(1)	(2)	(3)	(4)	(5)
	Full weekly rate of benefit applicable under Part I of the Second Schedule to the Act.			
	s. d. 26 0	s. d. 20 0	s. d. 16 0	s. d. 15 0
Number of contributions paid or credited in the relevant contribution year.	Reduced rate at which benefit is payable.			
	s. d.	s. d.	s. d.	s. d.
48—49 ..	25 0	19 6	15 6	14 6
46—47 ..	24 0	19 0	15 0	14 0
43—45 ..	23 0	18 0	14 0	13 6
40—42 ..	21 0	16 6	13 0	12 6
37—39 ..	19 0	15 0	12 0	11 6
34—36 ..	17 0	13 6	11 0	10 6
30—33 ..	15 0	12 0	9 6	9 0
26—29 ..	13 0	10 0	8 0	7 6

Unemployment Benefit : Transitional

1948. No. 237
See p 963

1948. No. 313
See p 978

Widow's Benefit and Retirement Pensions

REGULATIONS, DATED 21ST JUNE, 1948, MADE BY THE NATIONAL INSURANCE JOINT AUTHORITY, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, AND BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1948. No. 246

The National Insurance Joint Authority, in conjunction with the Ministry of Finance so far as relates to matters with regard to which the Ministry of Finance has so directed, in exercise of the powers conferred by sections 17, 20, 22 and 24 of the National Insurance Act (Northern Ireland), 1946, and the Ministry of Labour and National Insurance, in exercise of the powers conferred by section 40 (5) of that Act, and of all other powers enabling them in that behalf, hereby make the following regulations :—

Citation, commencement and interpretation.

1.—(1) These regulations may be cited as the National Insurance (Widow's Benefit and Retirement Pensions) Regulations (Northern Ireland), 1948, and shall come into operation on the 21st June, 1948.

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

"the Act" means the National Insurance Act (Northern Ireland), 1946;

"the Ministry" means the Ministry of Labour and National Insurance for Northern Ireland;

"insurance officer", "local tribunal" and "the umpire" have the same meanings as in the National Insurance

Unemployment and Sickness Benefit

1948. No. 248

See p. 778.

Unemployment Benefit (Transitional) Regulations

REGULATIONS, DATED 2ND JULY, 1948, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

Amended 1948 SR&O (N.I.) 313
Amended 1949 SR&O (N.I.) 1290
140

1948. No. 237

The Ministry of Labour and National Insurance, acting in conjunction with the Ministry of Finance, in exercise of the powers conferred by sections 62 and 66 of the National Insurance Act (Northern Ireland), 1946, and of all other powers enabling it in that behalf, hereby makes the following regulations:—

Citation, commencement and interpretation.

1.—(1) These regulations may be cited as the National Insurance (Unemployment Benefit) (Transitional) Regulations (Northern Ireland), 1948, and shall come into operation on the 2nd July, 1948.

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

"the Act" means the National Insurance Act (Northern Ireland), 1946;

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

"the Ministry" means the Ministry of Labour and National Insurance for Northern Ireland;

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

"the Insurance Industry Special Scheme" means the approved scheme referred to in the Unemployment Insurance (Insurance Industry Special Scheme) Orders (Northern Ireland), 1921 to 1947;

"existing contributor" has the meaning assigned to it by regulation 2;

"existing benefit year" means a benefit year within the meaning of the Unemployment Insurance Act which an existing contributor began not earlier than the 7th July, 1947, by proving, on a

claim for benefit (including a claim for agricultural benefit), the matters set out in subsection (1) of section 33 of that Act, or which was begun in error, not earlier than that date but in respect of which those matters were subsequently so proved before the appointed day, and a claim year under the Insurance Industry Special Scheme, which began not earlier than the 7th July, 1947;

"first normal contribution year" means the contribution year applicable to an existing contributor under regulation 2 of the National Insurance (General Benefit) Regulations (Northern Ireland), 1948, commencing, as the case may be, on the 7th March, 1949, the 6th June, 1949, the 5th September, 1949, or the 5th December, 1949;

"first normal benefit year" means the benefit year applicable to an existing contributor under regulation 2 of the National Insurance (General Benefit) Regulations (Northern Ireland), 1948, commencing, as the case may be, on the 1st August, 1949, the 7th November, 1949, the 6th February, 1950, or the 1st May, 1950;

