# UNEMPLOYMENT INSURANCE

## The Unemployment Insurance (Eire Volunteers) Regulations, 1948

## 1948 No. 1370

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| *Made* - - - - | *23rd June*, 1948 |
| *Laid before Parliament* | *24th June*, 1948 |
| *Coming into Operation* | *5th July*, 1948 |

M.N.I. 139.

The Minister of National Insurance, in exercise of the powers conferred by sections 2 and 4 of the Unemployment Insurance (Eire Volunteers) Act, 1946, and of all other powers enabling him in that behalf, hereby makes the following regulations:— 9 & 10 Geo. 6. c. 76.

1.—(1) These regulations may be cited as the Unemployment Insurance (Eire Volunteers) Regulations, 1948, and shall come into operation on the 5th July, 1948, for a period ending on the 28th January, 1950. Citation, commencement and interpretation.

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

" the Act " means the Unemployment Insurance (Eire Volunteers) Act, 1946;

" the National Insurance Act " means, in relation to Great Britain, the National Insurance Act, 1946, and, in relation to Northern Ireland, the National Insurance Act (Northern Ireland), 1946; 9 & 10 Geo. 6. c. 67. 1946 ch. 23.

" the United Kingdom Acts " means, in relation to Great Britain, the Unemployment Insurance Acts, 1935 to 1944, and, in relation to Northern Ireland, the Unemployment Insurance Acts (Northern Ireland), 1936 to 1944;

" the Minister " means the Minister of National Insurance;

" the appointed day " means the appointed day(a) fixed for the coming into operation of the provisions of the National Insurance Act, 1946, relating to unemployment insurance;

" special benefit " means unemployment benefit, payable under the law in force in Eire, the cost of which is met by payments made in accordance with the Act;

" benefit in the United Kingdom " means, in respect of a day of unemployment(b) occurring on or after the appointed day, unemployment benefit payable under the National Insurance Act, and, in respect of a day of unemployment occurring before the appointed day, unemployment benefit payable under the United Kingdom Acts;

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

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

(4) The Interpretation Act, 1889, applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

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

(b) *See* s. 11, National Insurance Act, 1946, and s. 10, National Insurance Act (Northern Ireland), 1946.

Adaptations of the Act.

**2.** Sections 1 and 3 of the Act shall have effect subject to the adaptations set out in relation thereto in the second column of the Schedule to these regulations, being adaptations appearing to the Minister to be necessary in consequence of the coming into operation of the provisions of the National Insurance Act, 1946, relating to unemployment insurance.

Special benefit to be taken into account in determining rights to benefit in the United Kingdom.

**3.**—(1) Special benefit (other than any increase thereof in respect of children or other dependants) received by a person while in a period of interruption of employment(a) under the National Insurance Act shall, for the purpose of determining the entitlement of such person to benefit in the United Kingdom, be treated as if it were benefit paid in the United Kingdom in that period of interruption of employment, so, however, that any days of unemployment in Eire in respect of which a person has received special benefit shall, except as provided in the next following paragraph, be disregarded in computing any consecutive period of days for the purposes of the National Insurance Act.

(2) Where a person was, immediately before the appointed day, in a benefit year(b) under the United Kingdom Acts in accordance with the provisions of those Acts or of the Unemployment Insurance (Eire Volunteers) (Benefit in the United Kingdom) Regulations, 1947(c), and the first day of unemployment in a period of interruption of employment in respect of which he is entitled to benefit in the United Kingdom and the last day, before the appointed day, in that benefit year, in respect of which he was (or would but for a special arrangement(d) under the United Kingdom Acts, or but for its being a waiting day, have been) entitled to receive benefit in the United Kingdom, or received special benefit, would, if he had before that last day been an insured person under the National Insurance Act, have been in the same period of interruption of employment, that period of interruption of employment shall, for the purposes of the last preceding paragraph, be deemed to have commenced at the beginning of that benefit year:

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

Modification of contribution conditions for benefit in the United Kingdom.

**4.** If a person who has received special benefit which is to be taken into account in determining his entitlement to benefit in the United Kingdom in accordance with regulation 3 claims such latter benefit and cannot satisfy the contribution conditions for that benefit under the National Insurance Act, he shall be deemed to have satisfied those contribution conditions if he proves that he could, but for the National Insurance Act, have fulfilled the respective requirements of the United Kingdom Acts in relation to the proof of the first statutory condition(f) for the receipt of that benefit on a day between the first day so to be taken into account and the making of such claim, had he on that day been insured under the United Kingdom Acts and made a claim for that benefit.

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(a) *See* s. 11 (2) (c), National Insurance Act, 1946, and s. 10 (2) (*c*), National Insurance Act (Northern Ireland), 1946.

(b) *See* s. 32 (1), Unemployment Insurance Act, 1935, and s. 33 (1), Unemployment Insurance Act (Northern Ireland), 1936.

