3RD SCH. —*cont.*

Session and Chapter.	Short Title.	Extent of Repeal.
10 & 11 Geo. 5. c. 28.	The Gas Regulation Act, 1920.	Section four; subsection (1) and paragraphs (*a*) and (*b*) of subsection (2) of section seven.
19 & 20 Geo. 5. c. 24.	The Gas Undertakings Act, 1929.	So much of the Schedule as amends sections four, six and nine of the Gas Regulation Act, 1920.

CHAPTER 29.

An Act to amend the Unemployment Insurance Acts, 1920 to 1933, and to make further provision for the training and assistance of persons who are capable of, and available for, work but have no work or only part-time or intermittent work; and for purposes connected with the matters aforesaid. [28th June 1934.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I.

AMENDMENT OF UNEMPLOYMENT INSURANCE ACTS.

Insured Persons.

Age for entry into insurance and contributions in respect of persons under sixteen.

1.—(1) The minimum age for entry into insurance under the principal Act shall, instead of being the age of sixteen years, be the age (not being less than fourteen years) when a person attains the age at which under the law for the time being in force his parents cease to be under an obligation to cause him to attend school unless there is some reasonable excuse.

PART I. —*cont.*

(2) The rates of contribution applicable under the Unemployment Insurance Acts, 1920 to 1933, in the case of persons under the age of eighteen years shall apply only as respects persons who are between the ages of sixteen and eighteen years, and the contributions payable under the Unemployment Insurance Acts by employed persons and their employers shall, in the case of persons who have not attained the age of sixteen years be at the following rates, that is to say, from the employed person for each week twopence, and from the employer for each week twopence.

(3) Subject to, and in accordance with, the provisions of Part I of the First Schedule to this Act, the Minister shall, after consultation with the Board of Education and the Scottish Education Department, and with the approval of the Treasury, provide by regulations for crediting with contributions any persons who, after attaining the age at which the period of compulsory elementary instruction ends, have continued to receive whole-time education, and the provisions of Part II of that Schedule shall have effect as to the reckoning of contributions so credited.

Regulations made under this subsection shall not come into force until the expiration of twelve months after the coming into operation of this section, but as from the date on which they come into force shall apply to persons who, having previously (whether before or after the commencement of this Part of this Act) attained the age aforesaid, have continued and are then continuing to receive whole time education.

(4) This section shall come into operation on the third day of September, nineteen hundred and thirty-four, or on such earlier date as the Minister may by order direct.

Power to enlarge or restrict excepted employments.

2.—(1) Where it appears to the Minister that the terms and conditions of service of, and the nature of the work performed by any class of persons employed in an excepted employment are so similar to the terms and conditions of service of, and the nature of the work performed by, a class of persons employed in an insurable employment as to result in anomalies in the operation of the Unemployment Insurance Acts, the Minister may, by regulations made with the consent of

PART I. —*cont.*

the Treasury, either unconditionally or subject to such conditions as may be specified in the regulations, either—

(*a*) provide for including the class of persons employed in insurable employment among the classes of persons employed in excepted employment; or

(*b*) provide for including the class of persons employed in excepted employment among the classes of persons employed in insurable employment.

(2) Section four of the principal Act shall cease to have effect but any order or special order made under that section shall continue in force and have effect as if the provisions thereof had been made by regulations.

(3) The Minister may by regulations provide, subject to such exceptions and conditions as he thinks fit, for adding any class of employment to the excepted employments only as respects persons who are in any week employed in that class of employment to such extent (being in the opinion of the Minister inconsiderable) as may be specified in the regulations.

Benefit.

Right to, and duration of, benefit.

3.—(1) An insured contributor who is between the ages of sixteen and sixty-five years and is unemployed shall, if he proves that the statutory conditions are fulfilled in his case, and if he is not disqualified under the Unemployment Insurance Acts for the receipt of benefit, be entitled, subject to the provisions of those Acts, to receive in a benefit year, benefit—

(*a*) in respect of periods not exceeding in the aggregate one hundred and fifty-six days; and

(*b*) if qualified for additional days under the provisions of the next following subsection, in respect of additional days of which the maximum number shall be computed in manner provided by that subsection.

(2) The following provisions shall have effect with respect to additional days—

(*a*) an insured contributor shall be qualified for additional days if at the beginning of the benefit year five insurance years have elapsed since the beginning of the insurance year in which he first became such a contributor, so, however, that a

PART I. —*cont.*

person shall cease to be so qualified if at the beginning of any benefit year five consecutive insurance years have elapsed without contributions being paid in respect of him as an insured contributor, but upon contributions being again so paid shall be treated for the purposes of this paragraph as if he had then first become an insured contributor;

(*b*) the maximum number of additional days in any benefit year shall be computed, in the case of an insured contributor qualified for such days, by allowing to him days at the rate of three for every five contributions paid in respect of him as an insured contributor in respect of the last five years, less one day for every five days in respect of which benefit has been paid to him in respect of the benefit years which ended in the last five years.

For the purposes of this paragraph—

(i) the expression "the last five years" means the period of five complete insurance years last preceding the beginning of the benefit year in respect of which the computation of additional days is made;

(ii) every two contributions paid in respect of a person as an insured contributor under the age of eighteen years shall be reckoned as one contribution;

(iii) fractions of a day shall be disregarded.

(3) An insured contributor who has in any benefit year exhausted his benefit rights shall not thereafter be entitled to benefit in respect of any day in that benefit year, nor shall he become entitled to benefit in his next benefit year before the Monday next after the end of the calendar week for which there is paid the last of the ten contributions mentioned in paragraph (*b*) of the next following section.

(4) In calculating contributions for the purposes of the last two foregoing subsections, paragraph (i) of subsection (2) of section five of the Unemployment Insurance Act 1927 (which provides that no account shall be taken of any contributions paid in respect of any person in respect of any period during which he was not bona fide

17 & 18 Geo. 5. c. 30.

employed) shall apply in like manner as it applies in calculating the thirty contributions required by the first statutory condition. PART I. —*cont.*

(5) The Minister may by regulations make provision as to the circumstances in which and the extent to which contributions paid in error and sums paid to a person by way of benefit while he was not entitled thereto are to be taken into account for the purposes of this and the next following section.

(6) After an insured contributor has at the beginning of his benefit year proved that the first statutory condition is fulfilled in his case, then, subject to and in accordance with regulations made by the Minister, he shall be treated throughout the remainder of that benefit year as if that condition continued to be so fulfilled.

Definition of benefit year.

4.—(1) For all the purposes of the Unemployment Insurance Acts, the expression "benefit year" shall mean, in relation to an insured contributor, the period of twelve months beginning on the date on which, on a claim for benefit, he proves for the first time after the commencement of this Part of this Act—

(*a*) that the first statutory condition is fulfilled in his case; and

(*b*) in the case only of an insured contributor who has exhausted his benefit rights in his last preceding benefit year, also that contributions have been paid in respect of him for ten weeks since the Sunday last before the last day in that benefit year in respect of which he received benefit;

and every subsequent period of twelve months commencing on the date on which that contributor on a claim for benefit proves the matters aforesaid for the first time after the termination of his last preceding benefit year.

(2) If, in the case of any insured contributor, it is found that he has been treated in error as having begun his benefit year on any date by reason of his having been wrongly treated as having proved any of the matters aforesaid on that date, his benefit year shall nevertheless be deemed to have begun on that date, but he shall not be

PART I. —*cont.*

entitled to benefit during the remainder of that year until he proves those matters.

Provisions as to rates of benefit.

5.—(1) As from the first day of July, nineteen hundred and thirty-four, article two of the Unemployment Insurance (National Economy) (No. 1) Order, 1931, and the Second Schedule to that Order shall cease to have effect, and benefit shall be at the rates in force immediately before the coming into operation of that Order; and accordingly subsection (1) of section four of the Unemployment Insurance Act, 1927, shall have effect as if the Second Schedule to this Act were substituted for the Second Schedule to the said Order, and subsection (2) of section two of the Unemployment Insurance Act, 1930 (which relates to the increase in the weekly rate of benefit in respect of dependants), shall have effect as if for the words " eight shillings," wherever those words occur, there were substituted the words " nine shillings."

20 & 21 Geo. 5. c. 16

(2) This section shall come into operation on the passing of this Act.

Amendments as to disqualifications for benefit and as to third statutory condition.

6.—(1) Subsection (1) of section four of the Unemployment Insurance Act, 1930, shall have effect as if there were inserted therein after the words " offered to him " the words " or if it is proved by an officer of the " Ministry of Labour that the claimant has neglected to " avail himself of a reasonable opportunity of suitable " employment."

(2) An insured contributor shall not be deemed to have failed to fulfil the third statutory condition by reason only that he is attending at an authorised course, or at a training course or course of instruction approved by the Minister in his case.

Amendments as to fifth statutory condition.

7.—(1) The following shall be substituted for the fifth statutory condition for the receipt of benefit by insured contributors—

" (v) that, if the Minister has, for the purpose of giving him an opportunity of becoming or keeping fit for entry into or return to regular employment, required him to attend at an authorised course, he proves either that he duly attended in accordance with the requirement, or that he had good cause for not so attending."

PART I. —*cont.*

(2) For the purposes of the fifth statutory condition an insured contributor, who by reason of his misbehaviour while attending at an authorised course has been required to discontinue his attendance thereat during any period, shall not be deemed to have duly attended at the course or to have had good cause for not so attending during that period, or during such part thereof as may be determined on any subsequent claim to benefit.

Period of disallowance of benefit in certain cases.

8.—(1) Where a claim for benefit by an insured contributor is disallowed by the court of referees or the umpire on the ground that he is disqualified under subsection (2) of section eight of the principal Act or under section four of the Unemployment Insurance Act, 1930, for receiving benefit, the court of referees or the umpire shall declare the insured contributor to be disentitled to benefit for a period of six weeks or such shorter period as may be determined by the court of referees or the umpire, as the case may be, being a period beginning as from such date as may be so determined.

(2) So much of subsection (2) of section eight of the principal Act, and so much of subsection (1) of section four of the Unemployment Insurance Act, 1930, as relate to the extent of the period of disqualification and the date of the commencement thereof, and section ten of the Unemployment Insurance (No. 2) Act, 1921, shall cease to have effect.

11 & 12 Geo. 5. c. 15.

Definition of dependent child.

9.—(1) For all the purposes of the Unemployment Insurance Acts, the expression "a dependent child" means, in relation to a person entitled to benefit, any child, younger brother, or younger sister, of his who—

(*a*) is under the age of fourteen years and is maintained wholly or mainly by him; or

(*b*) is between the ages of fourteen and sixteen years and is maintained wholly or mainly by him and is either—

(i) a person under full time instruction at a day school; or

(ii) a person who is unable to receive such instruction by reason of physical or mental infirmity; or

PART I. —*cont.*

(*c*) is a person between the ages of fourteen and sixteen years and is while unemployed maintained wholly or mainly by him, and is a person in whose case the statutory conditions for the receipt of benefit, as hereinafter adapted for the purposes of this paragraph, are fulfilled (or would be fulfilled, if he were an insured contributor) and who is not disqualified (or would not be disqualified if he were an insured contributor) under the Unemployment Insurance Acts for the receipt of benefit.

(2) For the purposes of determining whether a person is a dependent child by virtue of paragraph (*c*) of the last foregoing subsection, the statutory conditions shall be construed subject to the following adaptations, that is to say, the first statutory condition shall be deemed to be omitted, and in the second statutory condition the words "has made application for unemployment benefit in the prescribed manner and" and the words "since the date of the application" shall be deemed to be omitted.

(3) In this section, the expression "child" includes a stepchild, adopted child (whether adopted under the Adoption of Children Act, 1926, or otherwise), and illegitimate child; the expression "younger brother" includes a younger half-brother and a younger step-brother; the expression "younger sister" includes a younger half-sister and a younger step-sister; and the expression "day school," in relation to any person, does not include an authorised course, or a training course or course of instruction approved by the Minister in his case.

16 & 17 Geo. 5. c. 29.

Amendments as to increase of benefit in respect of dependants.

10.—(1) No increase of benefit shall be payable to an insured contributor in respect of any person for any period before the date on which the insured contributor makes application in the prescribed manner for an increase in respect of that person, so, however, that regulations may be made for authorising some earlier date to be substituted for the date of the application in cases in which good cause is shown for the delay in making the application.

(2) Where a claim for benefit is made by an insured contributor and another insured contributor receives an increase of benefit in respect of the first-mentioned insured

PART I. —*cont.*

contributor for any period occurring between the date when the claim is made and the date when it is allowed, the benefit payable to the first-mentioned insured contributor for that period shall be reduced by the amount of the increase of benefit so received by the second-mentioned insured contributor.

Amendments as to anomalies regulations. 23 & 24 Geo. 5. c. 26. 21 & 22 Geo. 5. c. 36.

11.—(1) Notwithstanding anything in the Unemployment Insurance (Expiring Enactments) Act, 1933, section one of the Unemployment Insurance (No. 3) Act, 1931, shall continue in force, subject to the amendments hereafter specified in this section, until Parliament otherwise determines.

(2) For references in the said section one to regulations, there shall be substituted references to orders, and any regulations made before the commencement of this Act under the said section shall be deemed to be orders; and the Minister shall have power to make orders, under and in accordance with the provisions of the said section one, for the purpose of removing any anomalies which may arise from time to time in the operation of the Unemployment Insurance Acts in connection with the classes of persons in that section mentioned.

(3) Paragraph (*d*) of subsection (2) of the said section one shall have effect as if there were inserted at the end thereof " but not including a married woman " who proves that she has been deserted by, or is " permanently separated from, her husband, or that " her husband is incapacitated from work and has " been so continuously for at least six weeks," and the proviso to the said subsection (2) shall cease to have effect.

(4) Any order made under the provisions of the said section one may be varied or revoked by any subsequent order made in like manner but, before any order is made under the said provisions, a draft thereof shall be laid before Parliament, and no such order made after the commencement of this Part of this Act shall have effect unless each House has resolved that the draft thereof be approved.

(5) Section two of the Unemployment Insurance (No. 3) Act, 1931 (which provides for the constitution of an advisory committee for the purpose of section one of that Act) shall cease to have effect.

Determination of Claims and Questions.

PART I. —*cont.* Determination of claims and questions.

12.—(1) The following subsection shall be substituted for subsection (3) of section eight of the Unemployment Insurance Act, 1930:—

"(3) If the insurance officer is not satisfied that a claim ought to be allowed he may either refer the claim (so far as practicable within fourteen days from the date on which the claim was submitted to him for examination) to the court of referees for their decision or, subject to the provisions of this subsection, himself disallow the claim:

Provided that—

(*a*) the insurance officer shall not himself disallow a claim on any of the following grounds, namely,—

(i) that the third statutory condition is not fulfilled;

(ii) that the claimant is disqualified by reason of his having lost his employment through his misconduct or having left his employment voluntarily without just cause or by reason of the provisions of section four of the Unemployment Insurance Act, 1930;

(iii) that the claimant does not fulfil one or more of the additional conditions or terms with respect to the receipt of benefit imposed by orders made under the Unemployment Insurance (No. 3) Act, 1931, or is subject to restrictions on the amount or period of benefit imposed by such orders; and

(*b*) the insurance officer shall not himself disallow a claim on the ground that the fifth statutory condition is not fulfilled, except in cases where that condition is not fulfilled only by reason of a person under the age of eighteen years having been required to discontinue for not more than one

day his attendance at an authorised course in consequence of his misbehaviour while attending thereat; and

(*c*) the insurance officer shall refer to the court of referees any question whether the claimant is liable to have deductions made under any of the provisions of the Unemployment Insurance Acts from any benefit to which he is, or may become, entitled."

(2) For the purposes of paragraph (*b*) of subsection (5) of section eight of the Unemployment Insurance Act, 1930 (which specifies some of the persons at whose instance an appeal shall lie from a court of referees) a claimant for benefit shall not, in relation to any appeal, be deemed to be a member of any association of employed persons unless he was a member thereof on the last date on which he was employed before the claim subject to the appeal was made, and has continued to be a member thereof until the date when the appeal is made.

(3) For paragraph (*c*) of subsection (5) of section eight of the Unemployment Insurance Act, 1930, there shall be substituted the following paragraph:—

"(*c*) At the instance of the claimant—

(i) without leave in any case in which the decision of the court of referees is not unanimous; and

(ii) with the leave of the chairman of the court of referees in any other case; so, however, that where leave to appeal is not granted when the decision of the court of referees is given, an application for such leave may be made by the claimant in such form, and within such time after the date of the decision, as may be prescribed by regulations made by the Minister under section thirty-five of the principal Act, and any application for leave to appeal 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."

