

**Penalties.**

1936 (Dec. Sp. Sess.), ch. 1, sec. 16.

16. (a) Whoever makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact, to obtain or increase any benefit or other payment under this Article, either for himself or for any other person, shall be punished by a fine of not less than \$20.00 nor more than \$50.00, or by imprisonment for not longer than thirty days or by both such fine and imprisonment; and each such false statement or representation or failure to disclose a material fact shall constitute a separate offense.

(b) Any employing unit or any officer or agent of an employing unit or any other person who makes a false statement or representation knowing it to be false, or who knowingly fails to disclose a material fact, to prevent or reduce the payment of benefits to any individual entitled thereto, or to avoid becoming or remaining subject hereto or to avoid or reduce any contribution or other payment required from an employing unit under this Article, or who wilfully fails or refuses to make any such contributions or other payment or to furnish any reports required hereunder or to produce or permit the inspection or copying of records as required hereunder, shall be punished by a fine or<sup>1</sup> not less than \$20.00 nor more than \$200.00, or by imprisonment for not longer than sixty days, or by both such fine and imprisonment; and each such false statement or representation or failure to disclose a material fact, and each day of such failure or refusal shall constitute a separate offense.

(c) Any person who shall wilfully violate any provision of this Article or any rule or regulation thereunder, the violation of which is made unlawful or the observance of which is required under the terms of this Article, and for which a penalty is neither prescribed herein nor provided by any other applicable statute, shall be punished by a fine of not less than \$20.00 nor more than \$200.00, or by imprisonment for not longer than sixty days, or by both such fine and imprisonment, and each day such violation continues shall be deemed to be a separate offense.

(d) Any person who, by reason of the non-disclosure or misrepresentation by him or by another, of a material fact (irrespective of whether such nondisclosure or misrepresentation was known or fraudulent) has received any sum as benefits under this Article while any conditions for the receipt of benefits imposed by this Article were not fulfilled in his case, or while he was disqualified from receiving benefits, shall, in the discretion of the Board, either be liable to have such sum deducted from any future benefits payable to him under this Article or shall be liable to repay to the Board for the unemployment compensation fund, a sum equal to the amount so received by him, and such sum shall be collectible in the manner provided in section 15<sup>2</sup> (b) of this Article for the collection of past-due contributions.

**Representation in Court.**

1936 (Dec. Sp. Sess.), ch. 1, sec. 17.

17. (a) In any civil action to enforce the provisions of this Article the Board and the State may be represented by the Attorney-General or

<sup>1</sup> The word "or" evidently intended.

<sup>2</sup> Evidently sec. 14 intended.