CHAPTER 30.

An Act to amend the Law in respect of Insurance against Unemployment. [9th August 1920.]

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 :

INSURED PERSONS.

Persons to be insured against unemployment.

1. Subject to the provisions of this Act, all persons of the age of sixteen and upwards who are engaged in any of the employments specified in Part I. of the First Schedule to this Act, not being employments specified in Part II. of that schedule (in this Act referred to as " employed persons "), shall be insured against unemployment in manner provided by this Act.

Right of insured persons to unemployment benefit.

2. Every person who being insured under this Act is unemployed and in whose case the conditions laid down by this Act (in this Act referred to as " statutory conditions ") are fulfilled shall be entitled, subject to the provisions of this Act, to receive payments (in this Act referred to as " unemployment benefit "), at weekly or other prescribed intervals, at such rates and for such periods as are authorised by or under the Second Schedule to this Act, so long as the statutory conditions continue to be fulfilled and so long as he is not disqualified under this Act for the receipt of unemployment benefit.

Exemptions.

3.—(1) Where any employed person proves that he is either—

(*a*) in receipt of any pension or income of the annual value of twenty-six pounds or upwards, which does not depend on his personal exertions; or

(*b*) ordinarily and mainly dependent for his livelihood upon some other person; or

(*c*) ordinarily and mainly dependent for his livelihood on the earnings derived by him from an occupation employment in which does not make him an employed person within the meaning of this Act,

he shall be entitled to a certificate exempting him from liability to become or to continue to be insured under this Act.

(2) All claims for exemption shall be made to and certificates of exemption granted by the Minister in the prescribed manner and subject to the prescribed conditions, and may be so made and granted before as well as after the commencement of this Act :

Provided that regulations under this Act may provide that any certificates of exemption granted under section two of the National Insurance Act, 1911, or any class of such certificates, shall have effect as if they had been granted under this section as well as under that section. 1 & 2 Geo. 5. c. 55.

Power to extend Act to excepted employments.

4.—(1) The Minister may, with the approval of the Treasury, by order provide for including among the persons employed within the meaning of this Act any persons engaged in any of the excepted employments specified in Part II. of the First Schedule to this Act, or any class or description of the persons so engaged, either unconditionally or subject to such conditions as may be specified in the order.

(2) Before any such order is made a draft thereof shall be laid before each House of Parliament for a period of not less than twenty days during which the House is sitting, and if either House, before the expiration of that period presents an Address to His Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, but without prejudice to the making of any new draft order.

CONTRIBUTIONS.

Contributions by employed persons, employers, and the Treasury.

5.—(1) The funds required for providing unemployment benefit and for making any other payments which under this Act are to be made out of the unemployment fund established under this Act shall be derived partly from contributions by employed persons, partly from contributions by the employers of those persons, and partly from moneys provided by Parliament.

(2) Subject to the provisions of this Act, every employed person and every employer of any such person shall be liable to pay contributions at the rates specified in Part I. of the Third Schedule to this Act.

(3) There shall, subject to the provisions of this section, be paid out of moneys provided by Parliament in respect of each weekly contribution paid by an employer in respect of a man, woman, boy or girl, a contribution at the ordinary rate specified in Part II. of the Third Schedule to this Act as regards men, women, boys and girls, respectively, and the sums to be contributed in any year shall be paid in such manner and at such times as the Treasury may determine.

For the purpose of calculating the amount of the contribution under this subsection, while and in so far as contributions are paid by means of unemployment insurance stamps, the number of contributions paid in respect of men, women, boys and girls, respectively, in any year shall be deemed to be represented by the number of stamps appropriate to contributions by men, women, boys and girls, respectively, sold in that year, after deducting—

(*a*) the number (calculated in the prescribed manner) of stamps of each class which have been used for the

purpose of paying contributions otherwise than under the general provisions of this Act; and

(*b*) the number of stamps of each class in respect of which a refund has been made; and

(*c*) such contributions as have been returned in respect of persons in respect of whom contributions were paid under the erroneous belief that they were payable in respect of those persons under the general provisions of this Act.

(4) Except where regulations under this Act otherwise prescribe, the employer shall in the first instance be liable to pay both the contribution payable by himself (in this Act referred to as "the employer's contribution") and also, on behalf of and to the exclusion of the employed person, the contribution payable by that person, and subject to any such regulations shall be entitled to recover from the employed person, by deduction from his wages or otherwise, the amount of the contributions so paid by him on behalf of the employed person in accordance with the rules set out in the Fourth Schedule to this Act.

(5) Contributions shall not be payable in respect of any person who is in receipt of an old-age pension under the Old Age Pensions Act, 1908 to 1919.

(6) Where it has been decided by the Minister in manner provided by this Act that contributions under this Act are not payable in respect of any person or any class of persons, and that decision is subsequently revised or reversed on appeal so as to make contributions payable in respect of that person or that class of persons, contributions shall be so payable only as from the date on which the decision was so revised or reversed.

(7) The employer of a person who, though an employed person within the meaning of this Act, is not insured under this Act by reason that he has obtained and holds a certificate of exemption under this Act shall be liable to pay the like contributions as would have been payable by him as employer's contributions if that person had been a person liable to be insured under this Act, and regulations made under this Act may provide that in the event of that person subsequently becoming so insured every two contributions paid in respect of him under this subsection shall be treated as if they had been one full contribution paid in respect of him as an employed person under the other provisions of this Act.

The contributions to be paid out of moneys provided by Parliament in respect of contributions paid under this subsection in respect of exempt persons shall be at the rates specified in Part II. of the Third Schedule to this Act in reference to such persons.

Power to make regulations as to

6. Subject to the provisions of this Act, the Minister may make regulations providing for any matters incidental to the pay

ment and collection of contributions payable under this Act, and in particular for— payment of contributions.

(*a*) payment of contributions by means of adhesive or other stamps (in this Act referred to as "unemployment insurance stamps") affixed to or impressed upon books or cards (in this Act respectively referred to as "unemployment books" and "unemployment cards"), or otherwise, and for regulating the manner, times, and conditions in, at, and under which unemployment insurance stamps are to be affixed or impressed or payments are otherwise to be made;

(*b*) the entry in or upon unemployment books or cards of particulars of contributions and benefits paid in the case of the persons to whom the unemployment books or cards relate;

(*c*) the issue, sale, custody, production, and delivery up of unemployment books or cards and the replacement of unemployment books or cards which have been lost, destroyed, or defaced.

UNEMPLOYMENT BENEFIT.

7.—(1) The statutory conditions for the receipt of unemployment benefit by a person insured under this Act (in this Act referred to as "an insured contributor") are— Statutory conditions for receipt of unemployment benefit.

(i) that he proves that not less than twelve contributions have been paid in respect of him under this Act;

(ii) that he has made application for unemployment benefit in the prescribed manner, and proves that since the date of the application he has been continuously unemployed;

(iii) that he is capable of and available for work, but unable to obtain suitable employment;

(iv) that he has not exhausted his right to unemployment benefit under this Act;

(v) that, if he has been required by an insurance officer, in pursuance of regulations made under this Act by the Minister after consultation with the Board of Education, to attend at any course of instruction approved for the purposes of this provision under the regulations so made, he proves that he duly attended in accordance with the requirement:

Provided that a person shall not be deemed to have failed to fulfil the statutory conditions by reason only that he has declined—

(*a*) an offer of employment in a situation vacant in consequence of a stoppage of work due to a trade dispute; or

(*b*) an offer of employment in the district where he was last ordinarily employed at a rate of wage lower, or on conditions less favourable, than those which he habitually obtained in his usual employment in that district, or would have obtained had he continued to be so employed; or

(*c*) an offer of employment in any other district at a rate of wage lower, or on conditions less favourable, than those generally observed in that district by agreement between associations of employers and of employees, or, failing any such agreement, than those generally recognised in that district by good employers.

(2) For the purposes of this Act—

(*a*) A person shall not be deemed to be unemployed on any day on which he is following any occupation from which he derives any remuneration or profit, unless that occupation has ordinarily been followed by him in addition to his usual employment and outside the ordinary working hours of that employment, and the remuneration received therefrom in respect of that day does not exceed three shillings and fourpence, or, where the remuneration is payable in respect of a period longer than a day, the remuneration does not on the daily average exceed that amount:

(*b*) Two periods of unemployment of not less than two days each, separated by a period of not more than two days, during which the insured contributor has not been employed for more than twenty-four hours or two periods of unemployment of not less than three days each separated by an interval of not more than six weeks, shall be treated as a continuous period of unemployment, and the expression "continuously unemployed" shall have a corresponding meaning.

Disqualifications for unemployment benefit.

8.—(1) An insured contributor who has lost employment by reason of a stoppage of work which was due to a trade dispute at the factory, workshop, or other premises at which he was employed shall be disqualified for receiving unemployment benefit so long as the stoppage of work continues, except in a case where he has, during the stoppage of work, become bonâ fide employed elsewhere in the occupation which he usually follows or has become regularly engaged in some other occupation.

Where separate branches of work which are commonly carried on as separate businesses in separate premises are in any case carried on in separate departments on the same premises, each of those departments shall, for the purposes of this provision, be deemed to be a separate factory or workshop or separate premises, as the case may be.

(2) An insured contributor who loses his employment through his misconduct, or who voluntarily leaves his employment without just cause, shall be disqualified for receiving unemployment benefit for a period of six weeks or such shorter period, not being less than one week, as may be determined under the provisions of this Act from the date when he so lost or left his employment.