PART I. —*cont.*

(4) A court of referees shall record their decisions in writing and shall include in the record of every decision a statement of their findings on questions of fact material to the decision.

(5) Where the chairman of a court of referees grants leave to appeal to the umpire from the decision of the court, the chairman shall record in writing a statement of the grounds on which leave to appeal is granted.

Instruction and Training.

Provision of authorised courses and other courses of instruction and training, and pay ments to persons attending thereat.

13.—(1) Every education authority shall, as soon as may be after the commencement of this Part of this Act, submit to the Minister proposals for the provision of such courses of instruction as may be necessary for persons in their area between the minimum age for entry into insurance and the age of eighteen years who are capable of and available for work but have no work or only part-time or intermittent work, and, if the Minister approves the proposals with or without modifications, the authority shall provide such courses in accordance therewith:

Provided that the Minister shall not approve any proposals submitted to him under this subsection unless they are in accord with a scheme made by him with the consent of the Treasury after consultation with the Board of Education.

(2) If it is certified by the Minister that, having regard to the number of such persons as aforesaid in the area of any education authority, insufficient provision has been made under the last foregoing subsection for courses of instruction in or in any part of the area, and that such courses of instruction as are specified in the certificate are necessary in such localities as are specified therein, it shall be the duty of the authority to provide such courses of instruction in those localities within three months from the date of the certificate or such further time as the Minister may allow, and if the authority fail to do so the Minister may make such order as he thinks necessary or proper for the purpose of compelling the authority to fulfil that duty, and any such order may be enforced by mandamus:

PART I. —*cont.*

Provided that any order made by the Minister under this subsection may be varied or revoked by a subsequent order made by him in like manner.

(3) The Minister, subject to the approval of the Treasury, may provide training courses for persons who have attained the age of eighteen years and are capable of and available for work but have no work or only part-time or intermittent work.

(4) The Minister, subject to the approval of the Treasury, may defray the cost of authorised courses provided by him and contribute towards the cost of any other authorised courses and may also defray, or contribute towards, the cost of training courses, courses of instruction, or courses of occupation, provided in pursuance of arrangements made with the Minister by any public authority or other body for persons who are capable of and available for work but have no work or only part-time or intermittent work.

(5) The Minister, subject to the approval of the Treasury, may pay or contribute towards the travelling expenses of persons travelling to or from any such course as aforesaid, and may make payments to persons attending at any such authorised course, training course, or course of instruction as aforesaid, not being a course provided only for persons who have not attained the age of eighteen years.

Power to require attendance of persons under eighteen at authorised courses.

14.—(1) If any person (whether an insured contributor or not) who is between the minimum age for entry into insurance and the age of eighteen years is capable of and available for work but has no work or only part-time or intermittent work, the Minister may require his attendance in accordance with regulations at any authorised course at which he can reasonably be expected to attend.

(2) If any person whose attendance at an authorised course has been required by the Minister under this section fails, except by reason of sickness or other unavoidable cause, to attend at that course, proceedings may be taken by or on behalf of the Minister, in the case of a person who has not attained the age of sixteen years, under section forty-five of the Education Act, 1921 (notwithstanding that he may be over the age at which an

11 & 12 Geo. 5. c. 51.

PART I. —*cont.*

order could otherwise be made under that section) or, in the case of a person who has attained the age of sixteen years, under section seventy-eight of that Act, as if the requirement were, respectively, a school attendance order, or a requirement imposed under the said Act for attendance at a continuation school, and as if proceedings could be taken by or on behalf of the Minister under those sections, and the provisions of that Act shall apply accordingly.

For the purposes of this subsection and of any such proceedings as aforesaid, a person who, by reason of his misbehaviour while attending at any course, has been required to discontinue his attendance thereat for any period shall be deemed to have failed without unavoidable cause to attend at that course.

(3) Education authorities shall have power to assist the Minister with respect to the attendance at authorised courses of persons who may be, or have been, required by the Minister under this section to attend thereat:

Provided that legal proceedings for enforcing a requirement of the Minister that any person should attend at an authorised course shall not be taken by an education authority except under the last foregoing subsection on behalf of the Minister.

(4) The regulations made by the Minister under this section may make provision for the establishment of boards of assessors for the purpose of reporting to him as to the advisability of requiring persons to attend at an authorised course.

Power to make grants out of Unemployment Fund towards expenses of attendance at authorised courses.

15.—(1) Subject to the provisions of this section the Minister may, with the consent of the Treasury, authorise the payment out of the Unemployment Fund of grants towards expenses incurred by the Minister in respect of the attendance at authorised courses of persons who have not attained the age of eighteen years and of insured contributors in receipt of benefit who have attained that age.

(2) Grants under this section—

(*a*) in respect of attendance at authorised courses, being courses of instruction, shall not exceed fifty per cent.;

(*b*) in respect of attendance at authorised courses, being training courses, shall not exceed seventy-five per cent., PART I. —*cont.*

of any amount which may be paid out of the moneys provided by Parliament in respect of the attendances in question.

(3) All sums paid out of the Unemployment Fund under this section shall be paid as an appropriation in aid of moneys provided by Parliament for the expenses of the Minister, but the expenses of the Minister so incurred as aforesaid shall not be taken into account in estimating his expenses for the purposes of subsection (4) of section twelve of the principal Act.

Power to require notification by employers when persons under eighteen leave their employment.

16. The Minister may make regulations requiring employers when any person (whether an insured contributor or not) who is between the minimum age for entry into insurance and the age of eighteen years leaves their employment to give notice thereof to the Minister in the prescribed manner.

Financial Provisions.

Establishment of Unemployment Insurance Statutory Committee and duties of Committee as respects Unemployment Fund.

17.—(1) There shall be constituted a committee, to be called "the Unemployment Insurance Statutory Committee", to give advice and assistance to the Minister in connection with the discharge of his functions under the Unemployment Insurance Acts and to perform the duties hereafter specified in this Part of this Act; and the provisions of Part I of the Third Schedule to this Act shall have effect with respect to the constitution and proceedings of the Committee.

(2) The Committee shall, not later than the end of February in every year, make a report to the Minister on the financial condition of the Unemployment Fund on the thirty-first day of December last preceding, and shall also make a report to the Minister on the financial condition of the fund whenever they consider that the fund is or is likely to become, and is likely to continue to be, insufficient to discharge its liabilities, and may make a report on the financial condition of the fund at such other times as they think fit.

PART I. —*cont.*

(3) If the Committee at any time report that the Unemployment Fund is or is likely to become, and is likely to continue to be, insufficient to discharge its liabilities, or is and is likely to continue to be more than reasonably sufficient to discharge its liabilities, the report shall contain—

(*a*) recommendations for the amendment, either generally or in relation to special classes of insured contributors, of the provisions of the Unemployment Insurance Acts referred to in Part II of the Third Schedule to this Act or of the provisions of any previous order made under this section, being such amendments as in the opinion of the Committee are required in order to make the fund, as the case may be, sufficient or no more than reasonably sufficient to discharge its liabilities; and

(*b*) an estimate of the effect which the amendments recommended will have on the financial condition of the fund;

and, where the Committee report that the fund is and is likely to continue to be more than reasonably sufficient to discharge its liabilities, the report may contain recommendations for the application of any sum towards the discharge of the liabilities mentioned in subsection (2) of the section of this Act next following.

(4) The Committee shall give such notice as they consider sufficient of their intention to make a report under this section and shall take into consideration any representations which may be made to them with respect thereto.

(5) Within the period of two months after the receipt by the Minister of any report under this section or, if Parliament is not sitting, at the expiration of that period, then, as soon after the expiration thereof as Parliament sits, the Minister shall lay the report before Parliament, and in a case where the report contains recommendations for the amendment of the Unemployment Insurance Acts or of any previous order made under this section, shall after consultation with the Treasury lay before Parliament—

(*a*) the draft of an order making such amendments as are duly recommended by the report, or, if

PART I. —*cont.*

and so far as any amendment so recommended is not adopted by the Minister, making such amendments (being amendments which the Committee had power to recommend) as will in his opinion have substantially the same effect on the financial condition of the Unemployment Fund as that estimated by the report as being the effect of the amendments recommended; and

(*b*) if and in so far as the amendments proposed by the draft order differ from the amendments recommended by the report, a statement of the reasons for the difference.

(6) If each House resolves that the draft of an order laid before it under this section be approved, the Minister shall make an order in the terms of the draft to take effect on such date as may be specified in the order, and as from that date the provisions of the Unemployment Insurance Acts and of any such previous order as aforesaid shall have effect subject to the provisions of the order.

(7) So much of the Unemployment Insurance Acts, 1920 to 1933, as provides for the variation, otherwise than in accordance with the provisions of this section, of the rates of contributions in force at the commencement of this Act shall cease to have effect.

(8) This section shall come into operation on the passing of this Act.

Treasury advances to Unemployment Fund 11 & 12 Geo. 5. c. 1

18.—(1) Section five of the Unemployment Insurance Act, 1921 (which provides for advances by the Treasury to the Unemployment Fund of sums amounting to one hundred and fifteen million pounds), shall cease to have effect, except in so far as it provides that the advances made under the said section before the coming into operation of this section together with interest thereon shall be charged on and payable out of that fund.

(2) Subject as hereinafter provided, the liability imposed on the Unemployment Fund by the said section five in respect of the said advances and interest, and the liability incurred by the Treasury to the National Debt Commissioners in respect of the provision of

PART I. —*cont.*

money for the purpose of the said advances, shall be discharged by the payment to the National Debt Commissioners of half-yearly instalments which (except for the last thereof which shall be for the balance of the advances and interest then outstanding) shall be of two million five hundred thousand pounds each: the first of the said instalments shall be paid on the thirtieth day of September, nineteen hundred and thirty-four and a subsequent instalment shall be paid on the thirty-first day of March and the thirtieth day of September in each year, and the said instalments shall cease to be payable when the National Debt Commissioners certify to the Minister that the amount of the advances and interest outstanding immediately before the coming into operation of this section, together with interest thereon at the appropriate rate, has been discharged:

Provided that nothing in this subsection shall be construed as preventing the application, on the recommendation of the Unemployment Insurance Statutory Committee, of sums out of the fund towards the discharge of the said liabilities in addition to the instalments therein mentioned.

In this subsection the expression "the appropriate rate" means, as respects each advance, the rate of interest which has been fixed by the Treasury before the coming into operation of this section for the period for which it was fixed, and after that period the rate of three and one-eighth per cent. per annum.

(3) Subject to the provisions of this subsection, the instalments aforesaid shall be paid out of the Unemployment Fund:

Provided that, where the moneys in the Unemployment Fund are insufficient to pay any instalment falling due or any part thereof, the Treasury shall pay to the National Debt Commissioners out of the Consolidated Fund or the growing produce thereof the sum required to make good the deficiency, and an amount equal to that sum shall be treated as having been temporarily advanced to the Unemployment Fund.

(4) The Treasury may under this subsection at any time temporarily advance to the Unemployment Fund out of the Consolidated Fund or the growing produce

PART I. —*cont.*

thereof such sums as may be required from time to time for the purpose of making any payments properly falling to be made out of the Unemployment Fund other than instalments payable under the foregoing provisions of this section and the repayment of any sums treated under the last foregoing subsection as having been temporarily advanced to the fund.

(5) If at any time it appears to the Minister, after consultation with the Treasury, that the Unemployment Fund is, or will shortly become, insufficient to discharge its liabilities, including the repayment of any advances made under the last two foregoing subsections within the time limited by this section in the case of such advances, there shall be advanced to the fund out of moneys provided by Parliament such sums as appear to the Treasury to be required to enable the fund to discharge its liabilities.

(6) Any sums advanced or treated as having been temporarily advanced under this section, together with interest thereon at such rate as may be fixed by the Treasury, shall be charged on the Unemployment Fund and shall be repaid out of that fund to the Exchequer in such manner as the Treasury may direct, and shall be so repaid—

(*a*) in the case of a payment treated as having been advanced under subsection (3) of this section, within six months from the date of the payment to the National Debt Commissioners;

(*b*) in the case of an advance under subsection (4) of this section, before the end of the financial year in which the advance was made;

(*c*) in the case of an advance under subsection (5) of this section, as to one-third thereof not later than the end of the first financial year next following the financial year in which the advance was made, and as to two-thirds thereof not later than the end of the second financial year so next following.

(7) Whenever any advance is made to the Unemployment Fund under this section, the Minister shall forthwith report the fact to the Unemployment Insurance Statutory Committee.

O

PART I. —*cont.*

Miscellaneous and General.

Duties of Unemployment Insurance Statutory Committee as respects regulations, orders and advice.

19.—(1) Before making any regulations under the Unemployment Insurance Acts, except regulations made under the provisions of this Part of this Act relating to instruction and training, the Minister shall submit to the Unemployment Insurance Statutory Committee a draft of the regulations and the Committee shall forthwith consider the draft and report thereon to the Minister, and the Minister shall consider the report of the Committee and may then make the regulations either in the form of the draft or with such amendments as he thinks fit:

Provided that, where the Minister certifies that on account of urgency or any special reason any regulations should come into operation without delay, the Minister may, before receiving or considering the report of the Committee on a draft thereof, make the regulations as provisional regulations, so however that no provisional regulations shall continue in force for longer than three months after the receipt by the Minister of the report.

(2) Throughout the provisions of the Unemployment Insurance Acts 1920 to 1933, except the provisions of sections eighteen and twenty of the principal Act (which relate to special and supplementary schemes) and of section one of the Unemployment Insurance (No. 3) Act, 1931, and the enactments amending those sections, references to orders and special orders required or authorised to be made thereunder by the Minister shall be construed as references to regulations, and any such orders or special orders made before the commencement of this Part of this Act under the provisions of the said Acts (with the exceptions aforesaid) may be revoked, varied or amended in the same manner as if they had been regulations.

(3) The provisions of the Fourth Schedule to this Act shall have effect with respect to the publication of, and objections to, draft regulations laid before the Committee.

(4) Before laying before Parliament the draft of any order proposed to be made under section one of the Unemployment Insurance (No. 3) Act, 1931, the Minister shall submit the draft to the Committee and the Committee shall forthwith consider the draft and report

PART I. —*cont.*

thereon to the Minister, and the Minister shall consider the report of the Committee and may then lay the draft before Parliament either without amendments or with such amendments as he thinks fit.

(5) Whenever any regulations (being neither regulations made under the provisions of this Part of this Act relating to instruction and training nor provisional regulations) are laid before Parliament in pursuance of subsection (3) of section thirty-five of the principal Act, and whenever the draft of any order is laid before Parliament in pursuance of subsection (4) of section eleven of this Act, there shall be laid together therewith the report of the Committee on the draft regulations or order, and a statement by the Minister showing what amendments, if any, have been made since the report of the Committee and what effect (if any) has been given to any recommendations of the Committee, and, if effect has not been given to any recommendation, giving reasons for not adopting it.

(6) The Minister may from time to time refer to the Committee for consideration and advice such questions relating to the operation of the Unemployment Insurance Acts as he thinks fit (including questions as to the advisability of amending those Acts).

Duty of Unemployment Insurance Statutory Committee as to insurance of persons employed in agriculture.

20.—(1) The Unemployment Insurance Statutory Committee shall as soon as may be after the passing of this Act make such proposals as may seem to them practicable for the insurance against unemployment of persons engaged in employment in agriculture, and shall make a report to the Minister containing the proposals and any recommendations of the Committee with respect thereto and the report shall be laid before Parliament.

(2) The Committee shall give such notice as they consider sufficient of their intention to enquire into the matter aforesaid, and shall take into consideration any representations submitted to them by persons appearing to them to represent employers or persons employed or persons engaged in agriculture or by any Government department.

(3) In this section the expression "agriculture" includes horticulture and forestry.

PART I. —*cont.*

Amendments as to arrangements with associations of employed persons.

21.—(1) Where in pursuance of a decision of an insurance officer, court of referees or umpire any sum by way of provision for unemployment has been paid by a society, body, or other association with which an arrangement has been made under section seventeen of the principal Act to a member of the association, then if the decision is, after the commencement of this Part of this Act, revised on new facts being brought to the knowledge of the insurance officer, court of referees or umpire, repayment of the sum shall, notwithstanding the revision, be made to the association out of the Unemployment Fund, if it is shown that no one concerned with the case on behalf of the association could reasonably have been expected to ascertain the facts on which the decision was revised, and that recovery of the sum has not been practicable.

(2) Any question arising under this section shall be referred and determined as if it were a question arising under section seventeen of the principal Act and the said section seventeen shall have effect accordingly.

Amendments as to schemes.