"benefit" means benefit (including agricultural benefit) under the Unemployment Insurance Act or the Insurance Industry Special Scheme, and references to benefit rights shall be construed accordingly;

"unemployment contributions" means, in respect of weeks occurring before the appointed day, contributions (including agricultural contributions) under the Unemployment Insurance Act and weeks of insurable employment under the Insurance Industry Special Scheme, and, in respect of weeks commencing on or after the appointed day, contributions as an employed person under the Act; and any references to the payment of an unemployment contribution in respect of any week before the appointed day shall include a reference to a contribution deemed or treated as paid for the purpose of any right to benefit or to the occurrence of a week of insurable employment under the Insurance Industry Special Scheme;

"waiting day" means, in relation to days before the appointed day, any of the first three days of a continuous period of unemployment;

"insurance period" means any one of the following periods, namely:—

(*a*) an insurance year under the Unemployment Insurance Act;

(*b*) (subject to the provisions of paragraph (2) of regulation 4) the period commencing with the appointed day and ending immediately before the beginning of the first normal contribution year, except where this period is in excess of fifty-two weeks, in which case it means the last fifty-two weeks thereof; and

(*c*) a contribution year under the Act, beginning not earlier than the first normal contribution year;

and other expressions have the same meanings as in the Act, or, in relation to any period before the appointed day, the Unemployment Insurance Act.

(3) Any contributions or benefit paid or deemed or treated as paid in Great Britain, and any weeks of insurable employment under the approved scheme referred to in the Unemployment Insurance (Insurance Industry Special Scheme) Orders, 1921 to 1947, in respect of any period before the appointed day, which would, but for the Act, have been taken into account in Northern Ireland for any purpose of the Unemployment Insurance Act shall be taken into account to the like extent for the purposes of these regulations.

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

(5) The Interpretation Act, 1921, applies to the interpretation of these regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

Existing contributors.

2. In these regulations, references to an existing contributor shall be construed as meaning any person who, immediately before the appointed day, was either insured or treated as insured under the Unemployment Insurance Act or the Insurance Industry Special Scheme and who, but for the Act, could have fulfilled the first statutory condition for the receipt of benefit under the Unemployment Insurance Act in respect of a day occurring on or after the 1st January, 1946, had he then made a claim for benefit, and, for this purpose, contributions shall be taken into account as follows: in the case of benefit other than agricultural benefit, all unemployment contributions, and, in the case of agricultural benefit, only agricultural contributions.

Modification of contribution conditions for unemployment benefit in the case of existing contributors.

3.—(1) Subject to the provisions of paragraph (1) of regulation 13, where an existing contributor cannot satisfy the contribution condition contained in sub-paragraph (*a*) of paragraph 1 of the Third Schedule to the Act (which is that not less than twenty-six contributions of the appropriate class have been paid by him in respect of the period between his entry into insurance and the day for which the benefit is claimed), but—

(*a*) was, immediately before the appointed day, in an existing benefit year; or

(*b*) in respect of a day for which unemployment benefit under the Act is claimed, proves that, but for the Act, and subject to the provisions of the next following paragraph, the first

statutory condition for the receipt under the Unemployment Insurance Act of benefit other than agricultural benefit would then have been fulfilled in his case; or

(*c*) (in the case of such an existing contributor who has received unemployment benefit by virtue of section 59 of the Act, which section relates to extension of unemployment benefit, and the regulations for the time being in force thereunder, or by virtue of the corresponding regulations made under section 66 of the Act or the corresponding order made under the Insurance Industry Special Scheme), subject to the proviso to this paragraph, pays contributions as an employed person for thirteen weeks beginning on or after the appointed day;

the said contribution condition shall be deemed to be satisfied:

Provided that, for the purposes of sub-paragraph (*c*) of this paragraph, where such an existing contributor only received unemployment benefit under section 59 of the Act and the regulations for the time being in force thereunder, contributions shall only be reckoned towards the said thirteen contributions if they are paid in respect of contribution weeks begun or ended since the first day in respect of which he receives unemployment benefit under that section.

(2) In determining whether the condition referred to in sub-paragraph (*b*) of the last preceding paragraph would have been fulfilled, all unemployment contributions paid by an existing contributor shall be reckoned as contributions.