(3) An insured contributor shall be disqualified for receiving unemployment benefit while he is an inmate of any prison or any workhouse or other institution supported wholly or partly out of public funds, or, subject to the provisions of this Act, while he is resident, whether temporarily or permanently, outside the United Kingdom.

(4) Where no contributions are paid in respect of any person during any insurance year, he shall, unless the non-payment of contributions was due to his being sick, be disqualified for receiving unemployment benefit until twelve contributions, exclusive of any contributions paid in respect of him before that year, have been paid in respect of him under this Act, and a person in respect of whom no contributions have been paid during a period comprising five insurance years shall, if contributions are subsequently paid in respect of him, be treated as if he had not previously been an insured contributor.

(5) An insured contributor shall be disqualified for receiving unemployment benefit while he is in receipt of any sickness or disablement benefit or disablement allowance under the National Insurance Health Acts, 1911 to 1920, or while he is in receipt of an old age pension under the Old Age Pensions Acts, 1908 to 1919.

Benefits to be inalienable.

9. Subject to the provisions of this Act, every assignment of, or charge on, and every agreement to assign or charge, any of the benefits conferred by this Act shall be void, and, on the bankruptcy of any person entitled to any such benefit, the benefit shall not pass to any trustee or other person acting on behalf of his creditors.

DETERMINATION OF QUESTIONS, CLAIMS, &C.

Decision of questions by Minister.

10.—(1) If any question arises—

(*a*) as to whether any employment or any class of employment is or will be such employment as to make the person engaged therein an employed person within the meaning of this Act or whether a person is or was an employed person within the meaning of this Act; or

(*b*) whether a person or class of persons is or is not a person or class of persons to whom a special or supplementary scheme under this Act applies; or

(*c*) as to who is the employer of any employed person; or

(*d*) as to the rate of contribution payable under or in pursuance of this Act by or in respect of any person or class of persons or as to the rates of contribution payable in respect of any employed person by the employer and that person respectively;

the question shall be decided by the Minister:

Provided that—

(i) any person aggrieved by the decision of the Minister on any such question may appeal from that decision to the High Court;

(ii) the Minister may, if he thinks fit, instead of himself deciding any such question, refer the question for decision to the High Court.

(2) The Minister may, on new facts being brought to his notice, revise any decision given by him under this section, other than a decision against which an appeal is pending or as respects which the time for appealing has not expired, and an appeal shall lie against any such revised decision in the same manner as against an original decision.

(3) Provision shall be made by rules of court for regulating appeals and references to the High Court under this section, and those rules shall provide for limiting the time within which an appeal may be brought and for the determination in a summary manner of any such appeals or references, and for requiring notice of any such appeals to be given to the Minister.

(4) The Minister shall be entitled to appear and be heard on any appeal or reference under this section.

(5) Notwithstanding anything in any Act, an appeal under this section shall be to a single judge of the High Court to be nominated by the Lord Chancellor for the purpose, and the decision of the High Court on an appeal or reference under this section shall be final.

(6) In the application of this section to Scotland the Court of Session shall be substituted for the High Court and the Lord President of the Court of Session shall be substituted for the Lord Chancellor, and, in the application of this section to Ireland, the Lord Chancellor of Ireland shall be substituted for the Lord Chancellor.

(7) The Minister in exercising the power of deciding questions vested in him by this section shall have regard to the decisions given by the umpire under the enactments repealed by this Act.

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

Determination of claims.

11.—(1) All claims for unemployment benefit, and all questions whether the statutory conditions are fulfilled in the case of any person claiming such benefit, or whether those conditions

continue to be fulfilled in the case of a person in receipt of such benefit, or whether a person is disqualified for receiving or continuing to receive such benefit, or whether the period for which an insured contributor who has lost his employment through his misconduct or who has voluntarily left his employment without just cause is to be disqualified should be some period less than six weeks, or otherwise arising in connexion with such claims, shall, subject to the provisions of this section, be determined by one of the officers appointed under this Act for determining claims to unemployment benefit (in this Act referred to as "insurance officers").

Every insurance officer shall forthwith take into consideration any claim or question submitted for his determination under the provisions of this subsection, and shall so far as practicable give his decision thereon within fourteen days from the date on which the claim or question was so submitted.

(2) In any case where unemployment benefit is refused or is stopped, or where the amount of the benefit allowed is not in accordance with the claim, the person claiming benefit or in receipt of benefit, as the case may be, may, at any time within twenty-one days from the date on which the decision of the insurance officer is communicated to him, or within such further time as the Minister may in any particular case for special reasons allow, require the insurance officer to report the matter to a court of referees constituted in accordance with this Act, and the court of referees, after considering the circumstances, shall make to the insurance officer such recommendations on the case as they may think proper, and the insurance officer shall, unless he disagrees, give effect to those recommendations.

Where an insurance officer is required to report any matter to the court of referees under this subsection he shall so report the matter within seven days after the date on which he is required so to do, or so soon thereafter as is practicable.

(3) If the insurance officer disagrees with any recommendation made by a court of referees under this section, he shall, if so requested by the court of referees, refer the recommendation, with his reasons for disagreement, to the umpire appointed under this Act.

(4) The insurance officer, in any case in which he considers it expedient to do so, may, instead of himself determining the claim or question, refer it to a court of referees, and if an insurance officer so refers any matter the provisions of the foregoing subsection shall apply as if he had reported the matter to a court of referees.

(5) Where a recommendation has been made under this section, in the case of any person, by a court of referees, any association of employed persons of which that person is a member, and with the consent of the court that person, may require the insurance officer to refer the matter to the umpire,

and the insurance officer if so required shall refer the matter to the umpire accordingly.

(6) Where in pursuance of this section any recommendation made by a court of referees is referred by an insurance officer to the umpire, the decision of the umpire in the matter shall be final and conclusive.

(7) Where any person affected by a recommendation which is referred to the umpire under this section is requested by the umpire to attend before him on the consideration of the case and so attends, he shall be paid, out of moneys provided by Parliament, such travelling and other allowances (including compensation for loss of remunerative time) as the Minister, with the sanction of the Treasury, may determine.

(8) Nothing in this section shall be construed as preventing an insurance officer or umpire, or a court of referees, on new facts being brought to his or their knowledge, revising a decision or recommendation given in any particular case, but, where any such revision is made, the revised decision or recommendation shall, subject as hereinafter provided, have effect as if it had been an original decision or recommendation, and the foregoing provisions of this section shall apply accordingly, without prejudice to the retention of any benefit which may have been received under the decision or recommendation which has been revised:

Provided that, where upon a recommendation by a court of referees unemployment benefit is, in accordance with regulations made under this Act, paid during any period intervening between the claim for benefit and the final determination of the claim, the benefit shall, except where the regulations otherwise prescribe, be treated, notwithstanding that the final determination of the question is adverse to the claim, as having been duly paid and shall not be recoverable from the employed person under the provisions of this Act or otherwise.

52 & 53 Vict. c. 49.

(9) The Arbitration Act, 1889, shall not apply to proceedings under this Act, except so far as it may be applied by regulations under this Act.

(10) For the purposes of proceedings under this Act in Ireland, regulations may apply all or any of the provisions of the Common Law Procedure Amendment Act (Ireland), 1856, with respect to arbitration.

19 & 20 Vict. c. 102.

Appointment of umpire, deputy-umpires, insurance officers, inspectors, &c.

12.—(1) For the purposes of this Act, an umpire and one or more deputy-umpires may be appointed by His Majesty, and insurance officers shall be appointed by the Minister (subject to the consent of the Treasury as to number), and the insurance officers shall be appointed to act for such areas as the Minister directs.

(2) Unless the context otherwise requires, any reference in this Act to the umpire shall include a reference to a deputy-umpire.

(3) The Minister may appoint such other officers, inspectors, and servants for the purposes of this Act as the Minister may,

with the sanction of the Treasury, determine, and there shall be paid, out of moneys provided by Parliament, to the umpire, deputy-umpires, and insurance officers and to such other officers, inspectors, and servants, such salaries or remuneration as the Treasury may determine; and any expenses incurred by the Minister in carrying this Act into effect, to such amount as may be sanctioned by the Treasury, shall be defrayed out of moneys provided by Parliament:

Provided that such sum as the Treasury may direct, not exceeding one-tenth of the receipts paid into the unemployment fund established under this Act 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 this Act, shall, in accordance with regulations made by the Treasury, be applied as an appropriation in aid of the moneys provided by Parliament for the purpose of such salaries, remuneration, and expenses as aforesaid, and also, if and in so far as may be prescribed, for the purpose of any expenses incurred by any other Government Department for the purposes of or in connection with this Act.

Courts of referees, &c.

13.—(1) A court of referees for the purposes of this Act shall consist of one or more members chosen to represent employers, with an equal number of members chosen to represent insured contributors, and a chairman appointed by the Minister.

(2) Regulations under this Act may provide that any claim or question which is reported or referred to a court of referees may, with the consent of the claimant or the person or association in whose case the question arises, but not otherwise, be proceeded with in the absence of any member or members of the court other than the chairman, and in any such case the court shall, notwithstanding anything in this Act, be deemed to be properly constituted, and the chairman shall, if the number of the members of the court is an even number, have a second or casting vote.

(3) Panels of persons chosen to represent employers and insured contributors respectively shall be constituted by the Minister for such districts and such trades or groups of trades as the Minister may think fit, and the members of a court of referees to be chosen to represent employers and insured contributors shall be selected from those panels in the prescribed manner.

(4) Subject as aforesaid, the constitution of courts of referees shall be determined by regulations under this Act.