22.—(1) A supplementary scheme under section twenty of the principal Act may be submitted by any organisations which appear to the Minister to represent a majority of such of the employers in any industry, and of such of the employees in that industry, as are organised:

Provided that the Minister, before approving any supplementary scheme so submitted, shall take steps to ascertain so far as practicable, and shall take into consideration, the views of other employers and employees in the industry.

(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 for the time being payable under the enactments relating to unemployment insurance, and that the benefits under the scheme shall otherwise be not less favourable than those for the time being provided by the general provisions of those Acts (but for no other purpose), the Minister 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. PART I. —*cont.*

This subsection shall come into operation on the passing of this Act.

Amendments as to offences.

23.—(1) Subsection (3) of section twenty-two of the principal Act (which provides for the recovery of contributions where an employer has been convicted of the offence of failing or neglecting to pay any contributions) shall apply in a case where an employer has been charged with such an offence and an order has been made under subsection (1) of section one of the Probation of Offenders Act, 1907, in the same manner as it applies where an employer has been convicted of such an offence. 7 Edw. 7. c. 17.

(2) In any case where—

(*a*) an employer is convicted of any offence under section thirteen of the Stamp Duties Management Act, 1891, as applied by regulations made under section thirty-three of the principal Act, or of the offence under subsection (2) of section twenty-two of the principal Act of contravening or not complying with the requirements of the regulations made under that Act, or is charged with any such offence and an order is made under subsection (1) of section one of the Probation of Offenders Act, 1907; and 54 & 55 Vict. c. 38.

(*b*) the evidence on which he is convicted or on which the order is made shows that the employer, for the purpose of paying any contribution which he was liable to pay, has affixed to an unemployment book or card any stamp which had been cancelled or defaced in any way whatever, whether it had actually been used for the purpose of payment of a contribution or not;

the employer shall be liable to pay to the Unemployment Fund a sum equal to the amount of the contribution in respect of which the stamp was affixed, and on such a conviction or on the making of such an order, if notice of 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 two

PART I. —*cont.*

years preceding the date of the offence, and on proof of such failure or neglect, the employer shall be liable to pay to the Unemployment Fund a sum equal to the total of the contributions which he is so proved to have failed or neglected to pay.

Any sum paid by an employer under this subsection shall be treated as a payment in satisfaction of the unpaid contributions, and the employed person's portion of those contributions shall not be recoverable by the employer from the employed person.

(3) The following provisions shall have effect with respect to sums ordered to be paid to the Unemployment Fund under the last foregoing subsection:—

(*a*) any sum so ordered to be paid by a court in England shall be recoverable as a penalty;

(*b*) if the employer, being a company, fails to pay to the Unemployment Fund any sum which the company has been ordered to pay under the last foregoing subsection, that sum or such part thereof as remains unpaid shall be a debt due to the Unemployment Fund jointly and severally from any directors of the company who knew, or could reasonably have been expected to know, of the failure or neglect to pay the contribution or contributions in question, and may be recovered accordingly as a civil debt.

(4) If any person for any purpose whatsoever knowingly makes a false representation that he or any other person is the person specified in an unemployment book or card as being the person to whom the book or card was issued, he shall be liable on summary conviction to a fine not exceeding ten pounds:

Provided that nothing in this subsection shall be taken to prejudice the provisions of subsection (1) of section twenty-two of the principal Act.

Amendment as to summary recovery of sums due to Unemployment Fund.

24.—(1) Proceedings for the summary recovery as civil debts of sums due to the Unemployment Fund may, notwithstanding anything in any Act to the contrary, be brought at any time within three years from the time when the matter complained of arose.

(2) In this and the last foregoing section of this Act and in section twenty-two of the principal Act references

PART I. —*cont.*

to the Unemployment Fund shall be construed as including references to the seamen's special fund or any similar fund established by any order or regulations for the time being in force under section thirty-nine of the principal Act.

Amendment of s. 41 of principal Act, and application of Acts to officers of reserve forces.

25.—(1) The fixed number of contributions for the purposes of section forty-one of the principal Act (which makes special provision with respect to discharged seamen, marines, soldiers and airmen) shall, in the case of a man discharged at any time after the thirtieth day of June, nineteen hundred and twenty-seven, be a number equal to the number of weeks during which he had served in the forces after that date, and for the purposes of the Unemployment Insurance Acts the contributions credited to him under the said section shall be deemed to have been paid in respect of him at the rate of one contribution for each week over a period ending with the week in which his discharge takes place:

Provided that the said fixed number shall not in the case of any such man discharged before, or serving in the forces at, the commencement of this Part of this Act be less than thirty.

For the purposes of this subsection a part of a week shall be reckoned as a week.

(2) Any payments made before the commencement of this Part of this Act under the said section forty-one by way of employers' and employed persons' contributions in respect of men discharged between the said thirtieth day of June and the commencement of this Part of this Act shall be increased by such an amount as may in the opinion of the Treasury be necessary, having regard to the foregoing provisions of this section.

(3) Subsection (2) of section forty of the principal Act and subsection (1) of section nine of the Unemployment Insurance (No. 2) Act, 1921, shall apply to officers on the retired or emergency lists of the Royal Navy or Royal Marines, to officers of the naval reserves and regular army reserve of officers, to retired officers of the regular Army, to officers of the supplementary reserve of officers, to officers on the retired list of the Royal Air Force, to officers of the air force reserve, air force special reserve, territorial army, territorial army reserve of officers, auxiliary air force, and auxiliary air force reserve, to

PART I. —*cont.*

persons given temporary commissions in the naval, marine, land or air forces, and to persons given temporary warrants in the Royal Navy, Royal Marines or naval reserve who before training or before being called out or taken into employment on an occasion of great emergency or before being called out for actual military service or before being embodied or before being given a commission or warrant on an occasion of great emergency for service during the emergency, were normally employed persons within the meaning of the Unemployment Insurance Acts, or the corresponding enactments in force in Northern Ireland, in like manner as they apply to men of the reserves and forces mentioned in those subsections.

Extension of principal Act to short service constables of the metropolitan police force.

26.—(1) Every constable of the metropolitan police force appointed for a fixed period of service who is discharged from the force on the completion of that period shall, for the purposes of the provisions of the Unemployment Insurance Acts relating to the rights of an insured person with respect to benefit but not for any other purpose, be treated as though he were, on the date of his discharge, an insured contributor who ceased to be employed on that date and in respect of whom contributions equal to the number of weeks during which he has served in the force had been paid at the rate of one contribution for each week over a period ending with the week in which his discharge takes place.

For the purposes of this subsection any part of a week shall be reckoned as a week.

(2) For the purpose of qualifying such constables as aforesaid to be treated for the purposes of the Unemployment Insurance Acts in the manner provided by the foregoing provisions of this section, there shall be paid to the Unemployment Fund out of the Metropolitan Police Fund by way of employers' and employed persons' contributions in respect of all such constables so discharged as aforesaid, such sums as will, in the opinion of the Treasury, be sufficient to enable them to be so treated.

(3) The sums to be paid under this section out of the Metropolitan Police Fund shall be calculated in such manner as the Treasury may direct, and shall be paid in such manner and at such dates as may be agreed upon between the Minister and the Secretary of State.

PART I. —*cont.*

Power of Minister to assist schemes for promoting greater regularity of employment.

27.—(1) Where any scheme for promoting greater regularity of employment in any industry is on the joint application of an organisation representing employers and an organisation representing workpeople in the industry approved by the Minister, the Minister may, in accordance with arrangements made by him with the consent of the Treasury, assist the administration of the scheme by attaching officers of the Ministry of Labour to help in the administration thereof and by such other means as he thinks fit.

(2) The Minister may, in accordance with such arrangements as aforesaid, issue on behalf of employers to persons to whom any such scheme applies, sums by way of wages or additional benefits in respect of unemployment or compensation for loss of employment; but any arrangements making provisions for the issue of any such sums shall also make provision for paying to the Minister any sums to be so issued by him and any expenses incurred by him which are attributable to the scheme.

(3) If an organisation representing employers and an organisation representing workpeople in any industry make to the Minister a joint representation as to any difficulty in the operation of any scheme for promoting greater regularity of employment in the industry, or in making any further scheme for that purpose for the industry, the Minister may appoint one or more persons to hold an inquiry into the circumstances giving rise to the difficulty and to make a report to him with respect thereto.

The fee to be paid by the Minister to any person holding such an inquiry as aforesaid shall be such as the Minister may with the consent of the Treasury direct.

(4) In this section the expression "industry" has the same meaning as in section eighteen of the principal Act.

Continuation of 20 & 21 Geo. 5. c. 16.

28. Notwithstanding anything in the Unemployment Insurance (Expiring Enactments) Act, 1933, the Unemployment Insurance Act, 1930, shall, subject to the amendments made therein by any subsequent enactment, including this Act, continue in force until Parliament otherwise determines.

Minor amendments.

29.—(1) The amendments specified in the second column of the Fifth Schedule to this Act, being minor amendments of the principal Act and of the enactments

PART I. —*cont.*

amending that Act, shall be made in the provisions of that Act and those enactments specified in the first column of that Schedule.

(2) For all the purposes of the Unemployment Insurance Acts—

(*a*) the expression "statutory conditions" means the conditions set out in subsection (1) of section seven of the principal Act, as amended by any subsequent enactment, and references in the said Acts to the first, second, third, fourth or fifth statutory condition shall be construed accordingly; and

(*b*) the expression "application for benefit" means an application for benefit made in the prescribed manner, and the expression "claim for benefit" includes any such application as aforesaid.

Payments out of moneys provided by Parliament.

30. There shall be defrayed out of moneys provided by Parliament—

(*a*) any increase attributable to the passing of this Part of this Act in the sum payable out of moneys provided by Parliament by virtue of subsection (3) of section five, or sections forty or forty-one, of the principal Act, or of section three of the Unemployment Insurance (No. 3) Act, 1931;

(*b*) any sum by which any education grants under any other Act are increased by reason of the additional powers and duties conferred and imposed by this Part of this Act on education authorities;

(*c*) any expenses incurred by the Minister in carrying this Part of this Act into effect.

Supplementary.

Interpretation of Part I and construction of references.

31.—(1) In this Part of this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say,—

"Authorised course" means a training course or course of instruction provided under or in pursuance of subsection (1), (2) or (3) of section

PART I. —*cont.*

thirteen of this Act and includes, in relation to insured contributors who have attained the age of eighteen years, any training course provided by the Unemployment Assistance Board under Part II of this Act;

"Benefit" means unemployment benefit;

"Benefit rights" means, in relation to an insured contributor, his right to receive benefit for the number of days allowed in his case by the provisions of paragraphs (*a*) and (*b*) of subsection (1) of section three of this Act, or by the provisions of sub-paragraph (*b*) of paragraph (1) of Article one of the Unemployment Insurance (National Economy) (No. 2) Order, 1931, as the case may be;

"Education authority" means a local education authority for the purposes of higher education under the Education Act, 1921, and for the purposes of the powers conferred on education authorities by subsection (3) of section fourteen of this Act but not for any other purpose includes a local education authority for elementary education under that Act;

"Excepted employments" means the employments specified in Part II of the First Schedule to the principal Act, and any employments included among or added to those employments under section two of this Act;

"Insurable employment," in relation to any person, means such employment as would make him an employed person within the meaning of the principal Act;

"Insured contributor" means a person insured under the principal Act;

"Period of compulsory elementary instruction" means the period during which under any enactment for the time being in force, other than local byelaws, parents are under an obligation to cause their children to receive efficient elementary instruction;

"The Minister" means the Minister of Labour;

"The principal Act" means the Unemployment Insurance Act, 1920; 10 & 11 Geo. 5. c. 30.

PART I. —*cont.*

"The Unemployment Insurance Acts" means the Unemployment Insurance Acts, 1920 to 1933, and this Part of this Act.

(2) For the purposes of this Part of this Act a person shall be deemed to be between any two ages therein mentioned if he has attained the first mentioned age but has not attained the second mentioned age.

(3) For the purposes of determining whether an insured contributor has exhausted his benefit rights in his last preceding benefit year, if it is proved by an officer of the Ministry of Labour that he has not made a claim for benefit in respect of any days in that year in respect of which he would have been entitled thereto if he had made a claim therefor, and that there is reasonable cause to believe that his omission to make the claim was with intent to avoid the necessity of proving the matters set out in paragraph (*b*) of subsection (1) of section four of this Act, the insured contributor shall be deemed to have received benefit in respect of those days unless he proves that the omission was not with the intent aforesaid.

(4) The powers and duties of education authorities under this Part of this Act shall be exercised and performed as part of their powers and duties under the Education Act, 1921, and the powers and duties under that Act of local education authorities for the purposes of higher education shall extend to authorised courses; and accordingly an authorised course shall, in relation to such powers and duties, be deemed to be a school.

(5) Any reference in this Part of this Act to any other enactment or to any provision of any other enactment shall, unless the context otherwise requires, be construed as a reference to that enactment or that provision, as the case may be, as amended by any subsequent enactment, including this Act.

(6) Any approved course of instruction provided by an education authority in accordance with the provisions of section fifteen of the Unemployment Insurance Act, 1930, shall, until the proposals submitted by that authority to the Minister under subsection (1) of section thirteen of this Act have been approved by him, be deemed to be an authorised course, notwithstanding that it has not been provided under or in pursuance of that subsection.

PART I. —*cont.*

Application of Part I to Scotland

32. This Part of this Act in its application to Scotland shall have effect subject to the following modifications:—

(1) A reference to the Scottish Education Department shall be substituted for any reference in section thirteen to the Board of Education.

(2) A reference to efficient education shall be substituted for any reference to efficient elementary instruction.

(3) A reference to the Adoption of Children (Scotland) Act, 1930, shall be substituted for any reference to the Adoption of Children Act, 1926. 20 & 21 Geo. 5. c. 37.

(4) A reference to a "complaint" shall be substituted for any reference to a "summons or warrant."

(5) In subsection (1) of section one for the words "attend school" there shall be substituted the words "receive efficient education."

(6) In subsection (2) of section thirteen the words "and any such order may be enforced by mandamus" shall be omitted; and it is hereby declared with respect to any order made by the Minister under that subsection that proceedings for the enforcement thereof may be taken at the instance of the Minister under section ninety-one of the Court of Session Act, 1868, as amended by any subsequent enactment. 31 & 32 Vict. c. 100

(7) Section fourteen shall have effect as if for subsection (2) thereof there were substituted the following subsection:—

"(2) If any person whose attendance at an authorised course has been required by the Minister under this section fails except by reason of sickness or other unavoidable cause to attend at that course, then—

(*a*) in the case of a person who has not attained the age of sixteen years, proceedings may be taken by or on

PART I. —*cont.*

behalf of the Minister under section four of the Day Industrial Schools (Scotland) Act, 1893 (notwithstanding that such person may be over the age at which an order could otherwise be made under that section) as if the requirement to attend at the course were an attendance order and as if proceedings could be taken by or on behalf of the Minister under the said section, and the provisions of the said Act shall apply accordingly provided that it shall not be competent in any proceedings under this subsection to pronounce a sentence of imprisonment; and

56 & 57 Vict. c. 12.

(*b*) in the case of a person who has attained the age of sixteen years, the provisions of subsection (8) of section fifteen of the Education (Scotland) Act, 1918, shall apply as if the requirement to attend at the course were an order by an education authority served upon such person in accordance with that subsection.

8 & 9 Geo. 5. c. 48.

For the purposes of this subsection and of any such proceedings as aforesaid, a person who, by reason of his misbehaviour while attending at any course, has been required to discontinue his attendance thereat for any period, shall be deemed to have failed without unavoidable cause to attend at that course."

(8) Subsection (1) of section twenty-four shall not apply.

(9) Section thirty-one shall have effect as if the definition of "Education authority," in subsection (1), were omitted, and as if for subsection (4) there were substituted the following subsection :—

"(4) The powers and duties of an education authority under this Part of this Act shall be exercised and performed as part of their duties under the Education (Scotland) Acts, 1872 to 1928, and shall include, in relation

PART I. —*cont.*

to the provision of authorised courses, in pursuance of section thirteen of this Act—

(*a*) the like powers and duties as are conferred or imposed by the said Acts with regard to the provision of schools;

(*b*) the power and duty conferred by section four of the Education (Scotland) Act, 1908; and 8 Edw. 7. c. 63.

(*c*) power to pay travelling expenses necessarily incurred by persons required to attend authorised courses."

Supplemental provisions consequent on date of commencement of Part I.