4.—(1) The contribution condition contained in sub-paragraph (*b*) of paragraph 1 of the Third Schedule to the Act (which is that not less than fifty contributions of the appropriate class have been paid by or credited to the claimant in respect of the last complete contribution year before the beginning of the benefit year which includes the day for which benefit is claimed) shall not apply to a claim for unemployment benefit by an existing contributor in respect of any day of unemployment which occurs before his first normal benefit year, but this provision shall be without prejudice to the application of paragraph (2) of regulation 13 to an existing contributor in relation to unemployment benefit by virtue of section 59 of the Act and the regulations for the time being in force thereunder.

(2) Where, in the case of an existing contributor, the period between the appointed day and the beginning of the first normal contribution year is less than fifty-two weeks, it shall be deemed to be a period of fifty-two weeks, and, for the purposes only—

(*a*) of determining whether the said contribution condition has been satisfied in respect of any day of unemployment which occurs during his first normal benefit year; or

(*b*) of calculating, under regulation 10 or 11, the unemployment contributions paid during an insurance period;

that existing contributor shall be deemed to have paid contributions as an employed person for such a number of weeks as, when added to the actual total number of weeks in the period, amount to fifty-two weeks.

Modification of provisions of the Act relating to exhaustion of, and requalification for, unemployment benefit.

5. Where an existing contributor was, immediately before the appointed day, in an existing benefit year and the first day of unemployment in a period of interruption of employment in respect of which he is entitled to unemployment benefit under the Act and the last day, before the appointed day, in that existing benefit year in respect of which he was (or would, but for a special arrangement under section 72 of the Unemployment Insurance Act, or but for its being a waiting day, have been) entitled to receive benefit would, if he had, before that last day, been an insured person under the Act, have been in the same period of interruption of employment, that period of interruption of employment shall be deemed to have commenced at the beginning of the said existing benefit year, and, in determining for the purpose of subsection (1) of section 11 of the Act (which subsection relates to exhaustion of unemployment benefit) the number of days for which he has been entitled to unemployment benefit in respect of that period of interruption of employment, he shall be treated as if he had been so entitled for one day in that period in respect of each day in the existing benefit year in respect of which he was (or would, but for such special arrangement, have been) entitled to benefit:

Provided that, if the said last day is a waiting day, the said period of interruption of employment shall be deemed to have commenced as from the beginning of the continuous period of unemployment in which the said last day occurs.

6.—(1) An existing contributor who, before the appointed day, had exhausted his benefit rights, and in respect of whom unemployment contributions were not paid before that day for ten weeks since the Sunday before the last day in respect of which he received benefit (not being benefit under the National Insurance (Extension of Unemployment Benefit) Regulations (Northern Ireland), 1947, or the Unemployment Insurance (Insurance Industry Special Scheme) (Amendment) Order (Northern Ireland), 1947), shall, for the purpose of the said subsection (1) of section 11 of the Act, be treated as if he had exhausted his right to unemployment benefit thereunder.

(2) For the purpose of subsection (3) of the said section 11 (which subsection relates to requalification for unemployment benefit), unemployment contributions paid since the said Sunday and before, as well as after, the appointed day shall be reckoned as contributions of the appropriate class for the purposes of the said subsection:

Provided that an existing contributor in whose case ten unemployment contributions have been paid since that Sunday and before the appointed

day shall, for the purposes of the said subsection, be deemed to have requalified.

Waiting days.

7.—(1) Where, in the case of an existing contributor, the last day of unemployment in his last continuous period of unemployment before the appointed day occurred not more than thirteen weeks before the first day of interruption of employment on or after the appointed day forming part of a period of interruption of employment, then—

(*a*) if, in the said continuous period of unemployment, he had three waiting days, proviso (i) to subsection (1) of section 10 of the Act (which relates to waiting days) shall not, in that period of interruption of employment, disentitle him to unemployment benefit for any day of unemployment occurring on or after the said first day of interruption of employment; and

(*b*) if, in the said continuous period of unemployment, he had one or two waiting days, that day or those days shall be taken into account for the purpose of the said proviso.

