

rate based on the combined experience of his predecessors as of the regular computation date for the fiscal year in which the transfer occurred.

In all cases, from and after July 1 following the transfer, the successor's rate of contribution for each fiscal year shall be based on his experience with pay rolls and benefits combined with the experience of his predecessor or predecessors, as of the regular computation date for that fiscal year. A successor employer shall be deemed to have met the requirements of sub-section (c) (3) of this section if he or any one of his predecessors has had the 36-month experience with benefit charges and the 4-year experience with pay rolls which is required by sub-section (c) (3).

**[6]** No employer's rate shall be varied from the 2.7 per cent rate, for any fiscal year unless, as of the preceding March 31 the total amount available for benefits in the Maryland unemployment fund equals or exceeds 5% of the total annual payrolls subject to contributions that were paid by all employers during the previous calendar year. Provided, that for the purposes of this sub-section, any amount credited to this State's account under Section 903 of the Social Security Act, as amended, which has been appropriated for expenses of administration, whether or not withdrawn from the trust fund, shall be excluded from the total amount available for benefits in the Unemployment Insurance Fund.]

**[7]** (6) For the purposes of the experience rating provisions of this sub-section, in any case where a claim for benefits is filed, an employer's account shall not be charged with benefits paid, ~~and shall not be credited with base period wages on which such benefits were or would have been based~~, for the purposes of any computation made for any fiscal year beginning after the date of separation from employment, if such individual left the service of the employer voluntarily without good cause attributable to his employer; or if such individual left or was suspended from the service of the employer by reason of any circumstances under which he was disqualified for benefits under the provisions of Section 6 of this Article, or under which he could have been so disqualified had he filed claim during the period for which such disqualification would have been effective.

In the event that it is determined by the Executive Director that an individual has received benefits which are recoverable by the Executive Director under the terms of Section 17 (d) or 17 (e) of this Article, the benefits so received shall not, for the purposes of the experience rating provisions of this sub-section, be charged against the account of any employer in any computation made for any fiscal year commencing after the date of the determination by the Executive Director, provided no benefit charges shall be removed from the employer's account if the payment of such benefits was made as a direct or indirect result of the employer's failure to provide information to the Executive Director as required by this Article or the regulations promulgated pursuant thereto.

**[8]** (7) As used in this sub-section:

(i) The term "fiscal year" means the twelve-month period from July 1 of each year through June 30 of the next year.