(5) Regulations under this Act may provide for the reference to central or local committees representing employers

and employed persons, for consideration and advice, of questions bearing upon the administration of this Act.

(6) The Minister may pay such remuneration to the chairman and other members of a court of referees, and such travelling and other allowances (including, subject as hereinafter provided, compensation for loss of remunerative time) to any such chairman or members or to any persons required to attend before any such court, and such other expenses in connexion with any referees as the Minister with the sanction of the Treasury determines, and any such payments shall be treated as expenses incurred by the Minister in carrying this Act into effect:

Provided that compensation for loss of time shall not be paid to any person in respect of any time during which he is in receipt of remuneration under this section.

FINANCIAL PROVISIONS.

Establishment of unemployment fund.

14.—(1) For the purposes of this Act, there shall be established, under the control and management of the Minister, a fund called the unemployment fund, into which shall be paid all contributions payable under this Act by employers and employed persons and out of moneys provided by Parliament, and out of which shall be paid all claims for unemployment benefit and any other payments which under this Act are payable out of the fund.

(2) The accounts of the unemployment fund shall be audited by the Comptroller and Auditor-General in such manner as the Treasury may direct.

(3) Any moneys forming part of the unemployment fund may from time to time be paid over to the National Debt Commissioners and by them invested, in accordance with regulations made by the Treasury, in any securities which are for the time being authorised by Parliament as investments for savings banks funds.

(4) The National Debt Commissioners shall present to Parliament annually an account of the securities in which moneys forming part of the unemployment fund are for the time being invested.

Provision for securing solvency of unemployment fund.

15.—(1) If it appears to the Treasury at any time that the unemployment fund is in all the circumstances of the case in danger of becoming insolvent, the Minister shall, if the Treasury so direct, by order make such temporary modifications in any of the rates of contribution, or the rates or periods of unemployment benefit, and during such period, as the Minister thinks fit, and as will on the whole, in the opinion of the Treasury, be sufficient to secure the solvency of the unemployment fund:

Provided that no order under this section shall—

(*a*) come into force until one month after it is made; or

(*b*) reduce the weekly rate of unemployment benefit below the sum, in the case of men, of thirteen shillings, and, in the case of women, of ten shillings; or

(*c*) increase the rates of contribution by more than one penny from the employer and one penny from the employed person per person per week; or

(*d*) increase those rates unequally as between employers and employed persons.

(2) An order under this section shall not be made so as to be in force at any time while any previous order made under this section is in force.

(3) On an order being made under this section the Minister shall cause the order, together with a special report as to the reasons for making the order, to be laid before Parliament.

Periodical revision of rates of contribution.

16. If at any time after the expiration of seven years from the commencement of this Act it appears to the Minister that the unemployment fund is insufficient or more than sufficient to discharge the liabilities imposed upon the fund under this Act, or that the rates of contribution are excessive or deficient, or if at any time after the expiration of three years from the commencement of this Act it appears to the Minister that an equalisation of contribution and benefit between men and women is desirable the Minister may, with the sanction of the Treasury, by special order, made in manner hereinafter provided, revise the rates of contribution of employers and employed persons under this Act, and, where any such order is made, the rates prescribed by the order shall, as from such date as may be specified in the order, be substituted for the rates prescribed by this Act:

Provided that—

(*a*) Where a revision of the rates of contribution has been made under this section, no further revision shall be made under this section before the expiration of seven years from the last revision; and

(*b*) No order under this section shall increase the rates of contribution by more than one penny from the employer and one penny from the employed person per person per week above the rates specified in the Third Schedule to this Act; and

(*c*) No order under this section shall vary these rates of contribution unequally as between employers and employed persons.

ARRANGEMENTS.

Arrangements with associations of employed persons which

17.—(1) Subject as hereinafter provided, the Minister may, on the application of any society approved under the National Insurance Act, 1911, or body ancillary thereto, or any other association of employed persons (other than any such society,

make payments to members while unemployed.

body, or association being an industrial assurance company or a collecting society, or a separate section of such company or society, or a society organised by such company or society solely or jointly with other bodies), being a society or other association the rules of which provide for payments to its members, or any class thereof, while unemployed, make an arrangement with the society or other association that, in lieu of paying unemployment benefit under this Act to persons who prove that they are members of the society or other association, there shall be repaid periodically to the society or other association out of the unemployment fund such sum as appears to be, as nearly as may be, equivalent to the aggregate amount which those persons would have received during that period by way of unemployment benefit under this Act if no such arrangement had been made :

Provided that the Minister shall not make or continue an arrangement with a society or other association under this section :—

(*a*) Unless he is of opinion that the payments authorised by the rules of the society or other association to be made to its members when unemployed (inclusive of any payments in respect of which a refund may be made to the society or other association under this section) represent a provision for unemployment as respects such of its members as are employed persons which during the period between the commencement of this Act and the thirty-first day of July nineteen hundred and twenty-one exceeds the provision represented by unemployment benefit at the rate payable under this Act by an amount which is equal to at least one-third of the provision represented by unemployment benefit at the rate payable before the commencement of the National Insurance (Unemployment) Act, 1919, and which thereafter is at least one-third greater than the provision represented by unemployment benefit at the rate payable under this Act :

9 & 10 Geo. 5. c. 77.

(*b*) Unless the society or association has such a system of ascertaining the wages and conditions prevailing in every employment within the meaning of this Act in which its members are engaged and of obtaining from employers notification of vacancies for employment and giving notice thereof to its members when unemployed as is in the opinion of the Minister reasonably effective for securing that unemployed persons competent to undertake the particular class of work required, shall, with all practicable speed, be brought into communication with employers having vacancies to fill.

(2) The council or other governing body of any society or other association which has made such an arrangement as aforesaid shall be entitled to treat the contributions due from any of its members to the unemployment fund under this Act or any part thereof, as if such contributions formed part of the subscriptions payable by those members to the society or other association, and, notwithstanding anything in the rules of the society or other association to the contrary, may reduce the rates of subscription of those members accordingly.

(3) For the purpose of this Act, the amount of any sum which, but for this section, would have been paid to any person by way of unemployment benefit shall be deemed to have been so paid.

(4) The Minister may make regulations for giving effect to this section, and for referring to insurance officers, courts of referees, or the umpire appointed under this Act any question which may arise under this section.

(5) The fact that persons other than employed persons can be members of a society or other association shall not prevent the society or other association being treated as an association for the purposes of this section, if the society or other association is substantially a society or other association for the benefit of employed persons.

(6) The Minister may, with the consent of the Treasury and subject to such conditions and otherwise as the Minister may prescribe, pay to any society or other association with which an arrangement under this section is in force by way of contribution towards the administrative expenses of the society or other association in connexion with the arrangement, such sum, not exceeding in any year an amount calculated at the rate of one shilling for each week of the aggregate number of weeks of unemployment in respect of which a repayment is made to the society or other association under this section, as he thinks fit, and any sum so paid shall be treated as part of the expenses incurred by the Minister in carrying this Act into effect.

SCHEMES.

Power to provide for insurance against unemployment in any industry by means of special scheme.

18.—(1) If it appears to the Minister that insurance against unemployment in any industry can be more satisfactorily provided for by a scheme under this section than by the general provisions of this Act, the Minister may, subject to the provisions of this section, approve or make such a scheme, and any such scheme is in this Act referred to as "a special scheme."

(2) The Minister may by special order approve for the purposes of this section, and whether with or without amendment, any scheme which is made in respect of any industry by a joint industrial council or an association of employers and employees and which provides for the insurance against unemployment of all the employed persons in the industry, or all those persons other than any specified classes thereof, and the benefits under

which are in the opinion of the Minister not less favourable on the whole than the benefits provided by this Act.

(3) Provision may be made by a special scheme for insuring the persons to whom the scheme applies against partial unemployment as well as against unemployment.

(4) Where no special scheme has been made with respect to an industry by a joint industrial council or association of employers and employees and approved by the Minister, the Minister after consultation with the joint industrial council or with persons representing the employers and employees who would be affected by the scheme may himself by special order make a special scheme with respect to that industry.

(5) A special scheme shall not apply to any persons other than persons who are employed persons within the meaning of this Act.

(6) Where a special scheme is in force, the employed persons to whom the scheme applies shall not, subject to the provisions of this Act, be liable to become or to continue to be insured under the general provisions of this Act, or be entitled to unemployment benefit.

(7) Where a special scheme is in force, there shall, subject to compliance with the prescribed conditions, be paid to the body charged with the administration of the scheme in every year out of moneys provided by Parliament such sum as the Minister, in view of the estimated income and expenditure under the scheme, may by regulations made by him with the consent of the Treasury determine but not exceeding in any event three-tenths of the amount, calculated in the prescribed manner, which would, if the scheme had not been in force, have been paid by way of contributions under the general provisions of this Act out of moneys provided by Parliament in respect of the employed persons to whom the scheme applies.

(8) A special scheme may apply for the purposes of the scheme, with or without modification, any of the provisions of this Act, and may contain such other provisions, including provisions for the constitution of a body to be charged with the administration of the scheme and with respect to the supervision of the administration of the scheme and accounts, and, subject to the consent of the Treasury, with respect to the investment of funds and audit, as the Minister considers to be necessary for the purpose of giving effect to the scheme and to the provisions of this section:

The general provisions of this Act shall not, except in so far as they are applied by a special scheme, apply to, or have effect in relation to or for the purposes of, any special scheme or the persons insured thereunder.