(2) Where, by reason of the proviso to subsection (6) of section 32 of the Unemployment Insurance Act, as amended (which subsection relates to waiting days) or of the corresponding provisions of the Insurance Industry Special Scheme, benefit had not, before the appointed day, become payable to an existing contributor to whom paragraph (1) of this regulation applies, in respect of any such waiting day, then if, within the period of thirteen weeks beginning with the first such waiting day, he has a further nine days (being either days of unemployment in the said last continuous period of unemployment or days of interruption of employment in the said first period of interruption of employment), benefit shall, notwithstanding the repeal of the said section 32 and of the said corresponding provisions, be payable to him in respect of any such waiting day if benefit for such day would, otherwise, have been payable.

Ascertainment of continuous period of unemployment or period of interruption of employment.

8. In ascertaining for any purpose of these regulations the last continuous period of unemployment or the first period of interruption of employment of an existing contributor, a day of unemployment occurring before the appointed day and a day of interruption of employment occurring on or after that day shall, if they occur within a period of six consecutive days, be treated as being one of two days of unemployment and one of two days of interruption of employment respectively, occurring within such a period of six consecutive days, and benefit under the Unemployment Insurance Act (or, where applicable, the Insurance Industry Special Scheme), in the case of such a day of unemployment, and unemployment benefit under the Act, in the case of such a day of interruption of employment, shall, subject to the provisions of the appropriate Act or scheme, be payable accordingly.

Disqualifications for receiving unemployment benefit operative at the appointed day.

9. An existing contributor who, before the appointed day, was disqualified under section 28 or 29 of the Unemployment Insurance Act, or under sub-paragraph (1) or (4) (ii) of paragraph 41 of the Insurance Industry Special Scheme, for receiving benefit for a period which had not expired on the appointed day, shall, during the remainder of that period be disqualified for receiving unemployment benefit under the Act.

Additional days of unemployment benefit.

10.—(1) An existing contributor who, before exhausting his right to unemployment benefit in a period of interruption of employment, has qualified, in accordance with this regulation, for additional days of unemployment benefit, shall be entitled, in that period, to unemployment benefit for such greater number of days, exceeding one hundred and eighty, as may be allowed under this regulation.

(2) An existing contributor who had qualified under the Unemployment Insurance Act or under the Insurance Industry Special Scheme for additional days of benefit in an existing benefit year, and in respect of whom the material date occurred before the appointed day, shall be deemed to have qualified under this regulation for the same number of additional days of unemployment benefit in respect of a period of interruption of employment to which regulation 5 applies.

(3) An existing contributor shall (whether he was insured under the Unemployment Insurance Act or the Insurance Industry Special Scheme), in respect of the period of five years from the appointed day, be qualified for additional days of unemployment benefit if, at the material date, five complete insurance periods have elapsed since the beginning of the insurance year under the Unemployment Insurance Act in which unemployment contributions first became payable in respect of him, so, however, that an existing contributor shall cease to be so qualified if, at the material date, five consecutive complete insurance periods have elapsed without unemployment contributions being paid in respect of him, and, upon unemployment contributions being again so paid before the appointed day, he shall be treated, for the purposes of this paragraph, as if unemployment contributions had then first become payable in respect of him.

(4)—(*a*) The maximum number of additional days in any period of interruption of employment for which an existing contributor shall be qualified shall be computed by allowing to an existing contributor days at the rate of five for every eight unemployment contributions paid by or in respect of him during the last four insurance periods, less one day for every five days before the appointed day in respect of which benefit has been paid to him, or for which he has been entitled to unemployment benefit on or after that day, in either case in respect of the two benefit periods preceding the material date or, if only one such period, that period, fractions of a day being disregarded.

(*b*) In this paragraph, where the material date occurs in a period set out in column (1) of the schedule to these regulations, the last

four insurance periods and the benefit periods shall, subject to sub-paragraph (*a*) of this paragraph, be the periods set opposite thereto in columns (2) and (3) respectively of that schedule.

(5) In this regulation—

(*a*) "material date" means the one hundred and fifty-sixth day of unemployment in a period of interruption of employment in respect of which an existing contributor is entitled to unemployment benefit or, where it occurs before the appointed day, the one hundred and fifty-sixth day in respect of which benefit is received by him in an existing benefit year;

(*b*) "benefit period" means any one of the following periods:—

(i) a benefit year under the Unemployment Insurance Act or a claim year under the Insurance Industry Special Scheme, not being an existing benefit year;

(ii) the period between the appointed day and the beginning of the first normal contribution year;

(iii) a contribution year under the Act, beginning not earlier than the first normal contribution year.

