purposes of this section—

- (a) the amount of the excess value of the contributions paid by an insured contributor shall be taken to be the amount by which the total amount of the contributions actually paid by him exceeds the aggregate of the sums received by him by way of benefit, together with compound interest on that excess up to the date on which this section comes into operation at such rate and calculated in such manner as is directed by section twenty-five of the principal Act;
- (b) in calculating the excess value of contributions—

(i) contributions and benefit paid subsequently to the seventh day of November, nineteen hundred and twenty, shall be reckoned as if they had been paid at the rates at which contributions and benefit were respectively payable under the principal Act as originally enacted; and

(ii) no account shall be taken of contributions repaid or refunded, of benefit previously taken into account for the purposes of a refund under any of the provisions of the principal Act, of grants or contributions paid under the Unemployed Workers' Dependents (Temporary Provisions) Act, 1921, of contributions on account of which a payment has been made under subsection (10) of section eighteen of the principal Act to the body charged with the administration of a special scheme, or, where no contributions have been paid in respect of any person for a period comprising five insurance years, of contributions paid in respect of him, or benefit paid to him, before the last such period; and

(c) The present worth of the amount of the excess value of contributions as increased by any such compound interest as aforesaid (if any) shall be calculated in manner prescribed by regulations, and any regulations made for that purpose shall direct that in making the calculation regard shall be had, among other matters, to the fact that contributions may cease for a period comprising five insurance years to be paid in respect of the insured contributor and, in the case of an insured contributor who has not attained the age of sixty years, to the fact that he may not live to attain that age.

(4) Payment to an insured contributor under this section shall not affect his liability to pay contributions.

(5) Section twenty-five of the principal Act shall cease to have effect, except that where any person had before the date upon which this section comes into operation become entitled to claim a repayment under the said section twenty-five an application may be made in that behalf under that section instead of under this section, and no repayment to which any person may be entitled under section ninety-five of the National Insurance Act, 1911, shall be made unless an application for repayment is made to the Ministry within the prescribed period.

(7) This section shall come into operation on the seventh day of July, nineteen hundred and twenty-four.

*Consequential and Minor Amendments.*

16. The amendments specified in the second column of the Second Schedule to this Act (which relate to consequential and minor matters) shall be made in the enactments specified in the first column of that Schedule.

*Short Title, Repeal, Decision of Questions, Application and Commencement.*

17. (1) This Act may be cited as the Unemployment Insurance (No. 2) Act, 1924, shall be included among the Acts which may be cited together as the Unemployment Insurance Acts (Northern Ireland), 1920 to 1924, and shall be construed as one with those Acts, and any reference in this Act to those Acts, or to any of them, or to any provision contained in any of them, shall, unless the context otherwise requires, be construed as a reference to those Acts, that Act, or that provision, as amended by this Act.

(2) The enactments set out in the Third Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

(3) If a question arises whether a person satisfies the additional conditions required to be satisfied by a person applying for benefit under subsection (3) of section one of this Act, or with respect to the date of the making of an application for benefit, that question shall be decided by the Ministry, whose decision thereon shall be final.

(4) The Ministry may, if it thinks fit, refer to any committee to which questions may be referred under subsection (5) of section thirteen of the principal Act any question which is to be decided by the Ministry under this Act, and any question arising under subsection (2) of section three of this Act whether a person should be allowed to receive benefit notwithstanding that the first statutory condition is not fulfilled in his case.

(6) The Ministry may by regulations provide for the transition from the provisions of the Unemployment Insurance Acts (Northern Ireland), 1920 to 1924, to the provisions of those Acts as amended by this Act.

SCHEDULES REFERRED TO IN THE SCHEDULED ENACTMENTS.

FIRST SCHEDULE.

*Section 1.*

PART I.

SUPPLEMENTAL PROVISIONS RELATING TO RIGHT TO UNEMPLOYMENT BENEFIT.

