THE

PUBLIC GENERAL STATUTES.

[11 GEO. 5.]

CHAPTER 1.

An Act to provide for an increase of the rates and period of benefit under the Unemployment Insurance Act, 1920, and to vary the conditions for the receipt of such benefit, and to amend the said Act with respect to the rates and crediting of contributions thereunder, and otherwise. [3rd March 1921.]

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:—

Rates of unemployment benefit. 10 & 11 Geo. 5. c. 30.

1. Paragraph 1 of the Second Schedule to the Unemployment Insurance Act, 1920 (in this Act referred to as "the principal Act"), which provides that unemployment benefit shall, subject as thereinafter 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, shall have effect as though twenty shillings and sixteen shillings respectively were therein substituted for fifteen shillings and twelve shillings.

Provisions as to contributions.

2.—(1) From and after the third day of July, nineteen hundred and twenty-one, the contributions payable under the principal Act in respect of employed persons by those persons and their employers shall be at the rates set out in the First Schedule to this Act instead of at the rates specified in Part I. of the Third Schedule to the principal Act, and the contribution to be made out of moneys provided by Parliament shall, instead of being a contribution

at the rates specified in Part II. of the Third Schedule to the principal Act, be at a rate equal to one-fourth of the aggregate amount of the contributions paid in respect of the employed person by himself and his employer, and subsections (3) and (7) of section five of the principal Act shall have effect accordingly.

(2) For the purpose of determining the amount of unemployment benefit to which, having regard to the proportion of benefit to contributions fixed by paragraph 3 of the Second Schedule to the principal Act, any person is entitled at any time after the second day of July, nineteen hundred and twenty-two, no account shall be taken of any benefit which may have been received by that person at any time in respect of the period between the seventh day of November, nineteen hundred and twenty, and the third day of July, nineteen hundred and twenty-two, and there shall be deemed to have been paid previously to that date in the case of every person who is an insured contributor at that date, twenty-five contributions in addition to the contributions actually paid in respect of him:

Provided that any additional contributions credited under the foregoing provision shall not be taken into account for the purpose of determining whether any person satisfies the first statutory condition, or for the purposes of section twenty-five of the principal Act, which provides for the repayment in certain cases of part of the contributions paid by employed persons.

(3) If at any time while the contributions payable by employers and employed persons under the principal Act are payable at the rates fixed by this Act it appears to the Minister that the rates of those contributions are excessive, he may, with the consent of the Treasury by regulations under that Act, reduce those rates by not more than two-pence, but any regulations made under this subsection shall not reduce the rates unequally as between employers and employed persons.

Amendments as to conditions for receipt of benefit.

3.—(1) Subject to the provisions of this section, every person who has been engaged at any time in each of not less than twenty separate calendar weeks since the thirty-first day of December, nineteen hundred and nineteen, in any employment which made him, or which would, if the principal Act had been in force throughout the year nine-

teen hundred and twenty, have made him, an employed person within the meaning of that Act and who satisfies the other conditions prescribed by this section shall, notwithstanding that the first statutory condition may not have been fulfilled in his case and notwithstanding subsection (4) of section eight of the principal Act, but subject to the other provisions of the said Act as amended by this Act, be entitled to receive in each of the special periods hereinafter in this Act mentioned unemployment benefit for periods not exceeding in the aggregate in each of the special periods, sixteen weeks, and for the purpose of qualifying any person to receive benefit up to the aggregate amounts aforesaid within each of the special periods, but for no other purpose, there shall be treated as having been paid in respect of him such number of contributions as are sufficient to qualify him as aforesaid:

Provided that no person who holds, or has at any time held, a certificate of exemption under section three of the principal Act shall be entitled to benefit under this section.

(2) In the application of the preceding subsection to persons formerly engaged in war service within the meaning of this Act a period of not less than ten separate calendar weeks shall be substituted for a period of not less than twenty separate calendar weeks, and if in any particular case a person who has been engaged in war service satisfies the local employment committee that his failure to be employed for the period required by this section was in consequence of the present war and due to circumstances not within his own control or, in the case of a disabled person within the meaning of this Act, was due to his disablement, that person may, if the local employment committee so recommend, be treated for the purpose of this section as though he had been engaged for the period aforesaid in such employment as aforesaid, although he has not in fact been so engaged.