33.—(1) Whereas this Part of this Act will not, save as therein otherwise expressly provided, come into operation until after the first day of July, nineteen hundred and thirty-four, the following provisions shall have effect :—

(*a*) subsection (1) of section one of the Unemployment Insurance (Expiring Enactments) Act, 1933, shall have effect as if for the reference therein to the thirtieth day of June, nineteen hundred and thirty-four, there were substituted a reference to the date on which this Part of this Act comes into operation; and

(*b*) section eighteen of this Act shall come into operation on the said first day of July, and the repeal by this Act of so much of section five of the Unemployment Insurance Act, 1921, as ceases to have effect by virtue of that section and of paragraph (4) of article eight of the Unemployment Insurance (National Economy) (No. 2) Order, 1931, shall have effect as from that date.

(2) This section shall come into operation on the passing of this Act.

Commencement, construction, extent and citation of Part I.

34.—(1) Save as therein otherwise expressly provided, this Part of this Act shall come into operation on the twenty-sixth day of July, nineteen hundred and thirty-four.

(2) The provisions of this Act amending section forty-one of the principal Act shall have effect so as to amend that section in its application to Northern Ireland, but, save as aforesaid, this Part of this Act shall not extend to Northern Ireland.

PART I. —*cont.*

(3) This Part of this Act (including the First, Second, Third, Fourth and Fifth Schedules to this Act) may be cited separately as the Unemployment Insurance Act, 1934, and the Unemployment Insurance Act, 1934, and the Unemployment Insurance Acts, 1920 to 1933, shall be construed as one Act and may be cited together as the Unemployment Insurance Acts, 1920 to 1934.

PART II.

UNEMPLOYMENT ASSISTANCE.

Constitution and Functions of Unemployment Assistance Board.

Unemployment Assistance Board and advisory committees.

35.—(1) For the purposes of this Part of this Act there shall be constituted a Board, to be called "the Unemployment Assistance Board," and the provisions of the Sixth Schedule to this Act shall have effect with respect to the constitution and proceedings of the Board.

(2) The functions of the Board shall be the assistance of persons to whom this Part of this Act applies who are in need of work and the promotion of their welfare and, in particular, the making of provision for the improvement and re-establishment of the condition of such persons with a view to their being in all respects fit for entry into or return to regular employment, and the grant and issue to such persons of unemployment allowances (hereinafter referred to as "allowances") in accordance with the provisions of this Part of this Act.

(3) For the purpose of securing the advice and assistance of persons having local knowledge and experience in matters affecting the functions of the Board under this Part of this Act, the Board shall arrange for the establishment of advisory committees throughout Great Britain to act for such areas as the Board thinks fit, and may pay to members of such committees such travelling and other allowances (including compensation for loss of remunerative time) as the Board, after consultation with the Minister and with the consent of the Treasury, may determine.

(4) A report on the operation of this Part of this Act shall be made annually by the Board to the Minister who shall lay every such report before Parliament.

PART II. —*cont.*

Application of Part II of Act.

36.—(1) Subject to the provisions of this Part of this Act relating to suspension from the application thereof, this Part of this Act applies to any person in whose case the following qualifications are fulfilled, that is to say,—

(*a*) that he has attained the age of sixteen years and has not attained the age of sixty-five years; and

(*b*) that he is either—

(i) a person whose normal occupation is employment in respect of which contributions are payable under the Widows', Orphans' and Old Age Contributory Pensions Acts, 1925 to 1932; or

(ii) a person who, not having normally been engaged in any remunerative occupation since attaining the age of sixteen years, might reasonably have expected that his normal occupation would have been such employment as aforesaid but for the industrial circumstances of the district in which he resides; and

(*c*) that he is capable of and available for work:

Provided that during any period during which a person is disqualified for receiving benefit under the Unemployment Insurance Acts owing to his having lost employment by reason of a stoppage of work which was due to a trade dispute, or during which he would have been so disqualified as aforesaid if he had been an insured contributor under those Acts, he shall, notwithstanding that the foregoing qualifications are fulfilled in his case, be deemed not to be a person to whom this Part of this Act applies.

(2) For the purposes of the foregoing qualifications, a person shall not be deemed not to be capable of, and available for, work by reason only that he is attending at an authorised course under the Unemployment Insurance Act, 1934, or at a training course or course of instruction approved by the Minister in his case under that Act, or at a training course or course of instruction or at any place at which he is required to be in accordance with a condition attached to a determination made under this Part of this Act, and rules made under this Part of this Act may provide that a person shall, in such circumstances as may

PART II. —*cont.*

be specified in the rules, be deemed to be capable of and available for work notwithstanding such periods of occasional sickness or incapacity as may be specified therein.

(3) Any question whether a person is or is not a person to whom this Part of this Act applies shall be decided by officers of the Board on an application made in the prescribed manner, but any applicant for an allowance under this Part of this Act or any public assistance authority may appeal from any such decision to the chairman of the appeal tribunal constituted in accordance with the provisions of the Seventh Schedule to this Act, whose decision shall be final:

Provided that, if, on consideration of any appeal under this subsection, any dispute or doubt arises as to—

(*a*) the question whether any employment is employment in respect of which contributions are payable under the Widows', Orphans' and Old Age Contributory Pensions Acts, 1925 to 1932; or

(*b*) the question whether a person is disqualified for receiving benefit under the Unemployment Insurance Acts owing to his having lost employment by reason of a stoppage of work which was due to a trade dispute, or would have been so disqualified as aforesaid if he had been an insured contributor under those Acts;

the first mentioned question shall be referred by the chairman of the appeal tribunal for the decision of the Minister of Health in such manner as he may direct, and the second mentioned question shall be referred by the chairman of the appeal tribunal to the insurance officer and be determined by the same persons and in the same manner as if the question had arisen upon a claim for benefit under the Unemployment Insurance Acts, so, however, that an appeal from the decision of an insurance officer or a court of referees upon any such question shall not lie at the instance of a public assistance authority.

An appeal from a decision of the Minister of Health upon a question referred to him under this subsection shall lie in the same manner as an appeal under section eighty-nine of the National Health Insurance Act, 1924, and the rules of court for regulating such appeals shall apply accordingly and the Minister of Health shall have the same power to refer a question for decision, and the

14 & 15 Geo. 5. c. 38.

same powers as to revising decisions, and the same right of appearing and being heard, as he has under that section. PART II —*cont.*

(4) Nothing in the last foregoing subsection shall be construed as preventing an officer of the Board or the chairman of the appeal tribunal, on new facts being brought to his knowledge, revising a decision given in any particular case, but for the purposes of any such revision the provisions of the last foregoing subsection shall apply in like manner as they applied in relation to the original decision, and the revised decision shall have effect as from the date thereof.

Provision and maintenance of training courses.

37. In the exercise of the functions of the Unemployment Assistance Board under this Part of this Act the Board, with the approval of the Minister, may—

(*a*) provide and maintain training courses for persons who have attained the age of eighteen years and make contributions in respect of the cost of the provision and maintenance of such courses by the Minister or by any local authority or other body; and

(*b*) make provision for the continuance of the training and instruction afforded in connection with any such training course by entering into agreements with local authorities whereby persons to whom this Part of this Act applies, may, as part of such training and instruction, be employed for periods not exceeding three months upon work for the authority of such a character as to render them more fit for entry into or return to regular employment and under conditions suitable for that purpose; but any such agreement shall be subject to the approval of the Treasury and shall provide for payment at the expense of the authority of the rates of wages customary in the district, and may provide for contributions being made by the Board in respect of any additional expenditure incurred by the authority by reason of the work being utilised as part of the training course.

Allowances and Training.

Persons to whom and circum-

38.—(1) Subject to the provisions of this Act an allowance may be granted thereunder to any person to

PART II. —*cont.* stances in which allowances may be granted.

whom this Part of this Act applies, if he proves in accordance with rules made under this Part of this Act—

(*a*) that he is registered for employment in the prescribed manner and has made application for an allowance in the prescribed manner; and

(*b*) that he has no work or only such part-time or intermittent work as not to enable him to earn sufficient for his needs; and

(*c*) that he is in need of an allowance.

(2) The amount of any allowance to be granted under this Part of this Act to an applicant shall be determined by reference to his needs, including the needs of any members of the household of which he is a member who are dependent on or ordinarily supported by him, not being persons in whose case the qualifications set out in subsection (1) of section thirty-six of this Act are fulfilled.

(3) The need of an applicant shall be determined and his needs assessed in accordance with regulations made under this Part of this Act, and such regulations shall in particular provide that the resources of an applicant taken into account shall include the resources of all members of the household of which he is himself a member (due regard being had also to the personal requirements of those members whose resources are taken into account) and shall further provide that in computing all such resources the following provisions shall be complied with, that is to say,—

(*a*) the first five shillings a week of any sick pay from a Friendly Society and the first seven shillings and sixpence a week of any benefit under the National Health Insurance Acts, 1924 to 1932, and the whole of any maternity benefit under those Acts (exclusive of any increase of such benefit by way of additional benefits and of any second maternity benefit) shall be disregarded:

(*b*) the first one pound a week of any wounds or disability pension shall be disregarded:

(*c*) any weekly payment by way of compensation under the enactments relating to workmen's compensation shall, as respects one-half thereof, be disregarded:

PART II. —*cont.*

(*d*) all money and investments treated as capital assets shall—

(i) in so far as the value of all such money and investments considered in the aggregate does not exceed twenty-five pounds, be disregarded;

(ii) in so far as that value exceeds twenty-five pounds but does not exceed three hundred pounds, be treated as equivalent to a weekly income of one shilling for every complete twenty-five pounds:

(*e*) in taking into account the value to any person of any interest in the dwelling-house in which he resides, any sum which might be obtained by him by selling or borrowing money upon the security of that interest shall be disregarded.

(4) In this section the expression "needs" does not include medical needs.

(5) For the purpose of investigating the circumstances of applicants for allowances, the Board may act either through its own officers, or, if and so long as there are in force arrangements made in that behalf by the Board with the Minister or any local authority, through such officers of the Minister or of the authority as may be provided by any such arrangement.

Determination of applications for allowances and questions relating thereto.

39.—(1) All applications for allowances under this Part of this Act and all questions arising in connection with such applications shall be determined by officers of the Unemployment Assistance Board.

(2) In order that an applicant for an allowance may be given an opportunity of becoming fit for entry into or return to regular employment, any such determination may, subject to and in accordance with rules made in that behalf under this Part of this Act, grant an allowance for the maintenance of the applicant at a training course or course of instruction and provide for the issue of payments to him during his training thereat, and also, where the needs of any member of the household of which he is a member have been taken into account in determining the amount of the allowance, provide for the issue of payments to such of those members as may be specified in the determination.

PART II. —*cont.*

(3) Where an applicant for an allowance is dependent on or ordinarily supported by another member of the household who is also an applicant for an allowance, any determination granting an allowance to the first mentioned applicant may, subject to and in accordance with rules made in that behalf under this Part of this Act, determine that the allowance granted to him shall be issued wholly or in part to the second mentioned applicant.

(4) For the purposes of this Part of this Act there shall be constituted appeal tribunals and the provisions of the Seventh Schedule to this Act shall have effect with respect to the constitution and proceedings of such tribunals.

(5) If any person to whom this Part of this Act applies is aggrieved by the determination of any officer of the Board upon any application made by him for an allowance under this Part of this Act, he may, subject as hereinafter provided, appeal to the appeal tribunal, and on any such appeal the tribunal may make a determination confirming the determination appealed against or substituting therefor any determination which the officer of the Board might lawfully have made; and any determination of the appeal tribunal shall be final:

Provided that, save as provided in the section next following, no appeal under this subsection shall lie to the appeal tribunal without the leave of the chairman of the tribunal, so, however, that leave shall not be granted unless it appears to the chairman that there is reason to doubt whether the need of the applicant has been determined or whether his needs have been assessed in accordance with the regulations made in that behalf under this Part of this Act, or that there are other special circumstances affecting the case.

(6) Rules may be made under this Part of this Act—

(*a*) as to the date as from which determinations made under this and the next following section by officers of the Board and by appeal tribunals shall have effect, and as to the period for which such determinations shall remain in force;

(*b*) as to the review of such determinations as aforesaid.

PART II. —*cont.*

Method of dealing with cases of special difficulty.

40.—(1) No application for an allowance shall be dealt with under this section unless, having regard to all the circumstances of the case, and, in particular, to the question whether the applicant has failed to avail himself of opportunities of employment or training and to the question whether there is any necessity for protecting the interests of the applicant or of persons dependent upon him, the officer of the Unemployment Assistance Board, or on an appeal, the appeal tribunal, by whom the application is to be determined is of opinion that the application ought to be dealt with under this section as a case of special difficulty:

Provided that an application shall not be so dealt with by reason only that the applicant has not accepted an offer of employment which would not, in relation to a claim for benefit under the Unemployment Insurance Acts, have been held to be suitable employment.

(2) Where the said officer or appeal tribunal, as the case may be, is of opinion that an application ought to be dealt with under this section as a case of special difficulty, the officer, or the tribunal, as the case may be, may make one or more of the following determinations, that is to say,—

(*a*) that the whole or any part of the allowance granted be issued to such member of the applicant's household as may be specified in the determination;

(*b*) that the allowance granted be issued otherwise than in cash;

(*c*) that the allowance be granted only upon condition that the applicant attends at a work centre provided and maintained under this section, or, where arrangements in that behalf have been made with a public assistance authority, that he attends at a work centre or similar place provided and maintained by that authority, and that while so attending at any such centre or place he complies with the rules in force thereat;

(*d*) where arrangements in that behalf have been made with a public assistance authority, that the allowance be granted only upon condition that the applicant becomes an inmate of a

PART II. —*cont.*

workhouse and be payable only by way of payments to the authority in pursuance of the arrangements and payments to a member of his household while he is such an inmate.

(3) If an applicant is aggrieved by any such determination as aforesaid made in his case by an officer of the Board he may, without leave, appeal to the appeal tribunal.

(4) In the exercise of the functions of the Board under this Part of this Act, the Board may provide and maintain work centres for the purpose of affording occupation suitable for applicants whose cases are dealt with under this section, and may make arrangements with any public assistance authority for the attendance of applicants whose cases are so dealt with at any work centre or similar place provided and maintained by that authority.

Suspension from application of this Part of this Act.

41. Upon any application for an allowance, if the officer of the Unemployment Assistance Board by whom the application is to be determined is satisfied that the applicant has persistently refused or neglected to maintain himself or his family or has persistently contravened conditions attached in accordance with determinations made under the last foregoing section, he shall make a special report to the appeal tribunal, and the tribunal may direct that for such period as may be specified in the direction no further application for an allowance made by the applicant shall be considered, and during any period so specified he shall, notwithstanding that the qualifications set out in section thirty-six of this Act are fulfilled in his case, be deemed not to be a person to whom this Part of this Act applies:

Provided that—

(*a*) no such direction shall be given until an opportunity to be heard has been afforded to the applicant; and

(*b*) if by reason of any such direction an applicant becomes chargeable to any public assistance authority, that authority may apply to the appeal tribunal for the reconsideration of the case, and upon any such application the tribunal may revoke or vary the direction in such manner as the tribunal thinks proper.

PART II. —*cont.*

Issue of allowances.

42.—(1) An allowance granted under this Part of this Act shall, in accordance with rules made under this Part of this Act, be issued by officers of the Unemployment Assistance Board, or by arrangement with the Minister by his officers, or by arrangement with an education authority by their officers, and, except where the Board with the approval of the Minister otherwise directs, shall be issued at the local offices of the Ministry of Labour or, in the case of allowances issued by officers of education authorities, at the offices of the authority:

Provided that rules made under this Part of this Act may, with the concurrence of the Postmaster General, authorise the payment of allowances through the Post Office in such cases as may for the purpose of dealing with special circumstances be provided by the rules.

13 & 14 Geo. 5. c. 2.

(2) Section six of the Unemployment Insurance Act, 1923 (which relates to arrangements with education authorities for administration of benefit) shall apply in relation to the issue of allowances under this Part of this Act in like manner as it applies in relation to the administration of benefit under the Unemployment Insurance Acts, 1920 to 1934; and any scheme made or amended after the passing of this Act under that section and approved after the passing of this Act and any regulations made under that section after the passing of this Act may make provision as to the administration of such allowances:

Provided that, where any scheme making such provision as aforesaid is in force, the sums repaid to an education authority equal to the aggregate amount from time to time paid in such allowances as aforesaid, shall be paid by the Board, and any sums paid to an education authority in respect of administrative expenses in relation to such allowances shall be treated as part of the expenses incurred by the Minister attributable to the carrying of this Part of this Act into effect.

Power to permit training to persons over eighteen who are not in need.

43. If any person who has attained the age of eighteen years, being a person to whom this Part of this Act applies, proves, in accordance with rules made under this Part of this Act—

(*a*) that he is registered for employment in the prescribed manner; and

(*b*) that he has no work,

PART II. —*cont.*

any officer of the Unemployment Assistance Board authorised by the Board in that behalf may permit him to attend at a training course provided by the Board or may arrange for his attendance at some other such course, notwithstanding that he is not in need of an allowance under this Part of this Act, and the Board may provide for the issue of payments to him during his training at the course.