(9) A special scheme shall, when approved or made by the Minister, have effect as if enacted in this Act and shall continue in force until determined in accordance with the provisions thereof, and the Minister may at any time, in the case of a

special scheme made by a joint industrial council or an association of employers and employees on the application of the council or association, and in the case of a scheme made by himself after consultation with persons representing employers and employees affected by the scheme, by special order vary or amend the provisions of a scheme made under this section.

(10) Where a special scheme for any industry comes into force on or before the fourth day of July, nineteen hundred and twenty-one, there shall be paid out of the unemployment fund to the body charged with the administration of the scheme such sum as may be determined to be approximately equivalent to the amount of the contributions paid by employers and employed persons during the period between the commencement of this Act and the date on which the scheme comes into force in respect of employed persons while employed in the industry, together with such sum as may be determined to be approximately equivalent to the amount to which, having regard to the number of the contributions aforesaid, the body charged with the administration of the scheme would if the scheme had been in force during the period aforesaid have been entitled under subsection (5) of this section, after deducting such sum as may be determined to be approximately equivalent to the amount paid or payable out of the unemployment fund to employed persons in the industry at any time before they cease to be entitled to benefit under the general provisions of this Act, together with such sum as may be determined to be approximately equivalent to the rateable part of the costs of administering the general provisions of this Act.

In this subsection the expression "determined" means determined in accordance with regulations made under this Act by the Minister with the approval of the Treasury.

(11) A special scheme may be made with respect to two or more industries, and in relation to a scheme so made or proposed to be so made this section shall have effect as if for the references therein to a joint industrial council or an association of employers and employees there were substituted references to joint industrial councils or associations of employers and employees acting in respect of the two or more industries.

(12) For the purposes of this section—

The expression "industry" means any class or classes of establishments or undertakings, or any class or classes of establishments or undertakings in any area, which the Minister may determine to be an industry for that purpose; and

The expression "association of employers and employees" means an association so constituted that the members of the association who are employers consist of persons employing a substantial majority of the employees in

the industry and the members who are employees consist of persons representing a substantial majority of the employees in the industry; and

A person shall be deemed, notwithstanding that he is employed on any day, to be partially unemployed if on that day the employment available for him is not such as to enable him to earn the full rate of wages, and the expression "partial unemployment" shall be construed accordingly.

Power to make regulations with respect to transition from general provisions of Act to special schemes and vice versâ.

19. The Minister may, with the approval of the Treasury, make regulations for determining and regulating the position of persons who at any time pass from the general provisions of this Act to the provisions of a special scheme, or from the provisions of a special scheme to the general provisions of this Act, or from one special scheme to another special scheme, and in particular for providing that a person shall be entitled, for such period and subject to such terms and conditions as may be specified by or in pursuance of the regulations, to receive unemployment benefit under this Act, or benefits under a special scheme after he has ceased to be subject to the general provisions of this Act or to the scheme, as the case may be.

Supplementary schemes.

20.—(1) A joint industrial council or an association of employers and employees may submit to the Minister a scheme for insuring insured contributors in any industry against unemployment during periods of unemployment in respect of which they may not be entitled to unemployment benefit or against partial unemployment, or for paying to any such insured contributors while they are in receipt of unemployment benefit an additional sum by way of benefit in respect of unemployment.

(2) The Minister may by special order approve, whether with or without amendment, any scheme so submitted (in this Act referred to as a "supplementary scheme") if he is satisfied that it is expedient that the scheme should come into operation.

(3) A supplementary scheme may apply, for the purposes of the scheme, with or without modifications, any of the provisions of this Act, and may contain such other provisions, (including provisions for the constitution of a body to be charged with the administration of the scheme and with respect to the supervision of the administration of the scheme and accounts) as the Minister considers to be necessary for the purpose of giving effect to the scheme:

Provided that—

(*a*) no part of the funds required for providing benefits under a supplementary scheme or otherwise in connection therewith shall be derived from moneys provided by Parliament; and

(*b*) the general provisions of this Act shall not, except in so far as they are applied by a supplementary scheme, apply to or have effect in relation to or for the purposes of the scheme.

(4) A supplementary scheme, when approved by the Minister, shall have effect as if enacted in this Act and shall continue in force until determined in accordance with the provisions thereof, and the Minister may at any time if so requested by the joint industrial council or association of employers and employees concerned by special order vary or amend the provisions of the scheme.

(5) In this section the expressions "industry" and "association of employers and employees" and "partial unemployment" have respectively the same meanings as in the provisions of this Act relating to special schemes.

Power to require statistics with respect to special and supplementary schemes.

21. The Minister may make regulations requiring the body charged with the administration of a special scheme, or of a supplementary scheme, to furnish at prescribed intervals returns with respect to the state of employment in the industry to which the scheme relates, and with respect to such other matters in connection with the scheme as may be prescribed.

LEGAL PROCEEDINGS.

Offences and proceedings for recovery of contributions &c.

22.—(1) If for the purpose of obtaining any benefit or payment under this Act, either for himself or for any other person or for the purpose of avoiding any payment to be made by himself under this Act, or enabling any other person to avoid any such payment, any person knowingly makes any false statement or false representation, he shall be liable on summary conviction to imprisonment for a term not exceeding three months, with or without hard labour.

A court of summary jurisdiction in Ireland shall have the same power as a court of summary jurisdiction in England in the case of a person convicted for an offence under this subsection of imposing a fine not exceeding twenty-five pounds instead of imprisonment if the court is of opinion that the justice of the case would be better met by a fine than by imprisonment.

(2) If any employer or employed person has failed or neglected to pay any contributions which he is liable under this Act to pay, or if any employer or employed person or any other person refuses or neglects to comply with any of the requirements of this Act or the regulations made thereunder, or if any employer deducts or attempts to deduct from the wages or other remuneration of an employed person the whole or any part of the employer's contribution, he shall, for each offence, be liable on summary conviction to a fine not exceeding ten pounds.

(3) Where an employer has been convicted under the foregoing provisions of this section of the offence of failing or neglecting to pay any contribution under this Act, he shall be liable to pay to the unemployment fund a sum equal to the amount which he has so failed or neglected to pay, and on

such a conviction if notice of the 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 year preceding the date when the information was so laid, 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 all the contributions which he is so proved to have failed or neglected to pay.

Any sum paid by an employer under the foregoing provision 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.

(4) Every person who buys, sells, or offers for sale, takes or gives in exchange, or pawns or takes in pawn, any unemployment card, unemployment book, or used unemployment insurance stamp, shall be liable on summary conviction to a fine not exceeding twenty pounds, and in any proceedings under the foregoing provisions with respect to used stamps, a stamp shall be deemed to have been used if it has been cancelled or defaced in any way whatever, and whether it has been actually used for the purpose of payment of a contribution or not.

(5) If it is found at any time that a person has been in receipt of unemployment benefit whilst the statutory conditions were not fulfilled in his case, or whilst he was disqualified for receiving unemployment benefit, he shall, subject to the provisions of this Act, be liable to repay to the unemployment fund any sums paid to him in respect of unemployment benefit while the statutory conditions were not fulfilled, or while he was disqualified for receiving the benefit.

(6) Nothing in this section shall be construed as preventing the Minister from recovering any sums due to the unemployment fund by means of civil proceedings, and all such sums shall be recoverable as debts due to the Crown, and without prejudice to any other remedy may be recovered by the Minister summarily as a civil debt.

(7) In any proceedings under this section or in any proceedings involving any question as to the payment of contributions under this Act or for the recovery of any sums due to the unemployment fund the decision of the Minister on any question whether a person is or was an employed person within the meaning of this Act or not shall, unless an appeal against the decision is pending, or the time for appealing against the decision has not expired, be conclusive for the purpose of those proceedings, and if such a decision has not been obtained and the decision of the question is necessary for the determination of the proceedings the question shall be referred to the Minister for decision in accordance with the provisions of this Act, and where

any such appeal is pending, or the time for so appealing has not expired, or any question has been so referred to the Minister, the court dealing with the case shall adjourn the proceedings until such time as a final decision on the question has been obtained.

Power to take and conduct proceedings.

23.—(1) Proceedings for an offence under this Act shall not be instituted except by or with the consent of the Minister or by an inspector or other officer appointed for the purpose of this Act and authorised in that behalf by special or general directions of the Minister, or in Scotland except by the Minister, the procurator-fiscal, or any such inspector or officer so authorised as aforesaid, and any such inspector or other officer may, although not a counsel or solicitor or law agent, prosecute or conduct before a court of summary jurisdiction any such proceedings under this Act.

(2) Notwithstanding any provision in any Act prescribing the period within which summary proceedings may be commenced, proceedings for an offence under this Act may be commenced at any time within three months from the date on which evidence, sufficient in the opinion of the Minister to justify a prosecution for the offence, comes to his knowledge, or within six months after the commission of the offence, whichever period is the longer.

For the purposes of the foregoing provision, a certificate purporting to be signed by the Minister as to the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence thereof.

(3) It shall be no objection to the competency of a person to give evidence as a witness in proceedings in Scotland under this Act that the proceedings are prosecuted or conducted by that person.

Civil proceedings against employer for neglect to comply with Act.

24.—(1) Where an employer has failed or neglected to pay any contributions which under this Act he is liable to pay in respect of any employed person in his employment, or has failed or neglected to comply, in relation to any such person, with the requirements of any regulations relating to the payment and collection of contributions, and by reason thereof that person has lost in whole or in part the unemployment benefit to which he would have been entitled under this Act, he shall be entitled to recover summarily from the employer as a civil debt a sum equal to the amount of the unemployment benefit so lost.

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

MISCELLANEOUS.

