

reconsidered decision may be appealed within the time limits and under the procedure prescribed in § 7 of this article for appeal from a determination, but on appeal the issue shall be limited to whether or not the claimant was ineligible during the weeks in question.

~~(e)--When any person is found by the Executive Director to have made a false statement or representation knowing it to be false or to have knowingly failed to disclose a material fact to obtain or increase any benefit or other payment under this article, he shall repay the fund a sum equal to all of the benefits received by or paid to him for each week with respect to which the false statement or representation was made or with respect to which he failed to disclose a material fact. The amount may be recovered from benefits payable to him or which may be payable to him in the future, or in the manner provided in § 15(f) of this article for the collection of past due contributions. The person shall also be disqualified from the receipt of benefits payable to him for [the period of] A PERIOD OF NOT LESS THAN 3 MONTHS NOR MORE THAN one year from the date on which the determination is made that an improper claim was filed involving such false statement or representation or failure to disclose a material fact.~~

(F) A DETERMINATION UNDER SUBSECTIONS (D) OR (E) OF THIS SECTION TO RECOUP BENEFITS MAY NOT BE MADE LATER THAN 3 YEARS FROM THE DATE THAT THE BENEFITS WERE PAID TO THE CLAIMANT. ANY AMOUNT WHICH HAS NOT BEEN RECOUPED WITHIN 5 YEARS OF THE DATE OF THE DETERMINATION MAY BE DEEMED UNCOLLECTIBLE AT THE JUDGMENT OF THE EXECUTIVE DIRECTOR.

[(f)] (G) Prosecution under subsections (a), (b) and (c) of this section must be commenced within 3 years from date of the commission of the offenses described therein.

20.

As used in this article, unless the context clearly requires otherwise:

(1) An individual shall be deemed "unemployed" in any week during which he performs no services and with respect to which no wages are payable to him OR in any week of less than full-time work if the wages payable to him with respect to such week are less than his weekly benefit amount plus allowances for dependents. For purposed of this section of the law and for the purpose of the taking of claims for and the payment of weekly benefits, holiday pay and/or vacation pay earned or accumulated to the credit of the individual, which is paid at the time of layoff or separation from employment or during a period of unemployment resulting from a cause other than vacation or holiday, shall not be considered wages.