1. Benefit shall be payable in respect of each week after the first three days of a continuous period of unemployment.

2. No person shall receive benefit in respect of any period of less than one day

3. The following provisions shall have effect for the purpose of determining the number of contributions which are to be taken as standing at any time to the credit of any person :—

- (a) Where owing to the fact that the wages or other remuneration of an employed person are paid at intervals greater than a week, or for any other like reason, contributions are paid in respect of any person at intervals greater than a week, that person shall be entitled to treat each of those contributions as being such number of contributions as there are weeks in the period in respect of which the contribution was paid ;
- (b) there shall be deducted from the aggregate number of contributions actually paid in respect of him one contribution in respect of each day of benefit previously received by him, exclusive of any benefit received in respect of the period between the seventh day of November, nineteen hundred and twenty, and the termination of the fourth special period, or in the case of benefit received in respect of the period before the eighth day of November, nineteen hundred and twenty, five contributions in respect of each week of benefit received.

4. Any time during which a person is under the provisions of the principal Act disqualified, otherwise than by reason of being in receipt of sickness or disablement benefit or disablement allowance under the National Health Insurance Acts (Northern Ireland), 1911 to 1924, for receiving benefit shall be excluded in the computation of continuous periods of unemployment under this Part of this Schedule.

5. A period of unemployment shall not be deemed to commence until the date on which the insured contributor makes application for benefit in the prescribed manner :

Provided that regulations may be made under section thirty-five of the principal Act for authorising some earlier date to be substituted for the date of the application in cases in which good cause is shown for delay in making the application.

PART II.

WEEKLY RATES OF UNEMPLOYMENT BENEFIT.

Section 2.

Class of Persons to whom Rate applies.	Rate of Benefit.	
	s.	d.
Men .. .. .	18	0
Women .. .. .	15	0
Boys who have attained the age of sixteen years, but are under the age of eighteen years .. .. .	7	6
Girls who have attained the age of sixteen years, but are under the age of eighteen years .. .. .	6	0

SECOND SCHEDULE.

Section 16.

MINOR AND CONSEQUENTIAL AMENDMENTS.

Enactment to be amended.	Amendment.
The Unemployment Insurance Act, 1920 :	
Section 5 (5)	At the end of the subsection there shall be inserted the words " nor in respect of any blind person who is " in receipt of a pension under those Acts as extended by section one of the Blind persons Act, 1920."
Section 7 (2) (a)	After the words " the remuneration," wherever they occur, there shall be inserted the words " or profit," and after the words " is payable" there shall be inserted the words " or is earned."
Section 8 (2)	The words " not being less than one week " shall be repealed.
Section 8 (4)	The words from the beginning to " this Act and " shall be repealed.

- Section 8 (5) At the end of the subsection there shall be inserted the words "or under those Acts as extended by section "one of the Blind Persons Act, 1920."
- The Unemployment Insurance (No. 2) Act, 1921 :
- Section 10 For the words "the statutory condition that he is "capable of and available for work but unable to "obtain suitable employment" there shall be substituted the words "the third or the fourth "statutory condition."
- The Unemployment Insurance Act (Northern Ireland) 1923 :
- Section 6 (1) For the words "less than three" there shall be substituted the words "not more than six."
- Section 12 (1) For the words "beginning of the second benefit year" there shall be substituted the words "thirty-first "day of December nineteen hundred and twenty-four."

## THIRD SCHEDULE.

## Section 17.

## ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
10 & 11 Geo. 5 c. 30.	The Unemployment Insurance Act, 1920 ✓	Section two, sub-section (7) of section eighteen, section twenty-five subject to the provisions of this Act, and the Second Schedule.
11 & 12 Geo. 5. c. 1.	The Unemployment Insurance Act, 1921. ✓	Sections one and three, section nine except subsection (5) thereof, the First Schedule, and so much of the Second Schedule as amends section eighteen and the Second Schedule of the principal Act.
11 & 12 Geo. 5. c. 15.	The Unemployment Insurance (No. 2) Act, 1921. ✓	The whole Act, except section four section five, sections nine to thirteen and sections fifteen and sixteen.
12 & 13 Geo. 5. c. 7.	The Unemployment Insurance Act (Northern Ireland) 1922. ✓	Sections three, four, five, six, twelve and fifteen, and sub-section (4) of section sixteen.
13 & 14 Geo. 5. c. 11.	The Unemployment Insurance Act (Northern Ireland), 1923. ✓	Sections one, two, three, seven and nine.
14 Geo. 5. c. 3.	The Unemployment Insurance Act (Northern Ireland), 1924.	The whole Act.