Financial.

Unemployment Assistance Fund.

44.—(1) There shall, in accordance with regulations made by the Treasury, be established a fund which shall be called the Unemployment Assistance Fund and shall, subject to the provisions of those regulations, be under the control and management of the Unemployment Assistance Board; and all sums received by the Board shall be paid into the fund.

(2) The regulations to be made by the Treasury as aforesaid shall make provision with respect to the accounts which are to be kept by the Board, and in particular shall provide that on or before the thirtieth day of November in each year an account shall be prepared and transmitted to the Comptroller and Auditor General showing the sums paid into, and the sums issued out of, the fund in the year ending on the preceding thirty-first day of March; and the Comptroller and Auditor General shall before the end of January next following examine the account and make a report thereon and the account and report shall be laid before Parliament.

Contributions of local authorities to Unemployment Assistance Fund.

45.—(1) There shall be paid to the Unemployment Assistance Board by the council of every county and county borough an annual contribution towards the expenses of the Board.

(2) The contributions to be paid by any such council as aforesaid in each of the years in the period beginning on the first day of April, nineteen hundred and thirty-four, and ending on the thirty-first day of March, nineteen hundred and thirty-seven, shall be three-fifths of the sum of the two following amounts, that is to say,—

(*a*) the estimated expenditure (excluding the cost of administration) incurred by the council in the year ending on the thirty-first day of March,

nineteen hundred and thirty-three, on the provision of relief which would not have been provided if this Part of this Act had then been in operation; and

(*b*) the difference between the estimated cost of administration incurred by the council in the said year in connection with the provision of relief and the estimated cost of administration which would have been so incurred if this Part of this Act had then been in operation:

Provided that—

(i) in the case of any council which in the year ending on the thirty-first day of March, nineteen hundred and thirty-four, received a grant out of moneys provided by Parliament for special grants to local authorities in distressed areas, the annual contribution to be paid by the council shall be calculated as if the sum of the two amounts aforesaid were reduced by an amount equal to that grant:

(ii) such reduction shall be made in the amount of the contributions payable for the year beginning on the said first day of April as, having regard to the date fixed under the provisions of Part III of this Act for the second appointed day, the Minister of Health may with the consent of the Treasury direct:

(iii) in cases where the boundary of a county or county borough has (whether before or after the passing of this Act) been altered since the thirty-first day of March, nineteen hundred and thirty-two, such adjustment shall be made in the amount of the contributions of that council as the Minister of Health may direct.

(3) In the foregoing provisions of this section the expression "estimated" means, in relation to any expenditure of, or cost to, a council, estimated to the satisfaction of the Minister of Health in accordance with directions given by him.

(4) In computing for the purposes of this section the estimated expenditure incurred by a council in the

PART II. —*cont.*

year ending on the thirty-first day of March, nineteen hundred and thirty-three, no account shall be taken of the possibility that some persons might in that year have been dealt with under section forty-one of this Act; but if, having regard to records kept by public assistance authorities in accordance with directions given by the Board, the Board is of opinion, as respects any year in the period mentioned in subsection (2) of this section, that the cost of relief provided in Great Britain which would not have been incurred if the persons to whom the relief was provided had not been chargeable to such authorities in consequence of the provisions of sections forty and forty-one of this Act, exceeds five per cent. of the aggregate amount of the contributions payable under the foregoing provisions of this section for that year, the Board shall reduce the contributions so payable by the amount estimated by the Board to be the amount of the excess, the reduction in the contribution of each council bearing the same proportion to the excess so estimated as the cost of such relief as aforesaid provided by that council bears to the aggregate cost of such relief provided in Great Britain.

(5) The contributions to be paid by a council under this section in the years subsequent to the period mentioned in subsection (2) of this section shall be calculated in such manner as Parliament may determine.

(6) The contributions payable under this section shall be paid in such instalments payable at such times as the Treasury may direct.

Payment of expenses out of Unemployment Assistance Fund.

46.—(1) All expenses of the Unemployment Assistance Board (including the amount of the allowances issued under this Part of this Act, but not including any salaries or allowances of officers and servants of the Board or any remuneration, salaries or allowances of members, officers and servants of appeal tribunals) shall be defrayed out of the Unemployment Assistance Fund:

Provided that the Board shall make application to the Minister for the determination of the maximum amount of the expenses of the Board in every year, other than the aggregate amount of the allowances issued under this Part of this Act, and the total sum paid out of the fund in any year in respect of such expenses shall

PART II —*cont*

not exceed such sum as may be determined by the Minister with the consent of the Treasury.

(2) There shall in each year be paid to the Treasury out of the fund at such times and in such manner as the Treasury may direct, such sum as the Minister may estimate, in accordance with directions given by the Treasury, to be the amount of any expenses of any Government department attributable to the carrying of this Part of this Act into effect; and in calculating the said expenses for the purposes of this subsection, there shall be included—

(*a*) any capital expenditure incurred by the department for the purpose of providing premises for the purposes of this Part of this Act;

(*b*) in respect of the use of any premises provided by the department and used for the purposes of this Part of this Act in respect of which no rent is payable by the Board, an amount determined by the Treasury, with the consent of the Minister, regard being had to the rental value of the premises and to any capital expenditure incurred as aforesaid which has been charged to the fund:

Provided that if, in any case where the amount of any such expenditure as is mentioned in paragraph (*a*) of this subsection has been charged to the fund, the premises in respect of which the expenditure was incurred are sold or cease to be used for the purposes of this Part of this Act, there shall be deducted from the amount thereafter chargeable to the said fund under this section such sum as may be determined by the Treasury, with the consent of the Minister, to represent the whole or the appropriate proportion of the then value of the premises.

(3) There shall in each year be paid to the Treasury out of the fund at such times and in such manner as the Treasury may direct, such sum as, in the opinion of the Treasury, approximately represents the amount of the accruing liability in respect of any superannuation allowances, lump sums or gratuities to which any officers, inspectors or servants employed (whether by the Board or otherwise) for the purposes of this Part of this Act or the legal personal representatives of any such persons will become

PART II. —*cont.*

entitled under the Superannuation Acts, 1834 to 1919, in respect of that employment.

Expenditure out of moneys provided by Parliament.

47. There shall be paid in each year out of moneys provided by Parliament—

(*a*) the salaries and allowances of the officers and servants of the Unemployment Assistance Board and the remuneration, salaries and allowances of the members, officers and servants of the appeal tribunals constituted under this Part of this Act;

(*b*) such contributions to the Unemployment Assistance Fund as the Minister after consultation with the Board may, with the consent of the Treasury, determine to be necessary in order to enable the fund to defray payments falling to be made therefrom in that year;

(*c*) any superannuation allowances, lump sums and gratuities payable under the Superannuation Acts, 1834 to 1919, by virtue of the provisions of this Part of this Act;

(*d*) the expenses of any Government department attributable to the carrying of this Part of this Act into effect.

Miscellaneous and General.

Penalty for fraudulently obtaining allowance and recovery of over-payments.

48.—(1) Any person who, for the purpose of obtaining an allowance, either for himself or for any other person, knowingly makes any false statement or false representation, shall be liable on summary conviction to imprisonment for a term not exceeding three months.

(2) If it is found at any time that an applicant for an allowance has, whether fraudulently or otherwise, procured by the non-disclosure or misrepresentation of a material fact any issue by way of an allowance to himself or any other person in excess of that which would have been made but for the non-disclosure or misrepresentation, a sum equivalent to the excess shall be repaid by him to the Board and (without prejudice to any other remedy) shall be recoverable by the Board from him summarily as a civil debt, and if any question arises (whether in or in connection with any legal proceedings or otherwise) as to the amount of any such excess,

PART II. —*cont.*

the question shall be referred in the prescribed manner to the appeal tribunal and a certificate signed by the clerk of that tribunal, setting forth the decision of the tribunal upon the question, shall be conclusive evidence of the amount of the excess, and any certificate purporting to be signed by the clerk shall be deemed to be so signed unless the contrary is proved.

(3) Proceedings under this section before a court of summary jurisdiction may be instituted, prosecuted or conducted on behalf of the Board by any officer authorised in that behalf by a special or general direction of the Board, notwithstanding that he is not of counsel or a solicitor.

(4) Notwithstanding any provision in any Act prescribing the period within which summary proceedings may be commenced, proceedings for an offence under this section 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 the knowledge of the Board or within twelve months after the commission of the offence, whichever period is the longer.

For the purposes of this subsection, a certificate signed by the secretary of the Board as to the date on which such evidence as aforesaid came to the knowledge of the Board shall be conclusive evidence thereof.

(5) Proceedings for the summary recovery as civil debts of sums due to the Board may, notwithstanding anything in any Act to the contrary, be brought at any time within one year from the time when the matter complained of arose.

Provisions as to allowance paid to persons entitled to old age pensions. 15 & 16 Geo. 5. c. 70. 20 & 21 Geo. 5. c. 10.

49. If it appears to the Minister of Health that any sums have been paid to any person by way of an allowance in respect of any period subsequent to the date on which an old age pension under the Widows', Orphans' and Old Age Contributory Pensions Act, 1925, commenced to accrue to that person, the Minister may direct that the sums so paid shall be treated as advances made to that person on account of the old age pension, and accordingly in section twenty-three of the Widows', Orphans' and Old Age Contributory Pensions Act, 1929 (which relates to sickness or other benefit paid to persons

PART II. —*cont.*

entitled to old age pensions), after the words "the Unemployment Insurance Acts, 1920 to 1929," there shall be inserted the words "or by way of an allowance under the Unemployment Assistance Act, 1934," and after the words "to the Unemployment Fund" there shall be inserted the words "or to the Unemployment Assistance Fund."

Miscellaneous.

50.—(1) Every public assistance authority shall permit any officer of the Unemployment Assistance Board or any officer through whom the Board is for the time being acting to inspect and take copies of any documents in the possession or power of the authority which he reasonably requires to inspect in connection with his duties, and in like manner, the Board shall permit any officer of a public assistance authority to inspect and take copies of any documents in the possession or power of the Board which he reasonably requires to inspect in connection with his duties.

(2) Every public assistance authority shall when required by the Board transfer to the Board such documents relating to persons who, in the opinion of the authority, cease to be chargeable to the authority by reason of the passing of this Part of this Act as may be specified in the requisition, so, however, that if any such person is by a decision for the time being in force decided not to be a person to whom this Part of this Act applies, the documents relating to him shall be retransferred to the authority when required by them.

(3) The Board may pay or contribute towards the travelling expenses of any person travelling to or from any place to which he goes by reason of any determination, arrangements made, or permission given, under this Part of this Act.

(4) Stamp duty shall not be chargeable upon any receipt for an allowance under this Part of this Act.

(5) Where for the purposes of this Part of this Act, 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 from time to time be prescribed by the Minister of Health and on payment of a fee, in the case of a birth certificate, of sixpence, and in the case of a

PART II. —*cont.*

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, under the hand of the registrar or superintendent registrar or other person having the custody thereof; and forms of requisition shall on request be supplied without charge by every registrar of births and deaths and by every superintendent registrar or other person having the custody of the register.

Superannuation rights of officers of local authorities entering the service of the Unemployment Assistance Board.

51.—(1) Rules may, within twelve months after the passing of this Act, be made by the Treasury after consultation with the Minister of Health and the Secretary of State with respect to the superannuation rights of persons who, being officers or servants of local authorities with pensionable local authority service, become officers or servants of the Board, and such rules may provide—

(*a*) that the Superannuation Acts, 1834 to 1919, shall have effect in relation to such persons subject to modifications in respect of the minimum periods of established service which qualify persons for the benefits of those Acts;

(*b*) that on the retirement of such persons from the permanent Civil Service of the State in such circumstances that an annual superannuation or compensation or retiring allowance might be granted to them under the said Acts as modified by the rules, they shall be entitled or qualified in respect of their pensionable local authority service to receive from the local authority from whose service they retired in order to become officers or servants of the Board such payments by way of annual allowance, lump sum, or return of contributions (with or without interest) as may be prescribed by the rules;

and the rules may provide for such modifications of the enactments relating to the superannuation of officers and servants of local authorities as may be necessary for giving effect to the rules.

(2) Any rules made under this section shall be laid before Parliament.

PART II. —*cont.*

(3) In this section the expression "pensionable local authority service" in relation to an officer of a local authority means service which would be taken into account for the purpose of determining whether he would be entitled to, or qualified for, any, and if so, what, superannuation allowance on leaving the service of the authority and includes all such service, whether or not for a period sufficient to render him so entitled or qualified as aforesaid; and the expression "enactments" includes schemes relating to the superannuation of officers and servants of local authorities made under or in pursuance of any enactment.

Rules and regulations.

52.—(1) The Unemployment Assistance Board may make rules for carrying this Part of this Act into effect and in particular (without prejudice to the generality of the foregoing provision) with respect to all matters with respect to which rules are specifically required or authorised by this Act to be made under this Part of this Act (except rules authorised to be made under the last foregoing section), but no rules made by the Board shall have effect until confirmed by the Minister, and any such rules shall, when confirmed, be laid before Parliament as soon as may be thereafter, and if either House of Parliament within the next subsequent twenty-eight days on which that House has sat after any such rule has been laid before it resolves that the rule shall be annulled, the rule shall forthwith be void, but without prejudice to the validity of anything previously done thereunder or to the making of a new rule.

(2) The Board shall within four months from the passing of this Act and thereafter from time to time as occasion may require prepare and submit to the Minister draft regulations for the purpose of subsection (3) of section thirty-eight of this Act, and the Minister shall consider any draft regulations so submitted to him and shall make draft regulations either in the form of the draft submitted to him or subject to such variations and amendments as he thinks fit:

Provided that, where the Minister makes any draft regulations otherwise than in the form of the draft submitted to him he shall, before making the draft regulations, inform the Board of the variations and amendments which he intends to make and the Board

shall report to him thereon and he shall consider the report. PART II. —*cont.*

(3) Any draft regulations made by the Minister under this section shall be laid before Parliament as soon as may be after they are made, and, if the draft regulations so laid are made otherwise than in the form of the draft submitted to the Minister, there shall also be laid before Parliament a statement of the Minister's reasons for, and a copy of the report of the Board on, the variations and amendments made by him.

(4) If each House resolves that draft regulations made by the Minister under this section be approved, the Minister shall make regulations in the terms of the draft to take effect on such date as may be specified in the regulations.

Modification of enactments and saving.

53.—(1) The enactments relating to the relief of the poor shall have effect subject to the provisions set out in the Eighth Schedule to this Act.

(2) Save as in this Part of this Act expressly provided, nothing therein shall affect any powers or duties of any local authority in relation to medical needs or to burials or to mental or bodily health or to education.

Supplementary.

Interpretation of Part II and construction of references.

54.—(1) In this Part of this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say :—

"Contravention," in relation to any provision or condition, includes a failure to comply with that provision or condition :

"Dwelling-house" includes any yard, garden, outhouse and appurtenances belonging thereto :

"Education Authority" means a local education authority for the purpose of higher education under the Education Act, 1921 :

"Enactments relating to workmen's compensation" means the Workmen's Compensation Acts, 1925 to 1931, and the corresponding enactments in force in Northern Ireland :

"In the prescribed manner" means in such manner as may be prescribed by rules made under this Part of this Act :

PART II. —*cont.*

"Investments" includes interests in land, except that, in relation to any dwelling-house, it does not include any interest which belongs to a person who is residing therein:

"Local authority" means any body having power to levy a rate or to issue a precept to a rating authority; and "rate" and, except in relation to London, "rating authority" have respectively the same meanings as in the Rating and Valuation Act, 1925:

15 & 16 Geo. 5. c. 90.

"Medical needs" means the need of medical or surgical assistance, including any need of drugs, medical or surgical appliances or of nursing or similar services:

"Medical or surgical" includes optical and dental:

"Minister" means the Minister of Labour:

"The Unemployment Insurance Acts" means the Unemployment Insurance Acts, 1920 to 1934:

"Wounds or disability pension" means any retired pay or pension to which section sixteen of the Finance Act, 1919, applies.

9 & 10 Geo. 5. c. 32.

(2) For the purposes of this Part of this Act, a person shall be deemed according to the law in England as well as according to the law in Scotland not to have attained the age of sixteen years until the commencement of the sixteenth anniversary of the day of his birth, and similarly with respect to other ages.

(3) References in this Part of this Act to "the appeal tribunal" shall, in relation to any application for an allowance, or for a decision that a person is a person to whom this Part of this Act applies, be construed as references to the appeal tribunal for the district in which the application was made.