Repayment in certain cases of part of contribu-

25.—(1) If it is shown to the satisfaction of the Minister by any person who is or has been an insured contributor or by his personal representatives that that person has paid con-

tions paid by employed persons.

tributions in accordance with the general provisions of this Act in respect of not less than the required number of weeks, and that he has, or had before his death, reached the age of sixty, he or his representatives shall be entitled to be repaid out of the unemployment fund the amount if any by which the total amount of those contributions exclusive of any contributions refunded under any of the provisions of this Act or of any regulations made thereunder has exceeded the total amount received by him by way of unemployment benefit, together with compound interest at the rate of two and a half per centum per annum calculated in the prescribed manner and as if a proportionate part of the amount of the excess had become due at the end of each insurance year next after the date on which the first contribution was paid by him:

Provided that where no contributions have been paid in respect of any person for a period comprising five insurance years, no account shall, for the purpose of the foregoing provision be taken of any contributions paid in respect of him before the last such period.

For the purpose of the foregoing provision the expression "the required number of weeks" means in the case of an insured contributor who, at the time when contributions being contributions of which account is to be taken for the purpose of the foregoing provisions, first became payable in respect of him, was over the age of fifty-five, five hundred weeks reduced by fifty weeks for every year or part of year by which his age at that time exceeded fifty-five, and in the case of any other insured contributor, five hundred weeks.

(2) Repayment to an insured contributor under this section shall not affect his liability to pay contributions under this Act, and if after any such repayment he becomes entitled to unemployment benefit he shall, for the purpose of ascertaining the period during which he is to be entitled to benefit, be treated as having paid in respect of the period for which the repayment was made the full number of contributions which is most nearly equal in the case of men to three-fifths and in the case of women to five-eighths of the number of contributions actually paid during that period.

(3) Where an insured contributor, after receiving a repayment under this section, pays further contributions under this Act he shall, if the number of those further contributions exceeds one hundred, be entitled to a further repayment under this section, and in the case of his death his representative shall be entitled to such further repayment whatever may be the number of those further contributions.

Priority of claims for contributions due by bankrupt employers. 8 Edw. 7.

26.—(1) There shall be included among the debts which, under section two hundred and nine of the Companies (Consolidation) Act, 1908, are, in the distribution of the assets of a company being wound up to be paid in priority to all other debts, all contributions payable under this Act by the company in

respect of employed persons during the four months before the commencement of the winding up or the winding-up order, and that Act shall have effect accordingly, and formal proof of the debts to which priority is given under this section shall not be required except in cases where it may otherwise be provided by rules made under that Act.

(2) In the case of the winding up of a company within the meaning of the Stannaries Act, 1887, such contributions as aforesaid shall, if payable in respect of a miner, have the like priority as is conferred on wages of miners by section nine of that Act, and that section shall have effect accordingly. 50 & 51 Vict. c. 43.

(3) This section shall not apply where a company is wound up voluntarily merely for the purposes of reconstruction or of amalgamation with another company.

(4) Paragraph (*e*) of subsection (1) of section thirty-three of the Bankruptcy Act, 1914, and paragraph (*e*) of subsection (1) of section one hundred and eighteen of the Bankruptcy (Scotland) Act, 1913 (which relate to priority of debts), shall have effect as though for the references therein to contributions payable under the National Insurance Act, 1911, in respect of workmen in an insured trade there were substituted references to contributions payable under this Act in respect of employed persons. 4 & 5 Geo. 5. c. 59. 3 & 4 Geo. 5. c. 20.

(5) There shall be included among the debts which, under section four of the Preferential Payments in Bankruptcy (Ireland) Act, 1889, are, in the distribution of the property of a bankrupt or arranging debtor, to be paid in priority to all other debts, all contributions payable under this Act by the bankrupt or arranging debtor in respect of employed persons during the four months before the date of the order of adjudication in the case of a bankrupt or the filing of the petition for arrangement in the case of an arranging debtor, and that Act shall have effect accordingly, and formal proof of the debts to which priority is given under this subsection shall not be required except in cases where it may otherwise be provided by general orders made under the said Act. 52 & 53 Vict. c. 60.

Outdoor relief.

27. In determining whether outdoor relief shall or shall not be granted to a person in receipt of or entitled to receive unemployment benefit or benefit under a special or supplementary scheme, the authority having power to grant the relief shall not take into account any such benefit except in so far as it exceeds ten shillings a week.

Provisions as to return of contributions and as to rewards for lost insurance books.

28.—(1) The regulations made under this Act shall provide for the return to a person and to his employer of any contributions paid by them respectively under the erroneous belief that the contributions were payable in respect of that person under the general provisions of this Act, subject, in the case of the employed person's contributions, to the deduction of any amount received by him in respect of unemployment benefit to which

he would not have been entitled if those contributions had not been paid:

Provided that no return of contributions shall be made under this provision except on an application made in the prescribed manner and within the prescribed period, not being less than one year from the date on which the contributions were paid.

(2) Where under regulations made under this Act any sum has been paid out of the unemployment fund by way of reward for the return of an unemployment book or card which has been lost, the person responsible for the custody of the book or card at the time of its loss shall be liable to repay the sum so paid, not exceeding one shilling in respect of any one occasion.

Powers of inspectors.

29.—(1) An inspector appointed under this Act shall, for the purposes of the execution of this Act, have power to do all or any of the following things, namely:—

(*a*) To enter at all reasonable times any premises or place, other than a private dwelling-house not being a workshop, where he has reasonable grounds for supposing that any employed persons are employed;

(*b*) To make such examination and inquiry as may be necessary for ascertaining whether the provisions of this Act are complied with in any such premises or place;

(*c*) To examine, either alone or in the presence of any other person, as he thinks fit, with respect to any matters under this Act, every person whom he finds in any such premises or place, or whom he has reasonable cause to believe to be or to have been an employed person, and to require every such person to be so examined, and to sign a declaration of the truth of the matters in respect of which he is so examined;

(*d*) To exercise such other powers as may be necessary for carrying this Act into effect.

(2) The occupier of any such premises or place and any other person employing any employed person, and the servants and agents of any such occupier or other person, and any employed person shall furnish to any inspector all such information and shall produce for inspection all such registers, books, cards, wages sheets, records of wages, and other documents as the inspector may reasonably require.

(3) If any person wilfully delays or obstructs an inspector in the exercise of any power under this section or fails to give such information or to produce such documents as aforesaid, or conceals or prevents or attempts to conceal or prevent any person from appearing before or being examined by an inspector, he shall be liable on summary conviction to a fine not exceeding five pounds:

Provided that no one shall be required under this section to answer any question or give any evidence tending to incriminate himself.

(4) Where any such premises or place are liable to be inspected by inspectors or other officers employed by, or are under the control of, some other Government department, the Minister may make arrangements with that other Government department, for any of the powers and duties of inspectors under this section being carried out by inspectors or other officers of such other Government department, and, where such an arrangement is made, such inspectors and officers shall have all the powers of an inspector under this section.

(5) Every inspector shall be furnished with the prescribed certificate of his appointment, and on applying for admission to any premises or place for the purposes of this Act shall, if so required, produce the said certificate to the occupier.

Payment of travelling expenses of insured contributor. 9 Edw. 7. c. 7.

30. Where any person to whom an advance on account of the expenses of travelling to a place where employment has been found for him has been made under subsection (1) of section two of the Labour Exchanges Act, 1909, is an insured contributor who would in the opinion of the Minister be entitled to receive or to continue to receive unemployment benefit if he became or remained unemployed, the Minister may repay out of the unemployment fund to the fund out of which the advance was made such part of the advance as may with the consent of the Treasury be prescribed, but if the person to whom the advance was made fails without reasonable excuse to enter on the employment found for him the sum so repaid out of the unemployment fund may be recovered from him or deducted from any unemployment benefit which may thereafter become payable to him, and if so recovered shall be paid into the unemployment fund.

Provision with respect to persons engaged through employment exchanges.

31. The Minister may, in such cases and on such conditions as he may prescribe, make an arrangement with any employer liable to pay contributions under this Act or under the National Insurance Health Acts, 1911 to 1920, whereby in respect of persons engaged by that employer through an employment exchange or in the employ of that employer at the date of the arrangement the performance of all or any of the duties required under this Act or under the National Insurance (Health) Acts, 1911 to 1920, to be performed by the employer in respect of those persons, whether on his own behalf or on behalf of the employed persons, shall be undertaken on behalf of the employer by the employment exchange.

Provisions as to birth, marriage and death certificates.

32. Where, for the purposes 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 be from time to time

prescribed by the Minister of Health, the Scottish Board of Health, or the Local Government Board for Ireland, as the case may be, and, on payment of a fee in the case of a birth certificate of sixpence, and in the case of a 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 of births, marriages, or deaths, as the case may be, under the hand of the registrar or superintendent registrar or other person having the custody thereof, and forms for such requisition shall on request be supplied without any charge by every registrar of births and deaths, and by every superintendent registrar or other person having the custody of the register.

Provisions as to insurance stamps.

33. Unemployment insurance stamps shall be prepared and issued in such manner as the Commissioners of Inland Revenue, with the consent of the Treasury, may direct, and the said Commissioners may, by regulations made in accordance with the provisions of this Act relating to regulations made by the Minister, provide for applying, with the necessary adaptations, as respects unemployment insurance stamps, all or any of the provisions (including penal provisions) of the Stamp Duties Management Act, 1891, as amended by any subsequent Act, and section sixty-five of the Post Office Act, 1908, and may with the consent of the Postmaster-General provide for the sale of unemployment insurance stamps through the Post Office.

