

SAORSTÁT EIREANN.

BILLE UM ARACHAS DIOMHAOINTIS, 1926.

UNEMPLOYMENT INSURANCE BILL, 1926.

Mar do ritheadh ag Dáil Eireann.

As passed by Dáil Eireann.

ARRANGEMENT OF SECTIONS.

Section.

1. Meaning of "benefit year."
2. Amendment as to refunds of contributions.
3. Provision as to regulations in certain cases.
4. Amendments to section 17 of Principal Act.
5. Regulations as to insurance year.
6. Amendment of section 8 (4) of Principal Act.
7. Addition to excepted employments.
8. Persons in military service.
9. Definitions.
10. Short title, construction and citation.

SAORSTÁT EIREANN.

BILLE UM ARACHAS DIOMHAOINTIS, 1926.

UNEMPLOYMENT INSURANCE BILL, 1926

BILL

entitled

5

AN ACT TO AMEND THE UNEMPLOYMENT INSURANCE ACTS, 1920 TO 1924, AND FOR PURPOSES CONNECTED THEREWITH.

BE IT ENACTED BY THE OIREACHTAS OF SAORSTÁT EIREANN AS FOLLOWS:—

10

Meaning of
"benefit year."

1.—For the purposes of the Unemployment Insurance Acts 1920 to 1924 as amended by this Act the expression "Benefit Year" shall mean in relation to any insured contributor the period of twelve months commencing on the date on which that contributor makes an application for benefit next after the date of the passing of this Act and every subsequent period of twelve months commencing on the date on which that contributor first makes an application for benefit next after the termination of his last preceding benefit year:

15

Provided that if any insured contributor is continuously unemployed at the date of the passing of this Act the benefit year within the meaning of the Unemployment Insurance Acts 1920 to 1924 current at the commencement of this Act shall, unless the Minister otherwise directs, continue in relation to him until the date on which the period of continuous unemployment ceases but not in any case beyond the 13th day of October, 1926.

20

25

Amendment as
to refunds of
contributions.

2.—(1) If on an application made under this section the Minister is satisfied that any person who is or has been an insured contributor had before the date on which this section comes into operation—

30

(a) paid contributions in respect of not less than fifty weeks in accordance with the general provisions of the Principal Act; and

(b) reached the age of fifty years;

that person or his personal representative shall be entitled to be paid out of the unemployment fund a sum representing the present worth as on that date of the amount of the excess value of the contributions paid by him as increased (in the case of an insured contributor who has not attained the age of sixty years) by compound interest at the rate of two-and-a-half per cent. per annum on the amount of that excess value from the date aforesaid until the date on which he would attain the age of sixty years.

35

40

(2) An application for a payment under this section must be made in the prescribed manner and within twelve months after the date on which this section comes into operation.

45

(3) For the purposes of this section—

(a) the amount of the excess value of the contributions paid by an insured contributor shall be taken to be the amount by which the total amount of the contributions actually paid by him exceeds the aggregate of the sums received by him by way of benefit, together with compound interest on that excess up to the date on

50

which this section comes into operation at such rate and calculated in such manner as is directed by section 25 of the Principal Act;

(b) in calculating the excess value of contributions:—

5 (i) contributions and benefit paid subsequently to the 7th day of November, 1920 shall be reckoned as if they had been paid at the rates at which contributions and benefit were respectively payable under the Principal Act as originally enacted; and

10 (ii) no account shall be taken of contributions repaid or refunded, of benefit taken into account previously for the purposes of a refund under any of the provisions of the Principal Act, of grants or contributions paid under the Unemployed Workers' Dependents (Temporary Provisions) Act, 1921, of contributions on account of which a payment has been made under sub-section (10) of section 18 of the Principal Act to the body charged with the administration of a special scheme, or, where no contributions have been paid in respect of any person for a period comprising five insurance years, of contributions paid in respect of him, or benefit paid to him, before the last such period; and

25 (c) the present worth of the amount of the excess value of contributions as increased by any such compound interest as aforesaid (if any) shall be calculated in manner prescribed by regulations, and any regulations made for that purpose shall direct that in making the calculation regard shall be had, among other matters, to the fact that contributions may cease for a period comprising five insurance years to be paid in respect of the insured contributor, and, in the case of an insured contributor who has not attained the age of sixty years, to the fact that he may not live to attain that age.

(4) Payment to an insured contributor under this section shall not affect his liability to pay contributions.

40 (5) Section 25 of the Principal Act shall cease to have effect except that, where any person had before the date upon which this section comes into operation become entitled to claim a repayment under that section, an application may be made in that behalf under that section instead of under this section at any time within twelve months after the date on which this section comes into operation, and no repayment to which any person may be entitled under section 95 of the National Insurance Act, 1911, shall be made unless an application for repayment is made to the Minister within the said period of twelve months.

50 (6) If in any case where there is a failure to make any such application as is mentioned in this section within the period of twelve months after the date on which this section comes into operation it is shown to the satisfaction of the Minister that there was good cause for the failure, the Minister may allow the application to be made at any time within two years after the expiration of the said period.