(c) S.R. & O. 1947 (No 340), I, p. 2210.

(d) *See* s. 68, Unemployment Insurance Act, 1935, and s. 72, Unemployment Insurance Act (Northern Ireland), 1936.

(e) *See* s. 35 (1), Unemployment Insurance Act, 1935, and s. 36 (1), Unemployment Insurance Act (Northern Ireland), 1936.

(f) *See* s. 22 (1), Unemployment Insurance Act, 1935, and s. 22 (1), Unemployment Insurance Act (Northern Ireland), 1936.

**5.** The provisions of the National Insurance Act and of the regulations for the time being in force thereunder shall have full force and effect in relation to any person subject to the modifications contained in these regulations. Application of National Insurance Act.

**6.** The Unemployment Insurance (Eire Volunteers) (Benefit in the United Kingdom) Regulations, 1947(a), are hereby revoked, but without prejudice to anything done or suffered or to any right, privilege, obligation or liability acquired, accrued or incurred thereunder.

Dated this 23rd day of June, 1948.

*James Griffiths,*
Minister of National Insurance.

## SCHEDULE

Regulation 2.

ADAPTATIONS OF THE ACT CONSEQUENT ON THE COMING INTO OPERATION OF THE PROVISIONS OF THE NATIONAL INSURANCE ACT, 1946, RELATING TO UNEMPLOYMENT INSURANCE.

| (1) | (2) |
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| Section 1. | (1) In subsection (1), for the words " Unemployment Fund," there shall be substituted the words " National Insurance Fund." |
| | (2) In paragraph (*a*) of subsection (2), after the words " question is to be " there shall be inserted the words " or, but for the repeal of that section, would be." |
| | (3) At the end of sub-paragraph (*a*) of paragraph (2), there shall be inserted the following proviso:— " Provided that, for the purpose of this paragraph, contributions as an employed person(b) under the National Insurance Act, 1946, paid or to be paid in respect of a period from the 5th July, 1948, by or on behalf of a serving member of His Majesty's forces, in accordance with regulations made under section 57 of the National Insurance Act, 1946, shall be treated as payments made under subsection (3) of the said section 96." |
| | (4) In paragraph (*b*) of subsection (2), for the words " the Act of 1935 " there shall be substituted the words " the National Insurance Act, 1946 " and at the end of that paragraph there shall be inserted the words " less the number of days (if any) in respect of which the person concerned received the benefit, before the 5th July, 1948, to which the last foregoing subsection applies." |
| | (5) In subsection (3), for the words " Unemployment Fund " there shall be substituted the words " National Insurance Fund." |
| Section 3. | (6) In subsection (2), for the words " the Act of 1935 " there shall be substituted the words " the National Insurance Act, 1946 " and, for the reference to subsection (1) of section 62, there shall be substituted a reference to subsection (2) of section 38. |

(a) S.R. & O. 1947 (No. 340) I, p. 2210.
(b) *See* s. 2 (2) (a), National Insurance Act, 1946.

EXPLANATORY NOTE

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

These Regulations provide, in respect of the period from the 5th July, 1948, to the 28th January, 1950, for the necessary adaptations to the Unemployment Insurance (Eire Volunteers) Act, 1946, and the regulations in force thereunder, in consequence of the coming into operation of the provisions of the National Insurance Act, 1946, relating to unemployment insurance.

# UNIVERSITY, ENGLAND

## The Universities and Colleges (Emergency Provisions) Act (End of Emergency) Order, 1948

## 1948 No. 2262

*Made - - - - 8th October, 1948*

At the Court at Buckingham Palace, the 8th day of October, 1948

Present,

The King's Most Excellent Majesty in Council

2 & 3 Geo. 6. c. 106. Whereas by subsection (2) of section eight of the Universities and Colleges (Emergency Provisions) Act, 1939, it is provided that the expression "the period of the present emergency" means the period beginning with the first day of September, nineteen hundred and thirty-nine, and ending with such date as His Majesty may by Order in Council declare to be the date on which the emergency which was the occasion of the passing of that Act came to an end:

Now, therefore, His Majesty, in pursuance of the said subsection (2), is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

**1.** It is hereby declared that the thirtieth day of September, nineteen hundred and forty-eight, is the date on which the emergency which was the occasion of the passing of the Universities and Colleges (Emergency Provisions) Act, 1939, came to an end.

**2.** This Order may be cited as the Universities and Colleges (Emergency Provisions) Act (End of Emergency) Order, 1948.

*E. C. E. Leadbitter.*

EXPLANATORY NOTE

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

This Order brings to an end the period during which or in relation to which the powers conferred by the Universities and Colleges (Emergency Provisions) Act, 1939, on the Universities of Oxford and Cambridge and the Colleges in those Universities and (in the case of certain of the powers) Eton and Winchester Colleges were exercisable.