54 & 55 Vict. c. 38.

8 Edw. 7. c. 48.

Exemption of documents from stamp duty.

34. Stamp duty shall not be chargeable upon such documents used in connection with business under this Act as are specified in the Fifth Schedule to this Act.

Regulations.

35.—(1) The Minister may make regulations for any of the purposes for which regulations may be made under this Act or the Schedules thereto, and for prescribing anything which under this Act or any such Schedules is to be prescribed, and also—

(*a*) for permitting persons who are engaged under the same employer partly in an occupation employment in which makes them employed persons within the meaning of this Act and partly in some other occupation to be treated, with the consent of the employer, for the purposes of this Act, as if they were wholly engaged in the first-mentioned occupation; and

(*b*) for prescribing the evidence to be required as to the fulfilment of the conditions and the absence of the disqualifications for receiving or continuing to receive unemployment benefit, and for that purpose requiring the attendance of insured contributors at such offices or places and at such times as may be required, and requiring employers to answer inquiries relating to

any matters on which the fulfilment of the conditions or the absence of the disqualifications depends; and

(*c*) for prescribing the manner in which claims for unemployment benefit may be made and the procedure to be followed on the consideration and examination of claims and questions to be considered and determined by the Minister, umpire, insurance officers, and courts of referees, and the mode in which any question may be raised as to the continuance, in the case of a person in receipt of unemployment benefit, of the benefit; and

(*d*) for making provision with respect to the appointment of persons to act in the place of the umpire or any deputy-umpire in the case of the unavoidable absence or incapacity of the umpire or any deputy-umpire; and

(*e*) with respect to the payment of contributions and benefits during any period intervening between any application for the determination of any question or any claim for benefit and the final determination of the question or claim; and

(*f*) for providing in the case of any persons who are insured at the commencement of this Act under the enactments repealed by this Act for the transition from the provisions of those Acts to the provisions of this Act; and

(*g*) generally for carrying this Act into effect.

(2) Regulations made under this Act may, with the concurrence of the Postmaster-General, provide for enabling claimants of unemployment benefit to make their claims for unemployment benefit through the Post Office, and for the payment of unemployment benefit through the Post Office.

(3) All regulations made under this Act shall be laid before each House of Parliament as soon as may be after they are made, and, if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty days on which that House has sat next after any such regulation is laid before it, praying that the regulation may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder, or to the making of any new regulation.

(4) Any regulations made under this Act shall have effect as if enacted in this Act.

(5) Section one of the Rules Publication Act, 1893 (which requires notices to be given of a proposal to make statutory rules), shall not apply to any regulations made under this Act. 56 & 57 Vict. c. 66.

36.—(1) Sections eighty and eighty-one of the Factory and Workshop Act, 1901, relating to the making of regulations under that Act, as set out and adapted in the Sixth Schedule to this Act, shall apply to special orders made under this Act. Procedure for making special orders. 1 Edw. 7. c. 22.

(2) Before a special order comes into force, it shall be laid before each House of Parliament for a period of not less than twenty days during which the House is sitting, and, if either of those Houses before the expiration of those twenty days presents an Address to His Majesty against the order or any part thereof, no further proceedings shall be taken thereon without prejudice to the making of any new order.

Power to revoke or vary orders.

37. Any order or special order made under any of the provisions of this Act may be revoked, varied, or amended by an order or special order made in like manner.

Exercise of powers of Minister.

38. Anything required or authorised under this Act to be done by, to, or before, the Minister may be done by, to, or before, a secretary to the Ministry of Labour or by, to, or before, any assistant secretary to the Ministry or other person authorised in that behalf by the Minister.

Special provisions as to the mercantile marine.

39. The Minister may, after consultation with the Board of Trade, make a special order modifying in such manner as he thinks proper the provisions of this Act (other than provisions determining the rates of contributions) in their application to masters, seamen, and apprentices to the sea service and sea fishing service, and in particular, without prejudice to the generality of the foregoing provision, any such special order may provide—

(*a*) for the exclusion from this Act of any masters, seamen, or apprentices who are neither domiciled nor have a place of residence in the United Kingdom, and for the payment by the employers of such masters, seamen, or apprentices of contributions at the same rates as would have been payable by them as employer's contributions if the masters, seamen or apprentices had been employed persons within the meaning of this Act;

(*b*) for the administration in the prescribed manner of the funds arising from the contributions paid by employers in respect of masters, seamen, or apprentices who are excluded from the provisions of this Act, and for the objects towards which any such funds may be applied.

Application of Act in the case of the Crown and of reservists or territorials during training.

40.—(1) This Act shall apply to persons employed by or under the Crown to whom this Act would apply if the employer were a private person, except to such of those persons as are serving in an established capacity in the permanent service of the Crown, or having been granted certificates by the Civil Service Commissioners are serving a probationary period preliminary to establishment, subject, however, to such modifications as may be made therein by Order in Council for the purpose of adapting the provisions of this Act to the case of such persons.

(2) Where a man of the naval reserves, the army reserve, the air force reserve, or the territorial force, is being trained and is in receipt of pay out of the moneys provided by Parliament for the navy, army, or air force services, and was normally before his training an employed person within the meaning of this Act, he shall for the purposes of this Act be deemed while so training to be an employed person in the service of the Crown.

Special provision with respect to discharged seamen, marines, soldiers, and airmen.

41.—(1) For the purpose of qualifying seamen, marines, soldiers and airmen to receive unemployment benefit on their return to civil life, the Admiralty, Army Council, and Air Council, respectively, shall, subject as hereinafter provided, out of moneys provided by Parliament for Navy, Army and Air Force services, respectively, pay to the unemployment fund by way of employers' and employed persons' contributions in respect of all seamen, marines, soldiers, and airmen discharged from the service after the thirty-first day of July, nineteen hundred and twenty, such sum as may in the opinion of the Treasury be sufficient to enable those seamen, marines, soldiers, and airmen to be credited on discharge with the fixed number of contributions, and every seaman, marine, soldier, and airman who is so discharged shall, for the purposes of the provisions of this Act relating to the rights of an insured person with respect to unemployment benefit but not for any other purpose, be treated as though he were on the date of his discharge an insured contributor in respect of whom the fixed number of contributions have been paid, and who ceases to be employed on that date:

Provided that no such payment shall be made in respect of any person who is, after the commencement of this Act, entitled to receive any sum out of public funds under any scheme for making payments to discharged seamen, marines, soldiers, or airmen in respect of unemployment.

(2) The fixed number of contributions for the purposes of this section shall be ninety unless the Treasury are at any time of opinion that, having regard to the sums payable to the unemployment fund under this section, it is necessary to fix some lower number.

(3) The sums to be paid under this section to the unemployment fund shall be calculated in such manner as the Treasury may direct, and shall be paid to the unemployment fund in such manner and at such dates as may be agreed upon between the Minister and the Admiralty, Army Council, and Air Council, respectively.

(4) Nothing in this section shall apply to any seaman, marine, soldier, or airman who is discharged at his own request or at the request of his parent or guardian, or who is a deserter, or who is discharged or dismissed in consequence of having been convicted on any proceedings under the Naval Discipline Act, the Army Act, or the Air Force Act, or by any civil court, or to recruits or re-enlisted pensioners not finally approved.

(5) In this section—

28 & 29 Vict. c. 73.

The expression "seaman" means a seaman within the meaning of the Naval and Marine (Pay and Pensions) Act, 1865;

The expression "marine" means a marine within the meaning of the Naval and Marine (Pay and Pensions) Act, 1865;

The expression "soldier" means a soldier of the regular forces, but does not include any soldier of His Majesty's Indian forces or Royal Malta Artillery, or a native soldier of any regiment raised outside the United Kingdom;

The expression "airman" means a man of the regular air force;

Reference to "discharge" includes references to "transfer to the reserve," in the case of a seaman, marine, soldier, or airman who, on the completion of any term of service, is transferred to any reserve.

Reciprocal arrangements with Isle of Man and Channel Islands.

42. The Minister may, with the consent of the Treasury, make arrangements with the authority administering any statutory scheme of unemployment insurance in the Isle of Man or the Channel Islands for the payment of unemployment benefit in the Isle of Man or Channel Islands, as the case may be, to persons who would, if they had been resident in the United Kingdom, have been entitled to unemployment benefit under this Act and for the payment of unemployment benefit in the United Kingdom to persons entitled to unemployment benefit under the statutory scheme.

TEMPORARY AND TRANSITORY PROVISIONS.

Contributions in respect of employment abroad.

43. Where, during the continuance of the war and a period of one year thereafter, a person is engaged outside the United Kingdom in any employment which, if it were employment in the United Kingdom, would make him an employed person within the meaning of this Act on work connected with or arising out of the war, and the contributions which would be payable in respect of that person if the employment were in the United Kingdom are by agreement between him and his employer paid in manner prescribed by this Act, those contributions shall be deemed to have been properly paid for the purposes of this Act, and that person shall accordingly for those purposes be deemed to be an employed person within the meaning of this Act.

Provision with respect to benefit during first twelve months of operation of Act.

44. During the period of twelve months next after the commencement of this Act, every person in respect of whom not less than four contributions have been paid under this Act shall, notwithstanding that the first statutory condition may not have been fulfilled in his case, but subject to the other provisions of this Act, be entitled to receive unemployment benefit

for periods not exceeding in the aggregate eight weeks, and for the purpose of qualifying any insured contributor to receive benefit up to the aggregate amount aforesaid within the period aforesaid, but for no other purpose, there shall be treated as having been paid in respect of him such number of contributions as, together with the number of contributions in fact paid in respect of him, will be sufficient to qualify him as aforesaid.