(4) References in this Part of this Act to a Government Department shall not include references to the Unemployment Assistance Board.

(5) Any power conferred by this Part of this Act to provide training courses and work centres shall be construed as including power to acquire land, to construct buildings, to provide and maintain plant and equipment, and to do such other things as may be necessary for the purposes of any such course or centre.

PART II. —*cont.*

(6) Any reference in this Part of this Act to any other enactment or to any provision of any other enactment shall, unless the context otherwise requires, be construed as a reference to that enactment or that provision, as the case may be, as amended by any subsequent enactment, including this Act.

Application of Part II to Scotland.

55. This Part of this Act in its application to Scotland shall have effect subject to the following modifications:—

(1) A reference to the Department of Health for Scotland shall be substituted for any reference in section thirty-six, forty-nine, or fifty to the Minister of Health, and a reference to the Secretary of State shall be substituted for any reference in section forty-five to the said Minister.

(2) "Public assistance authority" means a local authority which is charged with the administration of the relief of the poor, and "workhouse" means poorhouse.

(3) Section forty-five shall have effect as if a reference to a large burgh within the meaning of the Local Government (Scotland) Act, 1929, were substituted for any reference to a county borough, as if references to the fifteenth day of May, or, in the case of a council whose financial year ends on a day other than the fifteenth day of May, to that other day, were substituted for the references to the thirty-first day of March in paragraph (*a*) of, and proviso (iii) to, subsection (2) and in subsection (4), and as if after subsection (6) of the said section there were added the following subsections:— 19 & 20 Geo. 5. c. 25.

"(7) The contributions payable under this section shall be defrayed by the councils concerned in like manner as expenditure for the relief of the poor.

(8) For the purposes of this section a county shall include any burgh situate therein which is a small burgh within the meaning of the Local Government (Scotland) Act, 1929; and any reference to a county shall, in the case of the counties of Perth and Kinross and of the counties of Moray and Nairn, be construed as a reference to the

PART II. —*cont.*

combined county of Perth and Kinross or to the combined county of Moray and Nairn, as the case may be, and any reference to the council of a county shall be construed accordingly."

(4) Subsections (3) and (5) of section forty-eight shall not apply.

(5) In subsection (1) of section fifty-four the definition of "Education authority" shall be omitted, and for the definition of "Local authority" there shall be substituted the following definition:—

"'Local authority' has the same meaning as in the Local Authorities Loans (Scotland) Act, 1891."

54 & 55 Vict. c. 34.

Power to make reciprocal arrangements relating to Northern Ireland.

56.—(1) If the Parliament of Northern Ireland make provision for the establishment therein of any scheme of unemployment assistance substantially corresponding to that provided by this Part of this Act, the Unemployment Assistance Board may, with the consent of the Treasury and in accordance with rules made under this Part of this Act, make reciprocal arrangements with the authority administering the scheme for dealing with the cases of persons transferring between Great Britain and Northern Ireland, and for determining the conditions under which such persons may be paid allowances.

(2) Any such rules may provide that this Part of this Act shall, in relation to persons affected by any arrangements made under this section, have effect subject to such modifications as may be prescribed by the rules.

Extent and citation of Part II.

57.—(1) This Part of this Act shall not extend to Northern Ireland.

(2) This Part of this Act (including the Sixth, Seventh and Eighth Schedules to this Act) may be cited separately as the Unemployment Assistance Act, 1934.

PART III.

SUPPLEMENTARY.

Transitory Provisions.

Transitory provisions as to benefit.

58.—(1) Notwithstanding anything in section four of this Act, references in the provisions of Part I of this Act or in the provisions of this section to the

PART II —*cor.*

benefit year of an insured contributor, shall be construed as including references to benefit years beginning before the commencement of Part I of this Act and determined in accordance with the enactments repealed by this Act, if and only if during the year and before the commencement of Part I of this Act the insured contributor on a claim for benefit proved—

(*a*) that he was either a person in respect of whom thirty contributions had been paid within the time limited by the first statutory condition, or a person who was by virtue of subsection (5) of section five of the Unemployment Insurance Act, 1927, to be treated as having satisfied that condition; and

17 & 18 Geo. 5. c. 30.

(*b*) in the case only of a person who had exhausted his benefit rights in his last preceding benefit year, also that contributions had been paid in respect of him for ten weeks since the Sunday last before the last day in respect of which he was entitled to benefit;

and accordingly references in the said provisions to the last preceding benefit year of an insured contributor shall be construed as references to the last preceding benefit year in which on a claim for benefit he so proved the matters aforesaid:

Provided that for the purposes of the reference to "the benefit years which ended in the last five years" in paragraph (*b*) of subsection (2) of section three of this Act, the expression "benefit year" shall be construed as including any benefit year determined in accordance with the enactments repealed by this Act.

(2) An insured contributor in whose case a benefit year is current at the commencement of Part I of this Act—

(*a*) shall, subject to and in accordance with regulations made by the Minister, be treated throughout the remainder of that benefit year as if the the first statutory condition continued to be fulfilled in his case; and

(*b*) shall not be deemed to have exhausted his benefit rights in that year on the ground

PART III. —*cont.*

that he has exhausted such rights under sub-paragraph (*b*) of paragraph (1) of Article one of the Unemployment Insurance (National Economy) (No. 2) Order, 1931, unless he has also exhausted such rights under section three of this Act.

Temporary continuation of transitional payments.

59.—(1) Notwithstanding the repeal by this Act of the enactments specified in Part II of the Ninth Schedule to this Act, subject to the provisions of this section determinations with respect to transitional payments shall be made under paragraph (3) of Article one of the Unemployment Insurance (National Economy) (No. 2) Order, 1931, and transitional payments shall be made in accordance with determinations made under that paragraph, as if the said enactments had not been repealed, and the said enactments shall continue to have effect in relation to transitional payments:

Provided that, as from the commencement of Part I of this Act, the reference in paragraph (2) of Article one of the said Order to persons who would but for the operation of the preceding paragraph of that Article have been entitled to benefit shall be construed as including a reference to persons who would have been entitled to benefit if they had not exhausted their benefit rights.

(2) As from the first appointed day, no determination shall be made under paragraph (3) of Article one of the said Order, but any determination under the said paragraph (3) which was in force immediately before the said day shall, unless revoked by the Unemployment Assistance Board, continue in force for the period for which it would have continued in force if this Act had not been passed, and no transitional payments shall be made otherwise than in accordance with a determination in force under this subsection.

(3) Notwithstanding anything in this Act, an insurance officer shall not himself disallow any application for transitional payments on the ground that the applicant is not normally employed in, or will not normally seek to obtain his livelihood by means of, insurable employment, but if he is not satisfied with respect to those questions shall, so far as practicable, within fourteen days after the date on which the application was submitted to him for examination, refer the matter to the court of referees for their decision.

PART III. —*cont.*

(4) For the purposes of this section, an interim determination made in accordance with regulations made under Article 3 of the said Order shall be deemed to be a determination made under paragraph (3) of Article 1 of that Order.

Prevention of anomalies during transitory period.

60. If any difficulty arises with respect to the foregoing transitory provisions of this Part of this Act the Minister, with the consent of the Treasury, may by order make such modifications in those provisions as may appear to him necessary for preventing anomalies during the period affected by the transition to the provisions of this Act from the provisions of the enactments repealed by this Act:

Provided that the Minister shall not exercise the powers conferred by this section after the expiration of two months from the second appointed day.

Transitory provisions as to allowances.

61.—(1) No application for an allowance shall be taken into consideration before the first appointed day.

(2) Subject to rules made by the Unemployment Assistance Board under Part II of this Act, no application for an allowance shall be taken into consideration before the second appointed day unless the applicant would have been entitled to transitional payments if a determination that he is in need had been in force; and if any dispute or doubt arises as to the question whether an applicant would have been so entitled, the question shall be referred to the insurance officer and determined by the same persons and in the same manner as if the question had arisen in relation to an application for transitional payments.

(3) Where an application for an allowance is made by a person to whom Part II of this Act applies in whose case an order for outdoor relief was in force immediately before the second appointed day, then, at any time during the two months beginning on that day, an allowance equal in amount to the amount of outdoor relief specified in the order may be granted to him, without any determination as to his need, until such a determination can be made.

(4) Until the second appointed day the provisions of the Eighth Schedule to this Act prohibiting the giving of outdoor relief to persons who have been decided

PART III. —*cont.*

to be persons to whom Part II of this Act applies and to persons in receipt of unemployment benefit, shall have effect as if they prohibited outdoor relief being given to persons whose applications for allowances can under this section be considered before the second appointed day; and the provisions of the said Schedule requiring the Unemployment Assistance Board to pay the cost of outdoor relief given to persons to whom Part II of this Act applies pending the decision that they are such persons and of relief given to such persons in cases of sudden or urgent necessity, shall apply only as respects relief given after the first appointed day to persons whose applications for allowances can be so considered as aforesaid.

(5) The cost of any allowances given in respect of any period before the second appointed day shall be defrayed out of the Unemployment Fund and the enactments relating to that fund shall apply as if the allowances had been transitional payments.

Transitory provisions as to moneys provided by Parliament.

62. Any increase attributable to the passing of this Act in the amounts which are, by virtue of paragraphs 1 and 2 of Article 8 of the Unemployment Insurance (National Economy) (No. 2) Order, 1931, to be paid into the Unemployment Fund shall be defrayed out of moneys provided by Parliament.

Supplementary.

Definition of appointed day.

63. For the purposes of this Act the expression "the first appointed day" and the expression "the second appointed day" mean respectively such days as the Minister with the consent of the Treasury may by order appoint for that purpose.

Short title and repeals.

64.—(1) This Act may be cited as the Unemployment Act, 1934.

(2) This Part of this Act shall not extend to Northern Ireland.

(3) The enactments set out in the Ninth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule as from the commencement of Part I of this Act.

SCHEDULES.

FIRST SCHEDULE.

Sections 1 & 34.

PROVISIONS AS TO THE CREDITING OF CONTRIBUTIONS IN RESPECT OF PERSONS CONTINUING EDUCATION.

PART I.

MAKING OF REGULATIONS.

Provisions subject to which Regulations may be made.

1. Subject as hereinafter provided, the regulations made under subsection (3) of section one of this Act shall not provide for persons who, after attaining the age at which the period of compulsory elementary instruction ends continue to receive whole-time education, being credited with contributions until they have so continued for a period of twelve months; and the number of contributions with which a person who has so continued for any period specified in the subjoined table may, under the regulations, be credited shall not exceed the maximum number specified in the said table as respects that period:

Provided that for the purpose of avoiding anomalies, and, in particular, for the purpose of preventing inequalities between persons who attain the age aforesaid during school holidays, the said regulations may make provision for any person being deemed for the purpose of computing the beginning of any such period as aforesaid to have attained that age on such date (not being more than three months before or after the date on which he in fact attains or has attained it) as may be prescribed by the regulations.

TABLE.

Period for which Education continued.	Maximum Number of Contributions to be credited.
Twelve months or more but less than eighteen months.	Ten.
Eighteen months or more but less than twenty-four months.	Fifteen.
Twenty-four months or more -	Twenty.

1ST SCH. —*cont.*

Particular matters for Regulations.

2. The power of making regulations under subsection (3) of section one of this Act shall (without prejudice to the generality thereof) extend in particular to the following matters—

(*a*) prescribing the types of education, and classes of school, continuance at which shall be reckoned for the purposes of crediting contributions;

(*b*) determining to what extent holidays or other periods of interruption shall be disregarded for the purpose of determining whether a person is continuing to receive whole-time education;

(*c*) prescribing the procedure as to claims in respect of contributions so to be credited, including the limitations of time within which such claims must be made;

(*d*) requiring local education authorities, governing bodies, or other persons responsible for the management of schools, attendance at which may be reckoned for the purposes of crediting contributions, to supply such particulars as to school attendances as may be prescribed.

PART II.

RECKONING OF CREDITED CONTRIBUTIONS.

1. For the purposes of determining whether the first statutory condition is fulfilled in the case of any insured contributor—

(*a*) any contributions with which he is credited under regulations made under subsection (3) of section one of this Act shall be deemed to have been paid in respect of him at the rate of one contribution for each week over a period ending with the week in which he ceased to receive whole-time education or in which he attained the age of sixteen years, whichever is the earlier; and for the purposes of paragraph (i) of subsection (2) of section five of the Unemployment Insurance Act, 1927, he shall be deemed to have been bonâ fide employed during that period; and

(*b*) no contributions actually paid in respect of him for weeks included in the period aforesaid shall be taken into account, and contributions actually paid in respect of him for weeks before the beginning of that period shall be taken into account only if the number of contributions actually paid in respect of him before he ceased to receive whole-time education or before he attained the age of sixteen years, as the case may be, is in excess of the number with which he is so credited as aforesaid, and in that case only to the extent of the excess.

1ST SCH. —*cont.*

2. For the purpose of determining whether an insured contributor is qualified for additional days, or the maximum number of such days, no account shall be taken of credited contributions.

3. For the purposes of subsection (3) of section five of the principal Act (which relates to contributions out of moneys provided by Parliament) no account shall be taken of credited contributions.

SECOND SCHEDULE.

Sections 5 & 34.

WEEKLY RATES OF UNEMPLOYMENT BENEFIT.

Class of persons to whom rate applies.	Rate of benefit. s.	d.
Persons of the age of twenty-one years and upwards and young men and young women who are in receipt of an increase of benefit in respect of dependants—		
Men	17	0
Women	15	0
Persons who have attained the age of eighteen years but are under the age of twenty-one years, not being persons in receipt of an increase of benefit in respect of dependants—		
Young men	14	0
Young women	12	0
Persons who have attained the age of seventeen years but are under the age of eighteen years—		
Boys	9	0
Girls	7	6
Persons who are under the age of seventeen years—		
Boys	6	0
Girls	5	0

Sections 17 & 34.

THIRD SCHEDULE.

UNEMPLOYMENT INSURANCE STATUTORY COMMITTEE.

PART I.

CONSTITUTION AND PROCEEDINGS OF COMMITTEE.

1. The Committee shall consist of a chairman and not less than four nor more than six other members. At least one member of the Committee shall be a woman.

2. The Chairman and other members shall be appointed by the Minister and shall hold office for a period which, in the cases of each of the members first appointed, and of any member appointed to fill a casual vacancy, shall be of such duration not exceeding five years as may be determined by the Minister, and in the case of all other members shall be a period of five years, so, however, that the chairman or any member may by notice in writing to the Minister resign office at any time, and shall be eligible for reappointment from time to time after his resignation or after the expiration of his term of office.

3. No member of the Committee shall be capable of being elected to, or of sitting in, the House of Commons.

4. Of the said members, other than the chairman, there shall be appointed, one after consultation with organisations representative of employers, one after consultation with organisations representative of workers, and one after consultation with the Minister of Labour for Northern Ireland.

5. If a member becomes, in the opinion of the Minister, unfit to continue in office or incapable of performing his duties, the Minister shall forthwith declare his office to be vacant, and shall notify the fact in such manner as he thinks fit, and thereupon the office shall become vacant.

6. The Minister shall appoint a secretary to the Committee and may appoint such other officers and such servants to the Committee, and there shall be paid to them such salaries and allowances, as the Minister may with the consent of the Treasury determine.

7. The expenses of the Committee to such an amount as may be approved by the Treasury (including such salaries or other remuneration paid to all or any of the members as the Minister with the consent of the Treasury may determine and including salaries and allowances payable under the last foregoing paragraph) shall be paid by the Minister.

3rd Sch. —*cont.*

8. There may be paid as part of the expenses of the Committee to persons attending meetings at the request of the Committee such travelling and other allowances (including compensation for loss of remunerative time) as the Minister may, with the consent of the Treasury, determine.

9. The Committee may act notwithstanding any vacancy in the number of the Committee.

10. The Committee may make rules for regulating the procedure (including the quorum) of the Committee.

11. The Minister shall furnish the Committee with such information as they may reasonably require for the proper discharge of their functions under Part I of this Act.

Part II.

Provisions of Unemployment Insurance Acts of which amendments may be recommended by Committee.

Act.	Provisions of Act.	Subject matter.
The Unemployment Insurance Act, 1920.	Section seven -	Statutory conditions for receipt of unemployment benefit.
	Section eight -	Disqualifications for unemployment benefit.
	Section forty-one	Special provisions with respect to discharged seamen, marines, soldiers and airmen.
The Unemployment Insurance Act, 1922.	Section one -	Increase of benefit in respect of dependants.
The Unemployment Insurance Act, 1923.	Section five -	Meaning of "continuous period of unemployment."
The Unemployment Insurance (No. 2) Act, 1924.	Subsection (4) of section one.	Meaning of "unemployed."
	First Schedule Part I	Supplemental provisions relating to right to benefit.
The Unemployment Insurance Act, 1925.	Section four -	Rates of contribution.
The Unemployment Insurance Act, 1927.	Section four -	Rates of unemployment benefit.
	Section five -	Provisions as to statutory conditions for the receipt of benefit.
The Unemployment Insurance Act, 1930.	Section four -	Amendment as to disqualifications for receipt of benefit.
	Subsection (9) of section eight.	Payment of benefit pending appeals.
	Section nine -	Provision as to payment of benefit.