(3) No person shall be entitled to benefit under this section unless he proves that he is—

(*a*) Normally in employment such as would make him an employed person within the meaning of the principal Act;

(*b*) Genuinely seeking whole-time employment but unable to obtain such employment.

If any question arises as to whether any person satisfies the foregoing requirements, the question shall be decided by the Minister and the Minister may, if he thinks fit, refer any such question to the local employment committee for their recommendation.

Where a question is referred to a local employment committee under this section, the committee may make it a condition of their recommendation that the case of the claimant shall be reconsidered by the committee on the expiration of any specified period, or that the maximum aggregate period during which the claimant may receive benefit shall be reduced to a period less than the maximum period allowed by this Act.

Local employment committees in the exercise of their powers under this section shall have regard to such directions as the Minister may prescribe for their guidance.

Period of unemployment benefit.

4.—(1) Paragraph 2 of the Second Schedule to the principal Act (which provides that no person shall within any insurance year receive unemployment benefit for a period of more than fifteen weeks or such other period as may be prescribed) shall not operate during the special periods, and shall thereafter have effect as though twenty-six weeks were therein substituted for fifteen weeks.

(2) Notwithstanding anything in the principal Act or in this Act, no person shall be entitled to receive unemployment benefit in either of the special periods for a greater period in the aggregate than sixteen weeks.

Treasury advances.

5.—(1) The Treasury may, out of the Consolidated Fund or the growing produce thereof, advance any sums required for the purpose of discharging the liabilities of the unemployment fund under the principal Act as amended by this Act:

Provided that the total amount of advances outstanding at any time shall not exceed ten million pounds.

Any sums advanced under the foregoing provision, together with interest thereon at such rate as may be fixed by the Treasury, shall be charged on and be payable out of the Unemployment Fund.

(2) The Treasury may, for the purpose of providing for the issue of sums out of the Consolidated Fund under

this section or for the repayment to that fund of all or any part of sums so issued or for paying off any securities issued under this section, so far as that payment is not otherwise provided for, borrow money by means of the issue of such securities as the Treasury think proper, and all sums so borrowed shall be paid into the Exchequer.

(3) The principal of and interest on any securities issued under this section shall be charged on and payable out of the Consolidated Fund or the growing produce thereof.

(4) Notwithstanding anything in any other Act, money in the hands of the National Debt Commissioners for the reduction of the National Debt, shall not be applied in purchasing, reducing or paying off any securities issued under this section.

Provision for enabling associations to make arrangements under s. 17 of principal Act.

6.—(1) It shall be lawful for any association to make any such amendments in the instrument governing its constitution as may be necessary for the purpose of enabling the association to become an association with which the Minister may make an arrangement under section seventeen of the principal Act or for the purpose of enabling the association to include any class of its members within the scope of such an arrangement, and if the instrument regulating the constitution of the association contains provisions requiring any interval of time to elapse before any action can be taken or any amendment of the instrument can take effect, those provisions shall not apply to action taken for the purpose aforesaid.

(2) The powers by this section conferred on an association may, notwithstanding anything in the instrument governing the constitution of the association, be exercised by the council or other governing body of the association.

(3) In this section the expression "instrument" includes any Act, memorandum, articles of association, trust deed, or rules.

Amendment of s. 41 of principal Act.

7. Subsection (2) of section forty-one of the principal Act (which relates to the fixed number of contributions to be credited to seamen, marines, soldiers, and airmen discharged from the service after the thirty-first day of July, nineteen hundred and twenty) shall have effect as

if for the words "be ninety" there were therein substituted the words "in the case of men discharged before "the third day of July, nineteen hundred and twenty-two, "be ninety and in the case of men discharged on or "after that date be one hundred and fifty-six," and as though after the word "opinion" there were inserted the words "in either such case."

Minor amendments.

8. The amendments in the second column of the Second Schedule to this Act (which relate to minor details) shall be made in the provisions of the principal Act specified in the first column of that Schedule and those amendments shall be deemed to have had effect as from the commencement of that Act.

Construction, saving, short title, commencement, and duration.