Conditions for receiving unemployment benefit in the case of seasonal workers.

11.—(1) A seasonal worker shall be disqualified for receiving unemployment benefit in respect of any days during the off-season, unless, in addition to satisfying the other requirements of the Act for receiving unemployment benefit, he also proves—

(*a*) that he has been employed in an employed contributor's employment (or, in relation to the period before the appointed day, in an employment which would have been an employed contributor's employment had he then been an insured person under the Act)—

(i) during the off-season in each of the two complete relevant years preceding the beginning of the off-season current at the date of his claim for unemployment benefit; or

(ii) during the off-season in one of the two relevant years, and also that he has been employed during the off-season so current as aforesaid;

and that, in either case, such employment amounts, in the aggregate, to at least as much as one quarter of the whole of the combined extent of the off-seasons applicable under sub-paragraph (i) or (ii) hereof; and

(*b*) that, having regard to all the circumstances of his case, and, particularly, to his industrial experience and to the industrial circumstances of the district in which he resides, he can reasonably expect to obtain employment in an employed contributor's employment during a substantial period of the off-season.

(2) This regulation shall apply only to seasonal workers who, in any district, are engaged in occupations in which, during a large part

of the year, no substantial amount of employment is normally available in that district, or who are engaged in occupations at a holiday or health resort in which employment is to a substantial extent dependent on the presence of visitors thereat during holiday seasons, but shall not apply to any seasonal worker who proves—

(*a*) that the aggregate of the seasons in the district or districts in which he is normally employed amounts to thirty-nine weeks in the year; or

(*b*) that, in any period of four out of five consecutive insurance periods falling within the last ten insurance periods immediately preceding the date on which he makes a claim for unemployment benefit, there have been paid in respect of him at least one hundred and fifty unemployment contributions.

(3) In this regulation—

(*a*) " seasonal worker " means an existing contributor who is a member of a class of persons whose normal employment is employment for a part or parts of the year only, in an occupation or occupations of a seasonal nature;

(*b*) " relevant year " means the period of twelve months commencing on the first day of July in any year and ending on the last day of June in the following year, except where the said first day occurs in a period of off-season, in which case it means a calendar year;

(*c*) " off-season " means—

(i) in relation to seasonal workers whose normal employment is in an occupation followed by them in one district only, that part or those parts of the year during which persons are not normally employed in that occupation in that district; and

(ii) in relation to seasonal workers whose normal employment is in an occupation followed by them in two or more districts, that part or those parts of the year during which persons are not normally employed in that occupation in those districts; and

(iii) in relation to seasonal workers (not included in subparagraph (i) or (ii) hereof) whose normal employment is in an occupation at a holiday or health resort in which employment is, to a substantial extent, dependent on the presence of visitors thereat during the holiday season, that part or those parts of the year other than holiday seasons;

and for this purpose any periods of off-season falling within the same relevant year shall be treated as forming one off-season, and, in reckoning the extent of any off-season in relation to an existing contributor, there shall be excluded all days of incapacity for work.

Payment of extended unemployment benefit to existing contributors.

12. Where a recommendation for the payment of benefit to an existing contributor has been made under the National Insurance (Extension of Unemployment Benefit) Regulations (Northern Ireland), 1947, for a period commencing before the appointed day and, but for the occurrence of the appointed day, would have continued to have effect thereafter, that recommendation shall continue in force for the remainder of that period as if it were a recommendation made under section 59 of the Act and the regulations for the time being in force thereunder, and those regulations shall apply accordingly.

13.—(1) For the purpose only of satisfying the conditions for receiving unemployment benefit under section 59 of the Act, the contribution condition set out in sub-paragraph (*a*) of paragraph 1 of the Third Schedule to the Act, so far as that condition relates to unemployment benefit, shall be deemed to be satisfied by an existing contributor, and for that purpose an existing contributor who is so deemed to have satisfied the said contribution condition but who cannot, in fact, satisfy that contribution condition, nor be deemed to have satisfied it by virtue of regulation 3, shall be deemed to have exhausted his right to unemployment benefit.