Power to remove difficulties.

45. If any difficulty arises with respect to the constitution of special or supplementary schemes or otherwise in any manner whatsoever in bringing this Act into operation, the Minister, with the consent of the Treasury, may by order do anything which appears to him necessary or expedient for the constitution of such schemes or for otherwise bringing this Act into operation, and any such order may modify the provisions of this Act so far as may appear necessary or expedient for carrying the order into effect:

Provided that the Minister shall not exercise the powers conferred by this section after one year from the commencement of this Act.

Provision as to contributions, unemployment fund, and officers under repealed Acts.

46.—(1) Any contributions paid in respect of any persons under the Acts repealed by this Act shall for all the purposes of this Act be treated as if they were an equal number of contributions paid in respect of them under this Act.

(2) All sums standing at the commencement of this Act to the credit of the unemployment fund established under the Acts repealed by this Act shall be transferred to and be deemed to form part of the unemployment fund established under this Act.

(3) The existing umpire, insurance officers, referees, chairmen of courts of referees and all other officers, inspectors and servants appointed for the purposes of the Acts repealed by this Act shall be treated as if they had been appointed to corresponding offices under this Act and shall hold office accordingly.

INTERPRETATION, SHORT TITLE AND REPEAL.

Interpretation and application.

47.—(1) For the purposes of this Act—

(*a*) Contributions made by an employer on behalf of an employed person shall be deemed to be contributions by the employed person:

(*b*) A person engaged in temporary work provided by a central body or distress committee under the Unemployed Workmen Act, 1905, or towards the provision of which any such central body or distress committee has contributed under that Act, shall not be deemed to be an employed person within the meaning of this Act: 5 Edw. 7. c. 18.

(*c*) The expression "trade dispute" means any dispute between employers and employees, or between employees and employees, which is connected with the

employment or non-employment, or the terms of employment, or with the conditions of employment, of any persons, whether employees in the employment of the employer with whom the dispute arises or not:

(*d*) The expression "the Minister" means the Minister of Labour:

(*e*) The expression "insurance year" means such period of not less than fifty-two or more than fifty-three weeks as may be prescribed:

Provided that—

(i) the period commencing on the eighteenth day of July, nineteen hundred and twenty, and ending on the third day of July, nineteen hundred and twenty-one, shall be an insurance year;

(ii) as respects the period prior to the said eighteenth day of July, nineteen hundred and twenty, the expression "insurance year" means any period which was an insurance year under the provisions of the enactments repealed by this Act; and

(iii) for the purpose of meeting any change in the insurance year or for the purpose of making provision for any period which may elapse between the date upon which contributions commence to be payable under this Act and the commencement of the insurance year next following the third day of July, nineteen hundred and twenty-one, the Minister may make such corresponding reduction as regards the number of weeks of benefit which may be received within that less period as appears to him to be proper:

(*f*) A person shall be deemed according to the law in England, Wales, and Ireland, as well as according to the law in Scotland, not to have attained the age of sixteen until the commencement of the sixteenth anniversary of the day of his birth, and similarly with respect to other ages.

(2) In determining any question as to whether any occupation in which a person is or has been engaged is or was such as to make him an employed person within the meaning of this Act regard shall be had to the nature of the work on which he is or was engaged rather than to the business of the person by whom he is or was employed.

Short title and repeal.

48.—(1) This Act may be cited as the Unemployment Insurance Act, 1920.

(2) This Act shall, save as therein otherwise expressly provided, come into operation on the eighth day of November, nineteen hundred and twenty.

(3) Section five of the National Insurance (Part II. Amendment) Act, 1914, is hereby repealed as from the seventeenth day of July, nineteen hundred and twenty, and the other provisions of the National Insurance (Unemployment) Acts, 1911 to 1919, are hereby repealed as from the commencement of this Act. 4 & 5 Geo. 5. c. 57.

SCHEDULES.

FIRST SCHEDULE.

Sections 1 and 4.

PART I.

EMPLOYMENTS WITHIN THE MEANING OF THE ACT.

(*a*) Employment in the United Kingdom under any contract of service or apprenticeship, written or oral, whether expressed or implied, and whether the employed person is paid by the employer or some other person, and whether under one or more employers, and whether paid by time or by the piece, or partly by time and partly by the piece, or otherwise, or, except in the case of a contract of apprenticeship, without any money payment.

(*b*) Employment under such a contract as aforesaid as master or a member of the crew of any ship registered in the United Kingdom or of any other British ship or vessel of which the owner, or, if there is more than one owner, the managing owner or manager, resides or has his principal place of business in the United Kingdom.

(*c*) Employment under any local or other public authority, other than any such employment as may be excluded by a special order.

PART II.

EXCEPTED EMPLOYMENTS.

(*a*) Employment in agriculture, including horticulture and forestry.

(*b*) Employment in domestic service, except where the employed person is employed in any trade or business carried on for the purposes of gain.

(*c*) Employment in the naval, military, or air service of the Crown, including service in officers' training corps, except as otherwise provided in this Act.

(*d*) Employment—

(i) under any local or other public authority; or

(ii) in a police force; or

(iii) in the service of any railway company, or a joint committee of two or more such companies; or

(iv) in the service of any public utility company, that is to say, any company carrying on any undertaking for the supply of gas, water, hydraulic power or electricity, any dock or canal undertaking, or any tramway undertaking, including a light railway constructed wholly or mainly on a public road; or

(v) in which the persons employed are entitled to rights in a superannuation fund established by or in pursuance of an Act of Parliament for the benefit of persons in that employment,

where the Minister certifies that the employed person is not subject to dismissal except for misconduct or for neglect in the performance of or unfitness to perform his duties, and that the terms and conditions on which the employed person is engaged make it unnecessary that he should be insured under this Act.

(*e*) Employment as a teacher of any person who is in recognised service within the meaning of the School Teachers (Superannuation) Act, 1918, or in a capacity which, if that person were under the age of sixty-five years, would be such recognised service, or employment as a teacher to whom the scheme under the Education (Scotland) (Superannuation) Act, 1919, or the National School Teachers (Ireland) Act, 1879, applies, or, in the event of any similar enactment being hereafter passed as respects teachers or any class of teachers, as a teacher to whom such enactment applies.

8 & 9 Geo. 5. c. 55.

9 & 10 Geo. 5. c. 17.

42 & 43 Vict. c. 74.

(*f*) Employment as a teacher in a State-aided school in Scotland at any time after the person employed has undergone an examination in order to qualify for the position of a certificated teacher and before the announcement of the result of the examination, and employment as a junior student in such a school, and employment in a public elementary school in England as a pupil or student teacher or in a national school in Ireland as a monitor.

(*g*) Employment as an agent paid by commission or fees or a share in the profits, or partly in one and partly in another such ways, where the person so employed is mainly dependent for his livelihood on his earnings from some other occupation, or where he is ordinarily employed as such agent by more than one employer, and his employment under no one of such employers is that on which he is mainly dependent for his livelihood.

(*h*) Employment otherwise than by way of manual labour and at a rate of remuneration exceeding in value two hundred and fifty pounds a year, or in cases where such employment involves part-time service only, at a rate of remuneration which, in the opinion of the Minister is equivalent to a rate of remuneration exceeding two hundred and fifty pounds a year for whole-time service.

(*i*) Employment of a casual nature otherwise than for the purposes of the employer's trade or business, and otherwise than for the purposes of any game or recreation where the persons employed are engaged or paid through a club, and in such case the club shall be deemed to be the employer.

(*j*) Employment of any class which may be specified in a special order made by the Minister, or in a special order made under the

National Insurance Health Acts, 1911 to 1920, and declared by the Minister to apply for the purposes of this Act, as being of such a nature that it is ordinarily adopted as subsidiary employment only and not as the principal means of livelihood.

(*k*) Employment as a member of the crew of a fishing vessel where the employed person is wholly remunerated by a share in the profits or the gross earnings of the working of the vessel.

(*l*) Employment in the service of the husband or wife of the employed person.

(*m*) Employment in respect of which no wages or other money payment is made, where the person employed is the child of, or is maintained by, the employer.

SECOND SCHEDULE.

Section 2.

RATES AND PERIODS OF UNEMPLOYMENT BENEFIT.

1. Unemployment benefit shall be payable in respect of each week of any continuous period of unemployment after the first three days of unemployment, and shall, subject as hereinafter provided, be at the weekly rate of fifteen shillings for men and twelve shillings for women, or such other weekly rates as may be prescribed:

Provided that, in the case of an insured contributor under the age of eighteen unemployment benefit shall only be paid at half the full rate.

2. No person shall receive unemployment benefit for more than fifteen or such other number of weeks as may be prescribed, either generally or for any particular employment or branch thereof, within any insurance year, or in respect of any period of less than one day.

3. No person shall receive more unemployment benefit than in the proportion of one week's benefit for every six contributions paid in respect of him under this Act, or such other proportion as may be prescribed with the consent of the Treasury:

Provided that where, owing to the fact that the wages or other remuneration of an employed person are paid at intervals greater than a week, or for any other like reason contributions are paid under this Act in respect of any person at intervals greater than a week, that person shall for the purpose of this paragraph be entitled to treat each of those contributions as so many contributions as there are weeks in the period for which the contribution was paid.

4. Any time during which a person is, under this Act, disqualified for receiving unemployment benefit shall be excluded in the computation of periods of unemployment under this Schedule.

5. A period of unemployment shall not be deemed to commence till the employed person has made application for unemployment benefit in the prescribed manner.