3RD SCH. —*cont.*

Act.	Provisions of Act.	Subject matter.
The Unemployment Insurance (No. 3) Act, 1931.	Section one -	Provisions with respect to benefit in the case of special classes of persons.
This Act - -	Subsections (2) and (3) of section one.	Rates of contributions in the case of persons under eighteen and crediting of contributions.
	Section three -	Duration and computation of benefit.
	Section four -	Definition of "benefit year."
	Section five -	Provisions as to rates of benefit.
	Section six -	Amendments as to disqualifications for benefit and as to third statutory condition.
	Section seven -	Amendments as to fifth statutory condition.
	Section eight -	Period of disallowance of benefit in certain cases.
	Section nine -	Definition of "dependent child."
	Section ten -	Amendments as to increase of benefit in respect of dependants.
	Section fifteen -	Power to make grants out of the Unemployment Fund towards expenses of attendance at authorised courses.
	Section twenty-six	Extension of principal Act to short service constables of the Metropolitan Police Force.
	First Schedule -	Provisions as to the crediting of contributions in respect of persons continuing education.
	Second Schedule -	Weekly rates of unemployment benefit.

Any enactment, whether or not mentioned in the foregoing provisions of this Part of this Schedule, which amends any of the enactments therein mentioned.

FOURTH SCHEDULE.

Sections 19 & 34.

Provisions as to publication of Draft Regulations and objections thereto.

1. When any draft regulations are submitted by the Minister to the Unemployment Insurance Statutory Committee in pursuance of this Act, the Committee shall publish, in such manner as they think best adapted for informing persons affected, notice of the fact and of the place where copies of the draft regulations may be obtained and of the time, which shall not be less than fourteen or more than twenty-eight days, within which any objection made with respect to the draft regulations by or on behalf of persons affected must be sent to them.

2. Every objection shall be in writing and shall state the portions of the draft which are objected to, the specific grounds of objection, and the omissions, additions or modifications asked for.

3. The Committee shall consider any objection made by or on behalf of any person appearing to them to be affected which is sent to them within the required time.

FIFTH SCHEDULE.

Sections 29 & 34.

Minor Amendments.

Enactments to be amended.	Amendment.
The Unemployment Insurance Act, 1920.	
Section 1	After the word "persons" where that word first occurs there shall be inserted the words "of either sex, whether British subjects or not, being persons."
Section 3	In paragraph (*c*) of subsection (1) for the words "employment in which does not "make him an employed person within "the meaning of this Act" there shall be substituted the words "which is not insurable employment."
	In paragraph (*d*) of the said subsection (1) for the words "employment in which

5TH SCH. —*cont.*

Enactments to be amended.	Amendment.
The Unemployment Insurance Act, 1920—*continued.* Section 3—*cont.*	" would make him an employed person " within the meaning of this Act " there shall be substituted the words " which is insurable employment."
	At the end of subsection (1) there shall be inserted the words " and while holding " such a certificate shall not be insured " under this Act."
Section 5 -	For subsection (5) the following subsection shall be substituted:—
	" (5) Contributions shall not be payable in respect of blind persons in receipt of pensions under the Old Age Pensions Acts, 1908 to 1924, as extended by section one of the Blind Persons Act, 1920."
	In subsection (7) after the words " liable to be insured under this Act " there shall be inserted the words " and references in " the Acts relating to unemployment " insurance to the employer's contri- " bution shall be construed as including " a contribution payable under this " subsection."
Section 10 -	In paragraph (*b*) of subsection (1) there shall be inserted after the words " is or is not " the words " or was or was not," and after the word " applies " there shall be inserted the words " or applied."
	After paragraph (*d*) of subsection (1) there shall be inserted the following paragraph:—
	" (*e*) whether a person was or was not employed in any excepted employment during any period falling within the period of two years mentioned in the first statutory condition."
Section 12 -	The following shall be substituted for subsection (2):—
	" (2) Unless the context otherwise requires, any reference in the Acts

5TH SCH. —*cont.*

Enactments to be amended.	Amendment.
The Unemployment Insurance Act, 1920—*continued.* Section 12—*cont.*	relating to unemployment insurance to the umpire shall include a reference to a deputy umpire and to a person appointed to act in the place of the umpire or any deputy umpire under regulations made in pursuance of paragraph (*d*) of subsection (1) of section thirty-five of this Act."
	The proviso to subsection (3) shall be omitted and in lieu thereof there shall be inserted the following subsection:—
	"(4) There shall in each year be paid to the Treasury out of the Unemployment Fund at such times and in such manner as the Treasury may direct such sum as the Minister may estimate in accordance with directions given by the Treasury to be the amount of any expenses of any Government Department attributable to carrying the Acts relating to unemployment insurance into effect:
	Provided that the sum paid under this subsection in any year shall not exceed one-eighth of the receipts paid into the Unemployment Fund on account of income, after deducting, so long as regulations made under this Act provide for the payment of contributions by means of unemployment insurance stamps, any sums which have been refunded on account of any such stamps or on account of contributions paid (whether by stamps or otherwise) in respect of a person under the erroneous belief that the contributions were payable in respect of him under the general provisions of the said Acts."
Section 17	In paragraph (*a*) of the proviso to subsection (1) for the words "payable under this Act" there shall be substituted the words "for the time being payable."

5TH SCH —*cont.*

Enactments to be amended.	Amendment.
The Unemployment Insurance Act, 1920—*continued.* Section 17—*cont.*	For subsection (3) the following subsection shall be substituted:— "(3) Where any sum is paid to a person under an arrangement under this section, so much thereof as represents the amount of benefit which but for the arrangement would have been paid to him shall be deemed for the purpose of the Acts relating to unemployment insurance to have been paid by way of benefit."
Section 22	In subsection (7) for the words "under this section," there shall be substituted the words "for an offence under this Act."
Section 33	For the words "the Commissioners of Inland Revenue" and "the said Commissioners," there shall be substituted the words "the Postmaster-General," and the words "with the consent of the Postmaster-General" shall cease to have effect; and for the words "of this Act" "relating to regulations made by the "Minister" there shall be substituted the words "of subsections (3), (4) and (5) of section thirty-five of this Act."
Section 35	In subsection (1), in paragraph (*c*) thereof, for the word "claims" where that word first occurs, there shall be substituted the word "applications"; and after paragraph (*g*) there shall be inserted the following new paragraph— "(*h*) for enabling any insured contributor in whose case good cause is shown for delay in making a claim to benefit or in proving any matter on such a claim, to be treated for the purposes of such provisions of the Acts relating to unemployment insurance as may be specified in the regulations, as if the claim had been made or the matter proved on such earlier date as may be determined in accordance with the regulations."

5TH SCH —*cont.*

Enactments to be amended.	Amendment.
The Unemployment Insurance Act, 1920—*cont.*	
Section 41 -	In subsection (1) for the words "those "seamen, marines, soldiers and airmen "to be credited on discharge with the "fixed number of contributions" there shall be substituted the words "such "seamen, marines, soldiers and airmen "to be treated for the purposes of this Act "in the manner hereinafter provided."
Section 47 -	For paragraph (*e*) of subsection (1) there shall be substituted the following paragraph:— "(*e*) The expression 'insurance year' means the period beginning on the twenty-seventh Monday in any calendar year and ending on the Sunday preceding the twenty-seventh Monday in the next calendar year."
Schedule I, Part I.	In paragraph (*c*) for the words "employ- "ment under any local or other public "authority" there shall be substituted the words "employment under any public or local authority."
The Unemployment Insurance Act, 1922.	
Section 1 -	The following provision shall be substituted for the proviso to subsection (1):— "(1*a*) No increase of benefit shall be payable under the Acts relating to Unemployment Insurance in respect of a wife or female person, not being a dependent child, who— (*a*) is in receipt of benefit (including benefit under a special scheme); or (*b*) is in regular wage-earning employment otherwise than as having or assisting in the care of the dependent children of the person entitled to benefit; or (*c*) is engaged in any occupation ordinarily carried on for profit— so, however, that the following provisions shall have effect with respect

5TH SCH. —*cont.*

Enactments to be amended.	Amendment.
The Unemployment Insurance Act, 1922—*cont.*	
Section 1—*cont.*	to the expressions hereinafter mentioned, that is to say— (i) 'regular wage-earning employment' shall not (subject to the provisions of paragraph (iii) hereof) include employment where the amount of wage earned is less than the increase in the weekly rate of benefit; (ii) 'occupation ordinarily carried on for profit' shall not (subject to the provisions of paragraph (iii) hereof) include the performance of work for payment which is less in amount than the increase in the weekly rate of benefit; (iii) neither of the last two foregoing paragraphs shall apply in any case where both a wage is earned by employment and payments are received for the performance of work, unless the aggregate amount of the wage and payments is less than the increase in the weekly rate of benefit; (iv) 'occupation ordinarily carried on for profit' shall not include the provision of board and accommodation for not more than one lodger as a member of the family."
Section 14	The following subsection shall be substituted for subsection (1):— "(1) In any case where an authority has granted outdoor relief to or on account of, or the Unemployment Assistance Board has under the Unemployment Assistance Act, 1934, granted an allowance to, a person who was not in receipt of benefit, or was in receipt of less than the full amount of benefit to which he was entitled— (*a*) in excess of the amount which would have been granted if that person had been in receipt of benefit or had been in receipt of the full amount of benefit to which he was entitled; or

5TH SCH. —*cont.*

Enactments to be amended.	Amendment.
The Unemployment Insurance Act, 1922—*cont.* Section 14—*cont.*	(*b*) in excess of the amount which would have been granted if an insured contributor had been in receipt of an increase of benefit in respect of that person; then, if a claim by that person for benefit, or for the full amount of benefit to which he was entitled, or a claim in respect of that person for an increase of benefit, for any part of the period in respect of which relief, or as the case may be, an allowance, has been so granted, is subsequently allowed, the Minister may treat the benefit allowed to that person, or the increase of benefit allowed in respect of that person, as the case may be, as reduced by an amount not exceeding such an amount as the authority or, as the case may be, the Board certifies to have been so paid in excess for the period for which the benefit or increase of benefit was allowed, and may pay to the authority or, as the case may be, to the Board the amount by which the benefit or increase of benefit is treated as having been reduced as aforesaid: Provided that the total charge on the Unemployment Fund shall not be greater than the amount of the benefit or increase of benefit allowed."
The Unemployment Insurance Act, 1923. Section 6 - -	In subsection (1), after the words "eighteen years" there shall be inserted the words "or in connection "with the attendance at authorised "courses of persons under that age or "in connection with the administration of increase of benefit claimed in "respect of persons between the ages "of fourteen and sixteen years who are "dependent children within the meaning "of the Acts relating to unemployment "insurance."

5TH SCH. —*cont.*

Enactments to be amended.	Amendment.
The Unemployment Insurance Act, 1923—*cont.* Section 6—*cont.*	In paragraph (*b*) of subsection (2), for the words "a scale fixed" there shall be substituted the words "regulations made", and the proviso to the said subsection (2) shall cease to have effect.
The Unemployment Insurance (No. 2) Act, 1924. Section 1	In subsection (4) for the words "within the meaning of this section" there shall be substituted the words "for the "purposes of the Acts relating to un- "employment insurance."
Section 6	There shall be substituted the following section— "In estimating the expenses of Government Departments for the purposes of subsection (4) of section twelve of the principal Act there shall be included— (*a*) such amount as in the opinion of the Treasury approximately represents the amount of the accruing liability in respect of any superannuation allowances, lump sums or gratuities which any officers, inspectors or servants employed for the purposes of the Acts relating to unemployment insurance or the legal personal representatives of any such persons will become entitled under the Superannuation Acts, 1834 to 1919, in respect of that employment; (*b*) any capital expenditure incurred for the purposes of the Acts relating to unemployment insurance; (*c*) in respect of the use of any premises belonging to the Crown and used for the purposes of the Acts relating to unemployment insurance in respect of which no rent is payable, an amount determined by the Treasury with the consent of the Minister, regard being had to the rental value of the premises and to any capital expenditure incurred as aforesaid which has been charged to the Unemployment Fund:

5th Sch. —*cont.*

Enactments to be amended	Amendment.
The Unemployment Insurance (No. 2) Act, 1924—*cont.* Section 6—*cont.*	Provided that if, in any case where the amount of any such expenditure as is mentioned in paragraph (*b*) of this section has been charged to the Unemployment Fund, the premises in respect of which the expenditure was incurred are sold or have ceased to be used for the purposes of the Acts relating to unemployment insurance, there shall be deducted from the amount thereafter chargeable to the Unemployment Fund under the said subsection (4) such sum as may be determined by the Treasury, with the consent of the Minister, to represent the whole or the appropriate proportion of the then value of the premises."
Schedule I, Part I.	In paragraph 4, for the words " or is " under the provisions of the principal " Act disqualified for receiving bene- " fit " there shall be substituted the words " (other than the first statutory " condition) or is under the provisions " of the Acts relating to unemployment " insurance disqualified for receiving " benefit, or to be deemed not to be " unemployed," and the words " under this part of this Schedule " shall be omitted.
	For paragraph 5 there shall be substituted the following paragraph:—
	" 5. Save as otherwise provided by regulations made in accordance with the provisions of this paragraph a continuous period of unemployment shall be deemed to begin on the date on which the insured contributor makes application for benefit in the prescribed manner, but 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:

5TH SCH. —*cont.*

Enactments to be amended.	Amendment.
The Unemployment Insurance (No. 2) Act, 1924—*cont.* Schedule I, Part I—*cont.*	" Provided that, except in cases where good cause is shown for delay in making the application, such regulations shall not authorise the substitution of an earlier date for any purpose other than that of computing the first week of a continuous period of unemployment in a case in which the applicant, upon an application for benefit which begins his benefit year, proves in the prescribed manner that a continuous period of unemployment was in fact current at the date of that application."
The Widows', Orphans' and Old Age Contributory Pensions Act, 1925. Section 39 -	In subsection (1) after the words " who is of the age of sixty-five or upwards " there shall be inserted the words " (not being a blind person in receipt of a pension under the Old Age Contributory Pensions Acts, 1908 to 1924, as extended by section one of the Blind Persons Act, 1920)."
The Unemployment Insurance Act, 1927. Section 5 -	In paragraph (*a*) of subsection (1), for the word " application " there shall be substituted the words " a claim " ; in subsection (2) there shall be substituted for the words from the beginning of the subsection to the end of paragraph (i) the following words, that is to say :— " The following provisions shall have effect in relation to the first statutory condition and to the disqualifications for the receipt of benefit respectively— (i) in determining whether an insured contributor has proved that the first statutory condition is fulfilled in his case, no

5TH SCH. —*cont.*

Enactments to be amended.	Amendment.
The Unemployment Insurance Act, 1927—*cont.*	
Section 5—*cont.*	account shall be taken of any contributions paid in respect of him for any period during which he was not bona fide employed." In subsection (5), for the words "an application" there shall be substituted the words "a claim."
Section 12	For the words "if the Minister thinks fit or any one of the parties so demands" there shall be substituted the words "if the Minister or the person holding the inquiry, as the case may be, thinks fit."
Section 14	In subsection (2), for the words "an application" there shall be substituted the words "a claim" and for the words "the application" wherever those words occur, there shall be substituted the words "the claim."
Section 16	In subsection (1), in the definition of "benefit year" for the words "an application" there shall be substituted the words "a claim."
The Unemployment Insurance Act, 1930.	
Section 2	At the end of the section there shall be inserted the following subsection:— "(3) Regulations may be made by the Minister under section thirty-five of the principal Act providing that where a dependant is partly maintained by each of two or more persons entitled to benefit, each of whom would be entitled to an increased rate of benefit in respect of that dependant if he were wholly or mainly maintaining him, then, if the contributions made by those two or more persons towards the maintenance of that dependant amount in the aggregate to sums which would, if they had been contributed

6TH SCH. —*cont.*

Enactments to be amended.	Amendment.
The Unemployment Insurance Act, 1930—*cont.*	
Section 2—*cont.*	by any one of those persons, have been sufficient to satisfy the requirements of paragraph (*f*) of the last foregoing subsection, that dependant shall be deemed for the purpose of the enactments aforesaid to be wholly or mainly maintained by such of those persons as may be prescribed by the regulations."
Section 5	The words from the beginning of the section to "officers of employment exchanges" shall cease to have effect.
Section 7	For the words "of the employments specified in Part II of the First Schedule to the principal Act" there shall be substituted the words "excepted employment."
Section 13	For the words "the United Kingdom" in the first, third and fourth places where they occur there shall be substituted the words "Great Britain."
The Unemployment Insurance (No. 3) Act, 1931.	
Section 3	At the end of the section there shall be inserted the words "and, if both those places are within the United Kingdom, for assisting towards their re-settlement."
Section 5	For the definition of "prescribed" there shall be substituted the following definition: "'Prescribed' means prescribed by an order made under section one of this Act."
The Unemployment Insurance (National Economy) (No. 2) Order, 1931.	
Article 4	For the words "an application for benefit" wherever those words occur, there shall be substituted the words "a claim for benefit."