(2) It shall be a condition for the receipt of unemployment benefit by an existing contributor under the provisions of the said section 59 in respect of any day of unemployment occurring on or after the appointed day and before his first normal benefit year that, in the opinion of the local tribunal, the existing contributor has proved that, to a substantial extent during the twelve months immediately before the application for such benefit, he was—

(*a*) (i) employed in an employment which is an employed contributor's employment (or, in relation to a period before the appointed day, which would have been an employed contributor's employment had he then been an insured person under the Act); or

(ii) unemployed and capable of and available for such employment; or

(*b*) incapable of work by reason of some specific disease or bodily or mental disablement; or

(*c*) undergoing any course of training approved by the Ministry.

Existing approved arrangements for supplementation of unemployment benefit.

14. A day which, in respect of an existing contributor, occurs in the period commencing on the appointed day and ending on the 31st December, 1948, and which would, by reason only of sub-paragraph (*d*) of paragraph (1) of regulation 6 of the National Insurance (Unemployment and Sickness Benefit) Regulations (Northern Ireland), 1948, be treated as not being a day of unemployment, shall be treated as being a day of unemployment, notwithstanding that for that day he receives a payment under any arrangements which had, before the coming into operation of these regulations, been approved by the Ministry under section 2

of the Unemployment Insurance Act (Northern Ireland), 1939 (which section relates to payments received after suspension or termination of employment):

Provided that—

(*a*) an existing contributor to whom any such arrangement relates must be free to accept any employment that may be available and his employer must not be in a position to require him to accept employment with the employer unless he is unemployed at the time when the offer of employment is made;

(*b*) the payments receivable under the arrangement (other than those receivable in respect of not more than thirteen weeks in any calendar year) must not exceed a sum which, together with any unemployment benefit payable, amounts to three-quarters of the normal weekly earnings of the existing contributor concerned; and

(*c*) the employer must notify to any existing contributor to whom any such arrangement relates, in such manner as the Ministry may approve; the conditions set out in sub-paragraphs (*a*) and (*b*) of this proviso.

Attendance at authorised courses.

15. An existing contributor who is, immediately before the appointed day, attending at an authorised course, or at a training course or course of instruction approved by the Ministry in his case to which subsection (2) of section 24 of the Unemployment Insurance Act applies (which section relates to the third statutory condition for receipt of benefit) shall not, for the remaining period of any such course, from the appointed day, by reason of his attending thereat, be deemed not to be available for employment in an employed contributor's employment.

One or two day workers

16. An existing contributor who is a member of the class of persons whose normal employment is employment in an occupation in which services are not normally required on more than two days in the week or who, owing to personal circumstances, is not normally employed on more than two days in the week shall be disqualified for receiving unemployment benefit in respect of any days other than those days in the week which constitute his normal employment.

Married women.

17.—(1) An existing contributor, being a married woman who—

(*a*) was married before the appointed day;

(*b*) has not paid thirteen contributions as an employed person in respect of weeks commencing on or after the appointed day; and

(*c*) since her marriage has had less than fifteen unemployment contributions paid in respect of her, or who, if more than six months have elapsed since her marriage, has had less than eight unemployment contributions paid in respect of her during her last complete appropriate quarter;

shall be disqualified for receiving unemployment benefit unless, in addition to satisfying the other requirements of the Act for receiving benefit, she also proves—

(i) that she will normally seek to obtain her livelihood by means of employed contributor's employment; and

(ii) that, having regard to all the circumstances of her case and particularly to her industrial experience and the industrial circumstances of the district in which she resides, either she can reasonably expect to obtain employed contributor's employment in that district or her expectation of obtaining employed contributor's employment in her usual occupation is not less than it otherwise would be by reason of the fact that she is married:

Provided that this regulation shall not apply to a married woman—

(*a*) whose husband is incapacited for work or is unemployed and not in receipt of unemployment benefit; or

(*b*) who proves that she has been deserted by or is permanently separated from her husband.

(2) For the purpose of this regulation, the expression " appropriate quarter " means, in relation to such a married woman, the period of three months preceding the date of her first claim—

(*a*) for unemployment benefit made in a period of interruption of employment; or

(*b*) where she is in a period of interruption of employment to which regulation 5 applies, for benefit in her existing benefit year;

and every succeeding period of three months thereafter in that period of interruption of employment.