6. The power conferred by this Schedule on the Minister of prescribing rates and periods of unemployment benefit shall not be exercised so as to increase the rate of benefit above seventeen shillings per week for men or above fourteen shillings per week for women, or to reduce it below thirteen shillings per week for men or below ten shillings per week for women, or so as to increase the period of unemployment benefit above fifteen weeks, or so as to alter the proportion which the period of benefit bears to the number of contributions paid, except by rules confirmed by an order made in accordance with the provisions of this Act relating to special orders.

Sections 5 and 16.

THIRD SCHEDULE.

PART I.

RATES OF CONTRIBUTIONS BY EMPLOYED PERSONS AND EMPLOYERS.

Ordinary Rates.

From the employed person for each week—	
In the case of men	4*d.*
In the case of women	3*d.*
From the employer for each week—	
In the case of employed persons being men	4*d.*
In the case of employed persons being women	3½*d.*

Rates in case of Persons under Eighteen.

From the employed person for each week—	
In the case of boys	2*d.*
In the case of girls	1½*d.*
From the employer for each week—	
In the case of employed persons being boys	2*d.*
In the case of employed persons being girls	2*d.*

PART II.

RATES OF CONTRIBUTIONS OUT OF MONEYS PROVIDED BY PARLIAMENT.

Ordinary Rates.

For every contribution paid in respect of a	man	- -	2*d.*
,, ,,	woman	- -	1⅔*d.*
,, ,,	boy	- -	1⅓*d.*
,, ,,	girl	- -	1*d.*

Rates in case of Exempt Persons.

For every contribution paid in respect of a	man	1*d.*
,, ,,	woman	$\frac{5}{6}d.$
,, ,,	boy	$\frac{2}{3}d.$
,, ,,	girl	$\frac{1}{2}d.$

FOURTH SCHEDULE.

Section 5.

RULES AS TO PAYMENT AND RECOVERY OF CONTRIBUTIONS PAID BY EMPLOYERS ON BEHALF OF EMPLOYED PERSONS.

(1) A weekly contribution shall be payable for each calendar week during the whole or any part of which an employed person has been employed by an employer:

Provided that where one weekly contribution has been paid in respect of an employed person in any week, no further contribution shall be payable in respect of him in the same week, and that, where no remuneration has been received and no services rendered by an employed person during any such week, the employer shall not be liable to pay any contribution either on his own behalf or on behalf of the employed person in respect of that week.

(2) The employer shall, except as hereinafter provided, be entitled to recover from the employed person the amount of any contributions paid by him on behalf of the employed person.

(3) Except where the employed person does not receive any wages or other pecuniary remuneration from the employer, the amounts so recoverable shall, notwithstanding the provisions of any Act or any contract to the contrary, be recoverable by means of deductions from the wages of the employed person or from any other remuneration due from the employer to the employed person and not otherwise, but no such deductions may be made from any wages or remuneration other than such as are paid in respect of the period or part of the period in respect of which the contribution is payable, or in excess of the sum which represents the amount of the contributions for the period (if such period is longer than a week) in respect of which the wages or other remuneration are paid.

(4) Where a contribution paid by the employer on behalf of an employed person is recoverable from such person, but is not recoverable by means of deductions as aforesaid, it shall (without prejudice to any other means of recovery) be recoverable summarily as a civil debt, but no such contribution shall be recoverable unless proceedings for the purpose are instituted within three months from the date when the contribution was payable.

(5) Where the employed person is employed by more than one person in any calendar week, the first person employing him in that week or such other employer or employers as may be prescribed, shall be deemed to be the employer for the purposes of the provisions of this Act relating to the payment of contributions and of this schedule.

(6) Regulations made under this Act may provide that in any cases or any classes of cases where employed persons work under the general control and management of some person other than their immediate employer, such as the owner, agent, or manager of a mine or quarry, or the occupier of a factory or workshop, such person shall, for the purposes of the provisions of this Act relating to the payment of contributions and of this schedule, be treated as the employer, and may provide for allowing him to deduct the amount of any contributions (other than employer's contributions) which he may become liable to pay from any sums payable by him to the immediate employer, and for enabling the immediate employer to recover from the employed persons the like sums and in the like manner as if he were liable to pay the contributions.

(7) Where the employed person is not paid wages or other money payments by his employer or any other person, the employer shall be liable to pay the contributions payable both by himself and the employed person and shall not be entitled to recover any part thereof from the employed person.

(8) Notwithstanding any contract to the contrary, the employer shall not be entitled to deduct from the wages of, or otherwise to recover from the employed person, the employer's contribution.

(9) Any sum deducted by an employer from wages or other remuneration under this schedule shall be deemed to have been entrusted to him for the purpose of paying the contribution in respect of which it was deducted.

(10) For the purposes of this schedule, the expression "calendar week" means the period from midnight on one Sunday to midnight on the following Sunday.

Section 34.

FIFTH SCHEDULE.

DOCUMENTS EXEMPT FROM STAMP DUTY.

(1) Draft or order or receipt given by or to an association or branch thereof in respect of money payable in pursuance of this Act or given in respect of benefit payable under any special or supplementary scheme, or in respect of any sums payable to the body charged with the administration of a special or supplementary scheme, or in respect of any sums payable by an association to its members in pursuance of an arrangement made under this Act.

(2) Letter or power of attorney granted by any person as trustee for the transfer of any money invested in his name in the public funds or in any other securities and forming part of any funds applicable for the purpose of any special or supplementary scheme.

(3) Agreement, bond, or other security made or given for the purpose of, or in connection with, any arrangement made under this Act with an association which makes payments to its members while

unemployed, or for the purpose of or in connection with any special or supplementary scheme.

(4) Appointment or revocation of appointment of an agent, appointment of a new trustee, and any conveyance or transfer made for effectuating the appointment of a new trustee, and any other document authorised by or in pursuance of this Act or of any special or supplementary scheme or otherwise required in order to give effect to the provisions of this Act, including a statutory declaration.

(5) Receipt given by an insured contributor in respect of benefit payable, or by any person in respect of a refund, repayment, or return of contributions paid under this Act.

SIXTH SCHEDULE.

Section 36.

PROVISIONS OF THE FACTORY AND WORKSHOP ACT, 1901, APPLIED TO SPECIAL ORDERS MADE UNDER THIS ACT.

80.—(1) Before the Minister makes any special order under this Act, he shall publish, in such manner as he may think best adapted for informing persons affected, notice of the proposal to make the order, and of the place where copies of the draft order may be obtained, and of the time (which shall be not less than twenty-one days) within which any objection made with respect to the draft order by or on behalf of persons affected must be sent to him.

(2) Every objection must be in writing and state—

(*a*) the draft order or portions of draft order objected to;
(*b*) the specific grounds of objection; and
(*c*) the omissions, additions, or modifications asked for.

(3) The Minister shall consider any objection made by or on behalf of any persons appearing to him to be affected which is sent to him within the required time, and he may, if he thinks fit, amend the draft order, and shall then cause the amended draft to be dealt with in like manner as an original draft.

(4) Where the Minister does not amend or withdraw any draft order to which any objection has been made, then (unless the objection either is withdrawn or appears to him to be frivolous,) he shall, before making the order, direct an inquiry to be held in the manner hereinafter provided, and may, after considering the report of the person who held the inquiry, make the order, either without modification or subject to such modification as he thinks fit, or may refuse to make the order.

81.—(1) The Minister may appoint a competent and impartial person to hold an inquiry with regard to any draft special order, and to report to him thereon.

(2) The inquiry shall be held in public, and any objector and any other person who, in the opinion of the person holding the inquiry, is affected by the draft order may appear at the inquiry either in person or by counsel, solicitor, or agent.

(3) The witnesses on the inquiry may, if the person holding it thinks fit, be examined on oath.

(4) Subject as aforesaid, the inquiry and all proceedings preliminary and incidental thereto shall be conducted in accordance with rules made by the Minister.

(5) The fee to be paid to the person holding the inquiry shall be such as the Minister may direct and shall be deemed to be part of the expenses of the Minister in carrying this Act into effect.

CHAPTER 31.

An Act to make provision for the Restoration and Maintenance of Order in Ireland. [9th August 1920.]

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:

Regulations for the restoration and maintenance of order in Ireland. 5 & 6 Geo. 5. c. 8.

1.—(1) Where it appears to His Majesty in Council that, owing to the existence of a state of disorder in Ireland, the ordinary law is inadequate for the prevention and punishment of crime or the maintenance of order, His Majesty in Council may issue regulations under the Defence of the Realm Consolidation Act, 1914, (hereinafter referred to as the principal Act) for securing the restoration and maintenance of order in Ireland, and as to the powers and duties for that purpose of the Lord Lieutenant and the Chief Secretary, and of members of His Majesty's forces and other persons acting on His Majesty's behalf, and in particular regulations for the special purposes hereinafter mentioned:

Provided that all regulations so made shall be laid before both Houses of Parliament as soon as may be after they are made, and, if an address is presented to His Majesty by either House within the next fourteen days during the session of Parliament after any such regulation is laid before it praying that the regulation may be annulled, His Majesty may annul the regulation and it shall thenceforth be void, without prejudice to the validity of anything done thereunder, or to the power of making a new regulation; and the regulations shall not be deemed to be statutory rules within the meaning of section one of the Rules Publication Act, 1893. 56 & 57 Vict. c. 66.

(2) The provisions of the principal Act with respect to the trial by courts-martial or courts of summary jurisdiction and punishment of persons committing offences against the Defence