The National Insurance (Extension of Unemployment Benefit) Regulations, 1948

1948 No. 1447

Made - - - -	*28th June*, 1948
Coming into Operation	*5th July*, 1948

M.N.I.107.

The Minister of National Insurance, acting in conjunction with the Treasury, in exercise of the powers conferred by section 62 of the National Insurance Act, 1946, and of all other powers enabling him in that behalf, hereby makes the following regulations in the terms of a draft duly approved by resolution of each House of Parliament:—*

9 & 10 Geo. 6. c. 67.

Citation, commencement and interpretation.

1.—(1) These regulations may be cited as the National Insurance (Extension of Unemployment Benefit) Regulations, 1948, and shall come into operation on the 5th July, 1948.

(2) In these regulations, unless the context otherwise requires—

" the Act " means the National Insurance Act, 1946;

" the Minister " means the Minister of National Insurance;

" local tribunal " means a local tribunal constituted in accordance with regulation 8 of the National Insurance (Determination of Claims and Questions) Regulations, 1948(a);

and other expressions have the same meanings as in the Act.

(3) References in these regulations to any enactment or regulations shall include references to such enactment or regulations as amended by any subsequent enactment, order or regulations.

52 & 53 Vict. c. 63.

(4) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Extension of unemployment benefit.

2. Subject to the provisions of section 62 of the Act (which provides for payment of unemployment benefit after exhaustion of the right thereto during a period of five years beginning with the appointed day(b)) and of these regulations, the Minister is authorised to pay unemployment benefit to insured persons, on the recommendation of a local tribunal, for such number of days of unemployment as may be specified in the recommendation, being days for which they are not entitled to such benefit by reason only of having exhausted their right thereto.

Local tribunals.

3. In making recommendations for the purposes of regulation 2, a local tribunal—

(*a*) shall not proceed on any consideration of the financial resources of the applicant or persons connected with him; but

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(a) S.I. 1948 No. 1144, p. 2720 below.

(b) 5th July, 1948. *See* S.I. 1948 No. 54, p. 2615 above.

* The necessary Resolutions were passed by the House of Lords on the 22nd June, 1948, and by the House of Commons on the 23rd June, 1948.

(*b*) subject to the foregoing paragraph, shall have regard—

(i) to the particular circumstances of the applicant, including the industrial conditions in the district where he ordinarily resides; and

(ii) to any general directions issued for the purpose of the said section 62 and of these regulations by the Minister for the guidance of local tribunals.

Application for benefit.

4. Application for benefit under these regulations shall be made in such manner and subject to such conditions as may from time to time be determined by the Minister.

Deemed entitlement to benefit.

5.—(1) Subject to the provisions of paragraph (2) of this regulation, a person shall be deemed for the purposes of all the provisions of the Act to be entitled to unemployment benefit for any day for which he receives that benefit under and in accordance with these regulations.

(2) For the purposes of subsections (1) and (3) of section 12 of the Act (which subsections relate respectively to exhaustion of, and to requalification for, benefit), the foregoing paragraph shall not apply, subject to the qualification that it shall apply for the purposes of any regulations made under the proviso to the said subsection (1) in relation to the calculation of additional days of unemployment benefit.

Determination of questions.

6. The question whether a person is not entitled to benefit by reason only of having exhausted his right thereto shall be determined by an insurance officer, a local tribunal or the Commissioner, as the case may be, but any other question arising under these regulations shall be determined by the Minister, and the provisions of the National Insurance (Determination of Claims and Questions) Regulations, 1948, shall apply accordingly.

Dated this 28th day of June, 1948.

James Griffiths,
Minister of National Insurance.

J. W. Snow,
C. James Simmons,
Two of the Lords Commissioners of His Majesty's Treasury.

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to indicate their general purport.*)

These Regulations authorise the Minister of National Insurance in respect of any days of unemployment occurring within the period of five years beginning with the appointed day to pay unemployment benefit on the recommendation of a local tribunal to persons who have exhausted their rights thereto under the provisions of the National Insurance Act, 1946, if they are otherwise entitled thereto.