Unemployment benefit for existing pensions contributors over pensionable age.

18.—(1) For the purpose of entitlement to unemployment benefit by virtue of section 25 of the Act (which section relates to unemployment or sickness benefit for persons over pensionable age) but for no other purpose, an existing pensions contributor who, having attained pensionable age on or after the appointed day, has not retired from regular employment, shall, in respect of any day of unemployment after he attains pensionable age and before the 1st August, 1949, or the date of his retirement, whichever is the earlier, be treated as if on that day he satisfied the contribution conditions for a retirement pension at a weekly rate of twenty-six shillings, and, if his wife is on any such day over pensionable age, he shall be treated as if on that day he satisfied the contribution conditions for a retirement pension for her by virtue of his insurance at a weekly rate of sixteen shillings:

Provided that the foregoing provisions of this paragraph shall not apply unless immediately before the day on which he attains pensionable age—

(*a*) he has been continuously insured for a period of not less than five years; and

(*b*) one hundred and four appropriate contributions have been paid by or in respect of him since the date of his entry into insurance under the Contributory Pensions Acts.

(2) Section 25 of the Act shall not apply to the payment of unemployment benefit to an existing pensions contributor who attains pensionable age before the appointed day.

(3) In this regulation—

(*a*) "the Contributory Pensions Acts" means the Widows', Orphans' and Old Age Contributory Pensions Acts (Northern Ireland), 1936 to 1946;

(*b*) "existing pensions contributor" means a person who, immediately before the appointed day, was an insured person under the Contributory Pensions Acts for the purposes of those Acts relating to old age pensions;

(*c*) "continuously insured" means insured under the Contributory Pensions Acts for a period ending immediately before the appointed day for the purposes of those Acts relating to old age pensions and insured under the Act from the appointed day up to the day for which unemployment benefit is claimed; and

(*d*) "appropriate contributions" means contributions for the purposes of old age pensions under the Contributory Pensions Acts, and contributions as an insured person under the Act.

Overlapping benefits.

19. In the application of the proviso to paragraph (1) of regulation 3 of the National Insurance (Overlapping Benefits) Regulations (Northern Ireland), 1948, to an existing contributor, the condition contained therein relating to the payment of contributions of the appropriate class may be satisfied by the payment of any unemployment contributions.

20.—(1) Where an existing contributor—

(*a*) is in a period of interruption of employment to which regulation 5 applies; and

(*b*) is a person whose benefit would, before the appointed day, have been reduced by virtue of any provision of Part III of the National Insurance (Increase of Unemployment Benefit)

Regulations (Northern Ireland), 1948 (which Part relates to overlapping benefits) but for the operation of regulation 10 of those regulations (which regulation provides for savings from reduction of benefit in certain cases);

then nothing in the provisions of the National Insurance (Overlapping Benefits) Regulations (Northern Ireland), 1948, shall reduce the unemployment benefit (including any increase thereof in respect of a child or adult dependant) payable for any day of unemployment in that period of interruption of employment below the rate (including the rate of any increase in respect of that child or adult dependant) at which, immediately before the appointed day (regard being had to the said National Insurance (Increase of Unemployment Benefit) Regulations (Northern Ireland), 1948), he was, or, if he had then made a claim, would have been, entitled to benefit:

Provided that for the purpose of this paragraph an existing contributor who, immediately before the appointed day, is insured under the Insurance Industry Special Scheme shall be treated as if he were then a transferred person insured under the general provisions of the Unemployment Insurance Act.

(2) The provisions of the last preceding paragraph shall apply to an existing contributor who is entitled to a widowed mother's allowance by virtue of the provisions of regulation 4 of the National Insurance (Pensions, Existing Beneficiaries and Other Persons) (Transitional) Regulations (Northern Ireland), 1948, subject to the qualification that the rate of benefit (including the rate of any increase in respect of a child or adult dependant) to which she was or would have been entitled immediately before the appointed day, shall be treated as if it had been reduced by an amount equal to the difference between the rate of the widow's pension under the Widows', Orphans' and Old Age Contributory Pensions Acts (Northern Ireland), 1936 to 1946, to which she was then entitled and the rate at which the widowed mother's allowance is payable.