9.—(1) In this Act, unless the context otherwise requires,—

The expression "special periods" means the following two periods, that is to say, the period from the day on which this Act comes into operation to the second day of November, nineteen hundred and twenty-one, and the period from the third day of November nineteen hundred and twenty-one to the second day of July, nineteen hundred and twenty-two, the days above mentioned being in all cases inclusive:

The expression "person formerly engaged in war service" means any person belonging to the classes of persons to whom the scheme in force at the commencement of this Act for paying donation in respect of unemployment to discharged sailors, soldiers, and other persons applies, or would have applied if it had continued in force:

The expression "disabled person" means a person who is or has been since the thirty-first day of December, nineteen hundred and nineteen, in receipt of a pension granted out of moneys provided by Parliament in respect of a disability arising out of his service with His Majesty's forces during the present war and assessed for the purpose of determining the amount of his pension at not less than twenty per cent.:

The expression "local employment committee" means any local committee to which questions may

be referred under subsection (5) of section thirteen of the principal Act.

(2) In the application of this Act to Ireland references to a court of referees shall be substituted for references to a local employment committee.

(3) If any question arises as to whether any person is a person who was formerly engaged in war service, or is a disabled person, within the meaning of this Act, that question shall be referred to the Minister, whose decision therein shall be final and conclusive.

(4) Save as in this Act otherwise expressly provided, nothing therein contained shall operate so as to deprive any person of, or to prevent any person from receiving, any unemployment benefit which he would have been entitled to receive if this Act had not passed, or so as to render it necessary for the Minister at any time before the third day of November, nineteen hundred and twenty-one, to require any association to make for the purposes of proviso (*a*) to subsection (1) of section seventeen of the principal Act any greater or further provision for unemployment benefit than would have been required to be made for those purposes if this Act had not passed.

(5) This Act may be cited as the Unemployment Insurance Act, 1921, and shall be construed as one with the principal Act, and that Act and the Unemployment Insurance (Temporary Provisions Amendment) Act, 1920, and this Act may be cited together as the Unemployment Insurance Acts, 1920 and 1921. 10 & 11 Geo. 5. c. 82.

(6) This Act shall come into operation on the third day of March, nineteen hundred and twenty-one, and the provisions of this Act providing for increases in the rates of unemployment benefit and in the rates of contribution shall cease to have effect on the first day of July, nineteen hundred and twenty-three.

SCHEDULES.

Section 2.

FIRST SCHEDULE.

Ordinary Rates of Contributions by Employed Persons and Employers.

From the employed person in each week—

In the case of men - - - - -	5*d.*
„ „ women - - - - -	4*d.*

From the employer for each week—

In the case of employed persons being men -	6*d.*
„ „ „ women	5*d.*

Rates in case of Persons under 18.

From the employed person in each week—

In the case of boys - - - - -	2½*d.*
„ „ girls - - - - -	2*d.*

From the employer for each week—

In the case of employed persons being boys -	3*d.*
„ „ „ girls -	2½*d.*

Section 8.

SECOND SCHEDULE.

MINOR AMENDMENTS OF PRINCIPAL ACT.

Enactment to be Amended.	Nature of Amendment.
Section 17 -	For the words "is at least one-third greater than" in proviso (*a*) to subsection (1) there shall be substituted the words "exceeds by at least five shillings per week "in the case of men, four shillings per week in the "case of women, two shillings and sixpence per week "in the case of boys, and two shillings per week in "the case of girls."

Enactment to be Amended.	Nature of Amendment.
Section 18 -	In subsection (10) for the words "subsection (5) of this section" there shall be substituted the words "subsection (7) of this section."
Section 47 -	At the end of subsection (1) there shall be inserted the following new paragraph :— "(*g*) The expression 'day' means a period of twenty-four hours from midnight to midnight or such other period of twenty-four hours as the Minister may for any general or special purpose prescribe."
First Schedule.	In paragraph (*d*) of Part II. for the words from "certifies that" to the end of the paragraph there shall be substituted the words "the employment is, in his opinion, "having regard to the normal practice of the employer, permanent in character, that the employed "person has completed three years service in the "employment, and that the other circumstances of the "employment in his opinion make it unnecessary that "he should be insured under this Act," and the following words shall be added at the end of the paragraph :— "Provided that, where the employed person is not "under the terms of his contract subject to dismissal "except for misconduct or for neglect in the performance of, or unfitness to perform his duties, the "foregoing provision in respect to three years' service "shall not apply."
Second Schedule.	In paragraph (6) for the words "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" there shall be substituted the words "so as to increase the rate of "benefit above twenty-two shillings per week for men "or above seventeen shillings per week for women, or "to reduce it below seventeen shillings per week for "men or below fourteen shillings per week for women, "or so as to increase the period of unemployment "benefit above twenty-six weeks."