SIXTH SCHEDULE.

Sections 35 & 57.

CONSTITUTION AND PROCEEDINGS OF UNEMPLOYMENT ASSISTANCE BOARD.

1. The Board shall be a body corporate by the name of the Unemployment Assistance Board with a Common Seal and shall consist of a chairman, a deputy chairman, and not less than one nor more than four other members appointed by His Majesty by warrant under the Sign Manual. At least one member of the Board shall be a woman.

2. Every member of the Board shall hold and vacate office in accordance with the terms of his warrant of appointment.

3. No member of the Board shall be capable of being elected to or of sitting in the House of Commons.

4. Any person who has ceased to be a member of the Board shall be eligible for reappointment.

5. The Board may act notwithstanding any vacancy in the number of the Board.

6. There shall be paid to the several members of the Board out of the Consolidated Fund or the growing produce thereof such salaries as may be determined by the Treasury at the time of their appointment respectively, so, however, that the aggregate amount of the salaries of the members of the Board shall not exceed the sum of twelve thousand pounds per annum.

7. The procedure and quorum of the Board shall be such as the Board may from time to time determine.

8. The Board shall appoint a secretary and may appoint such other officers and such servants, and there shall be paid to them such salaries and allowances, as the Board may after consultation with the Minister and with the consent of the Treasury determine.

9. The functions of the Board, and of the officers and servants appointed by the Board, shall be exercised on behalf of the Crown.

10. The Board shall have power to acquire land for the purposes of its functions under this Act, and to dispose of any land held by it which is no longer required for those purposes.

11. Every document purporting to be an instrument issued by the Board and to be sealed with the seal of the Board or to be signed by the secretary of the Board or any person authorised to act in that behalf, shall be received in evidence and be deemed to be such an instrument without further proof, unless the contrary is shewn.

Sections 36, 39 & 57.

SEVENTH SCHEDULE.

CONSTITUTION AND PROCEEDINGS OF APPEAL TRIBUNALS.

1. Every appeal tribunal shall consist of a chairman and two other members.

2. Each of the said tribunals and the chairman thereof shall have jurisdiction in respect of such district as may be assigned to them by the Unemployment Assistance Board.

3. The chairman of every appeal tribunal shall be appointed by the Minister, and of the two other members of an appeal tribunal, one shall be selected by the Unemployment Assistance Board from a panel of persons nominated by the Minister to represent work-people and shall be appointed by the Board, and the other shall be appointed by the Board to represent the Board; and during any unavoidable absence or incapacity of the chairman a person appointed by the Minister shall act as chairman, and in the case of any unavoidable absence or incapacity of any other member of an appeal tribunal, another person shall be appointed by the Board to be a member of the tribunal in his stead; so, however, that if the member absent or incapacitated was selected from the panel aforesaid, the person appointed in his stead shall also be selected from that panel.

4. There shall be paid to the chairman or acting chairman of an appeal tribunal such remuneration, and to any member of an appeal tribunal such travelling and other allowances (including compensation for loss of remunerative time) as the Board may after consultation with the Minister and with the consent of the Treasury determine.

5. The Board shall assign to every such tribunal a clerk and such other officers and servants, and there shall be paid to them such salaries and allowances, as the Board may after consultation with the Minister and with the consent of the Treasury determine.

6. Rules may be made by the Board under Part II of this Act—

(*a*) as to the tenure of office of members of appeal tribunals;

(*b*) as to the procedure of appeal tribunals and the procedure in connection with appeals (whether to a tribunal or to the chairman thereof) and in connection with references to an appeal tribunal and in connection with applications for leave to appeal, and as to the time within which such appeals, references and applications are to be made;

7th Sch. —*cont.*

(*c*) as to the procedure in connection with applications by public assistance authorities for the reconsideration of directions that for a period specified therein no further applications for an allowance made by an applicant shall be considered;

(*d*) as to the payment by the Board to persons attending appeals and references of travelling and other allowances (including compensation for loss of remunerative time);

(*e*) for enabling appeals, references, and applications to be proceeded with notwithstanding that the members of the tribunal are not all present;

and in any case where an appeal, reference, or application is proceeded with in accordance with rules made in accordance with subparagraph (*e*) of this paragraph, the tribunal shall, notwithstanding anything in this Act, be deemed to be properly constituted, and the chairman or acting chairman shall have a second or casting vote.

EIGHTH SCHEDULE.

Sections 53 57 & 61.

Modification of Enactments relating to the relief of the Poor.

Part I.

Provisions applying to England.

1. A public assistance authority shall not order outdoor relief to be given—

(*a*) to any person who by a decision for the time being in force has been decided to be a person to whom Part II of this Act applies; or

(*b*) to any person whose needs have been taken into account in a determination for the time being in force under Part II of this Act; or

(*c*) to any person in receipt of unemployment benefit, unless he is a person who by a decision for the time being in force, has been decided not to be a person to whom Part II of this Act applies:

8TH SCH. —*cont.*

Provided that—

(i) where a person to whom Part II of this Act applies has been granted an allowance subject to conditions attached under paragraph (*c*) or paragraph (*d*) of subsection (2) of section forty of this Act and by reason of his contravention of the conditions the allowance is not issued, the foregoing provisions of this paragraph shall, notwithstanding the provisions of section eighteen of the Poor Law Act, 1930, be taken as only prohibiting the giving of outdoor relief to that person himself;

(ii) this paragraph shall not apply to the granting of relief in respect of the medical needs of any person or affect any powers or duties under section seventeen of the Poor Law Act, 1930 (which relates to relief in cases of sudden or urgent necessity).

2. The Unemployment Assistance Board and any public assistance authority may make arrangements for the reception into any workhouse maintained by the authority of any person to whom an allowance may be granted subject to a condition that he should become an inmate of a workhouse, and any such person shall, in accordance with such arrangements, be received into the workhouse and dealt with therein as if he had been received therein under the enactments relating to the relief of the poor.

3. The Unemployment Assistance Board shall pay to any public assistance authority—

(*a*) the cost of any outdoor relief (not being relief in respect of medical needs) given to any person to whom Part II of this Act applies, being relief given pending the decision that he is such a person:

(*b*) the cost of any relief under section seventeen of the Poor Law Act, 1930 (not being relief in respect of medical needs), given to a person to whom Part II of this Act applies except relief given during any period during which he has contravened any condition attached to the grant of an allowance under paragraph (*c*) or paragraph (*d*) of subsection (2) of section forty of this Act:

(*c*) such sums, in respect of the attendance at any training course or at any work centre or similar place maintained by the authority of any person attending thereat in pursuance of arrangements made under Part II of this Act, as may be provided by the arrangements:

8TH SCH. —*cont.*

(*d*) such sums, in respect of the maintenance in any workhouse maintained by the authority of any person received into the workhouse in pursuance of arrangements under the last foregoing paragraph of this Schedule, as may be provided by the arrangements:

Provided that the amount payable by the Board in respect of any person under subparagraph (*a*) or subparagraph (*b*) of this paragraph shall not exceed the amount of the allowances which would have been granted to that person by the Board, and any dispute between the Board and any authority as to the amount of the allowances which would have been granted as aforesaid shall be referred to the appeal tribunal, whose decision shall be final.

PART II.

PROVISIONS APPLYING TO SCOTLAND.

1. Outdoor relief shall not be afforded under the poor law—

(*a*) to any person who by a decision for the time being in force has been decided to be a person to whom Part II of this Act applies; or

(*b*) to any person whose needs have been taken into account in a determination for the time being in force under Part II of this Act; or

(*c*) to any person in receipt of unemployment benefit, unless he is a person who by a decision for the time being in force, has been decided not to be a person to whom Part II of this Act applies:

Provided that—

(i) where a person to whom Part II of this Act applies has been granted an allowance subject to conditions attached under paragraph (*c*) or paragraph (*d*) of subsection (2) of section forty of this Act and by reason of his contravention of the conditions the allowance is not issued, the foregoing provisions of this paragraph shall operate to the effect only of prohibiting the affording of outdoor relief to that person himself;

(ii) nothing in this paragraph shall prohibit outdoor relief being afforded otherwise than in money to any person in a case of sudden or urgent necessity;

(iii) this paragraph shall not apply to the affording of relief in respect of the medical needs of any person.

2. The Unemployment Assistance Board and any poor law authority may make arrangements for the reception into any poorhouse maintained by the authority of any person to whom

8TH SCH. —*cont.*

an allowance may be granted subject to a condition that he should become an inmate of a poorhouse, and any such person shall, in accordance with such arrangements, be received into the poorhouse and dealt with therein as if he had been received therein under the enactments relating to the relief of the poor.

3. The Unemployment Assistance Board shall pay to any poor law authority—

(*a*) the cost of any outdoor relief (not being relief in respect of medical needs) afforded to any person to whom Part II of this Act applies, being relief afforded pending the decision that he is such a person;

(*b*) the cost of any outdoor relief (not being relief in respect of medical needs) afforded otherwise than in money in a case of sudden or urgent necessity to a person to whom Part II of this Act applies, except relief afforded during any period during which he has contravened any condition attaching to the grant of an allowance under paragraph (*c*) or paragraph (*d*) of subsection (2) of section forty of this Act:

(*c*) such sums, in respect of the attendance at any training course or at any work centre or similar place maintained by the authority of any person attending thereat in pursuance of arrangements made under Part II of this Act, as may be provided by the arrangements:

(*d*) such sums, in respect of the maintenance in any poorhouse maintained by the authority of any person received into the poorhouse in pursuance of arrangements under the last foregoing paragraph of this Part of this Schedule, as may be provided by the arrangements:

Provided that the amount payable by the Board in respect of any person under subparagraph (*a*) or subparagraph (*b*) of this paragraph shall not exceed the amount of the allowances which would have been granted to that person by the Board, and any dispute between the Board and any authority as to the amount of the allowances which would have been granted as aforesaid shall be referred to the appeal tribunal whose decision shall be final.

4. In this Part of this Schedule any reference to a poor law authority shall be construed as including a reference to a combination of such authorities.

NINTH SCHEDULE.

Sections 59 & 64.

Repeals.

Part I.

Session and Chapter, or Year and Number of Order.	Short Title.	Extent of Repeal.
10 & 11 Geo. 5. c. 30.	The Unemployment Insurance Act, 1920.	Section four; the proviso to subsection (1) of section seven; in subsection (2) of section eight the words from "of six weeks" to the end of the said subsection; the proviso to subsection (3) of section twelve; sections fifteen and sixteen; in section thirty-three the words "with the consent of the Postmaster-General"; and subsection (2) of section forty-one.
11 & 12 Geo. 5. c. 1.	The Unemployment Insurance Act, 1921.	Section five, except in subsection (1) thereof from the words "Any sums advanced" to the end of the subsection; and section seven.
11 & 12 Geo. 5. c. 15.	The Unemployment Insurance (No. 2) Act, 1921.	Sections four and ten and in section sixteen the definition of "the deficiency period."
12 & 13 Geo. 5. c. 7.	The Unemployment Insurance Act, 1922.	Sections seven and eight; and in subsection (1) of section sixteen the definition of "a dependent child" and the definition of "a child."
13 & 14 Geo. 5. c. 2.	The Unemployment Insurance Act, 1923.	Section four, and the proviso to subsection (2) of section six and the First Schedule.
14 & 15 Geo. 5. c. 30.	The Unemployment Insurance (No. 2) Act, 1924.	Subsection (5) of section one; and sections eleven and fifteen; and in the Second Schedule, the amendment to subsection (5) of section five of the Unemployment Insurance Act, 1920.

9TH SCH. —*cont.*

Session and Chapter, or Year and Number of Order.	Short Title.	Extent of Repeal.
15 & 16 Geo. 5. c. 69.	The Unemployment Insurance Act, 1925.	In paragraph (*a*) of subsection (1) of section four the words from the beginning of the paragraph to " the extended period," and all the words in the said section four from the beginning of paragraph (*c*) of the said subsection (1) to the end of the said section four.
17 & 18 Geo. 5. c. 30.	The Unemployment Insurance Act, 1927.	Sections one and three; paragraph (*c*) of subsection (2) of section four; sections eight and thirteen; and in the Fourth Schedule, the amendments to section four of the Unemployment Insurance Act, 1920, section five of the Unemployment Insurance Act, 1921, and section fourteen of the Unemployment Insurance Act, 1922.
20 & 21 Geo. 5. c. 16.	The Unemployment Insurance Act, 1930.	Section one; paragraphs (*d*) (*e*) and (*g*) of subsection (2) of section two; in subsection (1) of section four, the words from " of six weeks " to the end of the subsection; in section five the words from the beginning of the section to " officers of employment exchanges "; in section six the words " until the expiration of this Act "; in section nine the word " either," and the words from " or because he has failed," to " 1927 "; sections fourteen and fifteen; in section seventeen the words " until the expiration of this Act "; section eighteen; in subsection (3) of section twenty the words " until the expiration of this Act," and subsection (8) of the said section twenty; and in the Second Schedule, the

9th Sch. —*cont.*

Session and Chapter, or Year and Number of Order.	Short Title.	Extent of Repeal.
20 & 21 Geo. 5. c. 16—*cont.*	The Unemployment Insurance Act, 1930 —*cont.*	amendments to section five of the Unemployment Insurance Act, 1920, sections one and fourteen of the Unemployment Insurance Act, 1922, section six of the Unemployment Insurance (No. 2) Act, 1924, and sections five and eight of the Unemployment Insurance Act, 1927.
21 & 22 Geo. 5. c. 8.	The Unemployment Insurance Act, 1931.	Sections one and three.
21 & 22 Geo. 5. c. 25.	The Unemployment Insurance (No. 2) Act, 1931.	Sections one and three.
21 & 22 Geo. 5. c. 36.	The Unemployment Insurance (No. 3) Act, 1931.	In section one, in subsection (1) the words "after consultation with the Advisory Committee constituted for the purposes of this section", the proviso to subsection (2), and subsection (6); section two; and in section five the definition of "regulations," and subsection (3).
Statutory Rules and Orders, 1931, No. 814.	The Unemployment (National Economy) (No. 1) Order, 1931.	In Article one the words "until the expiration of the extended period" and Article two and the Second Schedule.
Statutory Rules and Orders, 1931, No. 853.	The Unemployment Insurance (National Economy) (No. 2) Order, 1931.	Subparagraph (*b*) of paragraph (1) of Article one and paragraph (4) of Article eight.
23 & 24 Geo. 5. c. 26.	The Unemployment Insurance (Expiring Enactments) Act, 1933.	The whole Act.

9TH SCH. —*cont.*

PART II.

Session and Chapter, or Year and Number of Order.	Short Title.	Extent of Repeal.
17 & 18 Geo. 5. c. 30.	The Unemployment Insurance Act, 1927.	Subsection (3) of section five; section fourteen; and in subsection (1) of section sixteen the definitions of "benefit year" and "benefit quarter."
19 & 20 Geo. 5. c. 19.	The Unemployment Insurance (Transitional Provisions Amendment) Act, 1929.	The whole Act.
20 & 21 Geo. 5. c. 16.	The Unemployment Insurance Act, 1930.	Section sixteen.
21 & 22 Geo. 5. c. 8.	The Unemployment Insurance Act, 1931.	Section two.
21 & 22 Geo. 5. c. 25.	The Unemployment Insurance (No. 2) Act, 1931.	Section two.
Statutory Rules and Orders, 1931, No. 853.	The Unemployment Insurance (National Economy) (No. 2) Order, 1931.	The whole Order, except subparagraph (*b*) of paragraph 1 of Article one and paragraph (4) of Article eight.
22 & 23 Geo. 5. c. 19.	The Transitional Payments Prolongation (Unemployed Persons) Act, 1932.	The whole Act.
22 & 23 Geo. 5. c. 54.	The Transitional Payments (Determination of Need) Act, 1932.	The whole Act, so far as it relates to transitional payments.