Proceedings by employees for unemployment benefit lost by employer's default.

21.—(1) Where an employer has failed or neglected—

(*a*) to pay any unemployment contributions which he was liable to pay before the appointed day in respect of any employed person in his employment who is an existing contributor; or

(*b*) to comply, in relation to any such existing contributor, with the requirements of any regulations or orders under the Unemployment Insurance Act relating to the payment and collection of contributions;

and by reason thereof that existing contributor has lost, in whole or in part, any unemployment benefit to which he would have been entitled under the Act, that existing contributor shall be entitled to recover summarily from the employer as a civil debt a sum equal to the amount of unemployment benefit so lost.

(2) Proceedings may be taken under this regulation notwithstanding that proceedings have been taken under any provision of the Unemployment Insurance Act, other than under section 19 thereof, in respect of the same failure or neglect.

(3) Proceedings under this regulation may, notwithstanding anything to the contrary, be brought at any time within one year after the date on which the existing contributor, but for the failure or neglect of the employer, would have been entitled to receive the unemployment benefit lost.

Overpayments.

22. If it is found on or after the appointed day that any person, having been in receipt of benefit during any period during which he was not entitled to payment thereof, would, but for the Act, have been liable, in accordance with section 52 of the Unemployment Insurance Act or the corresponding provisions of the Insurance Industry Special Scheme (which relate to overpayments), to repay to the Unemployment Fund or to the Insurance Fund of the Insurance Industry Special Scheme, as the case may be, any sums paid to him in respect of benefit during the period aforesaid and those sums could, under that section or corresponding provisions have been recovered by means of deduction from any benefit, any such sums shall be recoverable by deduction from benefit under the Act or otherwise from that person, in like manner as if they were sums paid to that person on account of benefit under the Act which it is subsequently decided was not payable, and any amount so recovered shall be paid to the National Insurance Fund.

Modification of the provisions of the Act.

23. The provisions of the Act and the orders and regulations for the time being in force thereunder shall have full force and effect in relation to any person, subject to the modifications contained in these regulations.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this 2nd day of July, 1948, in the presence of

L.S.

William Allen,
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 2nd day of July, 1948, in the presence of

L.S.

John I. Cook,
Assistant Secretary to the Ministry of Finance for Northern Ireland.

Regulation 10 (4) (b).

SCHEDULE

Periods by reference to which the qualification of an existing contributor for additional days of unemployment benefit is to be determined.

Material date occurring	*The four consecutive insurance periods ending*	*The benefit periods (if any) ending*
After the 4th July, 1948, and before the 1st January, 1949.	On the 6th July, 1947.	After the 1st July, 1945, and before the 7th July, 1947.
After the 31st December, 1948, and before the beginning of the first normal benefit year.	On the 4th July, 1948.	After the 7th July, 1946, and before the 5th July, 1948.
During the first normal benefit year.	Immediately before the beginning of the first normal contribution year.	After the 6th July, 194:, and immediately before the beginning of the first normal contribution year.
During the benefit year under the Act next succeeding the first normal benefit year.	With the ending of the first normal contribution year.	Immediately before the beginning, and ending with the ending, of the first normal contribution year.
During any benefit year under the Act subsequent to the benefit year succeeding the first normal benefit year.	With the ending of the last contribution year preceding the material date.	With the ending, respectively, of each of the last two contribution years preceding the material date.

Unemployment Benefit (Transitional) Amendment Regulations

REGULATIONS, DATED 15TH NOVEMBER, 1948, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE, IN CONJUNCTION WITH THE MINISTRY OF FINANCE, UNDER THE NATIONAL INSURANCE ACT (NORTHERN IRELAND), 1946.

1948. No. 313

The Ministry of Labour and National Insurance, acting in conjunction with the Ministry of Finance, in exercise of the powers conferred by section 62 of the National Insurance Act (Northern Ireland), 1946, and of all other powers enabling it in that behalf, hereby makes the following regulations:—

1. These regulations, which may be cited as the National Insurance (Unemployment Benefit) (Transitional) Amendment Regulations (Northern Ireland), 1948, shall be read as one with the National Insurance (Unemployment Benefit) (Transitional) Regulations (Northern Ireland), 1948 (hereinafter referred to as "the principal regulations"), and shall come into operation on the 15th November, 1948.