55 (7) This section shall come into operation on the 5th day of July, 1926.

3.—The power of making regulations under section 35 of the Principal Act shall include the power of making regulations—

Provision as to regulations in certain cases.

60 (a) for the appointment of a person to receive on behalf of or as representative of an insured contributor who becomes of unsound mind or dies any sums payable out of the unemployment fund to or in respect of him; and

65 (b) prescribing, either generally or with respect to any special class of cases, that where a period of employ-

ment begun on one day extends over midnight into another day the person employed shall be treated as having been employed on such one or other only of those two days as the regulations may direct.

Amendments to
section 17 of
Principal Act.

4.—(1) Section 17 of the Principal Act (which provides for arrangements being made with associations which make payments to their members while unemployed for the payment to such associations of sums out of the unemployment fund equivalent to the amount which those members would have received by way of unemployment benefit) as amended by any subsequent enactment shall have effect as if in sub-section (1) thereof there were substituted for the words “which those persons would have received” the words “which those persons would have been entitled to receive.”

(2) Where in consequence of a decision of an insurance officer or umpire or a recommendation of a court of referees a society or other association has paid to one of its members any sum by way of provision for unemployment, then, if the decision or recommendation is subsequently revised, so much of that sum as represented the amount of benefit which but for the arrangement would have been payable to that person may, unless that person shows that the sum was received by him in good faith and without knowledge that he was not entitled thereto, be recovered, without prejudice to any other remedy, by means of deductions from any benefit or from any payment from the society or other association to which that person thereafter becomes entitled.

Any question whether a person is liable under the provisions of this sub-section to have a deduction made from any benefit or payment due to him shall be determined in the same manner as a claim for benefit.

Regulations as
to insurance
year.

5.—The Minister may by regulations prescribe the date on which the period constituting the insurance year is to commence and any such regulations may contain such consequential and supplemental provisions as appear to the Minister to be necessary for dealing with or regulating the transition from the old to the new period, and in particular for making provision with respect to any period of time between the end of one insurance year and the commencement of the next insurance year.

Amendment of
Section 8 (4) of
Principal Act.

6.—Sub-section (4) of section 8 of the Principal Act shall have effect as if after the word “year” in the second line thereof, there were added the words “being an Insurance Year which terminated prior to the commencement of his current Benefit Year.”

Addition to
excepted
employments.

7.—Part II. of the First Schedule of the Principal Act shall, as from the date of the passing of this Act, have effect as though there were inserted therein after paragraph (e) the following new paragraphs:—

(ee) Employment, as a teacher, of any person in an institution certified by the Minister for Education to be a secondary school

(eee) Employment as a teacher in any of the following capacities:—

(i) a junior assistant mistress in a national school;
(ii) a recognised lay assistant in a convent or monastery national school;

(iii) a work mistress or an industrial teacher in a national school.

Persons in
military service.

8.—Notwithstanding anything contained in section 4 of the Unemployment Insurance Act, 1924 (No. 26 of 1924), no contributions shall after the 26th day of March, 1926, be paid or payable under that section for any person who was employed on or after the 30th day of June, 1924, in the military service of Saorstát Eireann.

9.—In this Act—

Definitions.

the expression "the Minister" means the Minister for Industry and Commerce, and

the expression "Principal Act" means the Unemployment Insurance Act, 1920.

10.—This Act may be cited as the Unemployment Insurance Act, 1926 and shall be construed as one with the Unemployment Insurance Acts, 1920 to 1924, and those Acts and this Act may be cited together as the Unemployment Insurance Acts, 1920 to 1926.

Short title,
construction
and citation.

BILLE UM ARACHAS DIOMHAOINTIS,
1926.

UNEMPLOYMENT INSURANCE BILL,
1926.

BILLE

dá ngairmtear

Acht chun na hAchtanna um Arachas Díomhaointis 1920 go 1924 do leasú agus chun crícheanna a bhaineas leis sin.

Rithte ag Dáil Éireann, 21adh Bealtaine, 1926.

BAILE ATHA CLIATH:
FOILLSITHE AG OIFIG AN tSOLATHAIR.

Le ceannach trí MESSRS. EASON AND SON, LTD.,
40 agus 41 Sráid Iochtarach Uí Chonaill,
Baile Atha Cliath.

Cló-bhuailte ag MESSRS. CAHILL AND CO., LTD.
[Dhá Phinginn Glan.]

Wt. 336—208. 250. 5/26. C.&Co. (3774).

BILL

entitled

An Act to amend the Unemployment Insurance Acts 1920 to 1924 and for purposes connected therewith.

Passed, by Dáil Éireann, 21st May, 1926.

DUBLIN:
PUBLISHED BY THE STATIONERY OFFICE.

To be purchased through MESSRS. EASON & SON, LTD
40 and 41 Lower O'Connell Street,
Dublin.

Printed by MESSRS. CAHILL AND CO., LTD.
[Twopence Net.]