STATUTORY RULES OF NORTHERN IRELAND

2016 No. 238

SOCIAL SECURITY

The Industrial Injuries Benefit (Employment Training Schemes and Courses) Regulations (Northern Ireland) 2016

Made - - - - 6th June 2016

Laid before Parliament 13th June 2016
Coming into operation in accordance with regulation 1(1) and (2)

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 95A, 121(1) and 171(1) and (3) to (5) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and Article 72(3) of the Welfare Reform (Northern Ireland) Order 2015(**2**).

Those powers are exercisable by the Secretary of State by virtue of Article 4(1) of the Welfare Reform (Northern Ireland) Order 2015.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Industrial Injuries Benefit (Employment Training Schemes and Courses) Regulations (Northern Ireland) 2016 and, subject to paragraph (2), come into operation on 31st October 2016.

(2) Regulation 2(c)(ii) comes into operation immediately after the coming into operation of the Universal Credit Regulations (Northern Ireland) 2016(**3**).

(3) In these Regulations—

"the 2007 Act" means the Welfare Reform Act (Northern Ireland) 2007(**4**);

"the 2015 Order" means the Welfare Reform (Northern Ireland) Order 2015;

"the Contributions and Benefits Act" means the Social Security Contributions and Benefits (Northern Ireland) Act 1992";

(**1**) 1992 c. 7; section 95A is inserted by Article 72(1) of the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006 (N.I. 1)), section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21) and section121(1) is cited for the meaning of "prescribe"
(**2**) S.I. 2015/2006 (N.I. 1)
(**3**) S.R. 2016 No. 216
(**4**) 2007 c. 2 (N.I.)

"the Industrial Training Order" means the Industrial Training (Northern Ireland) Order 1984(**5**); and

"the Jobseekers Order" means the Jobseekers (Northern Ireland) Order 1995(**6**).

(4) The Interpretation Act (Northern Ireland) 1954(**7**) shall apply to these Regulations as it applies to an Act of the Northern Ireland Assembly.

Employment training scheme and employment training course

2. The following descriptions of employment training scheme and employment training course are prescribed for the purposes of section 95A(1) of the Contributions and Benefits Act (employment training schemes etc)—

(a) an employment training scheme or employment training course provided pursuant to arrangements under section 1 of the Employment and Training Act (Northern Ireland) 1950(**8**) (general functions as to employment and training for employment);

(b) an employment training scheme or employment training course which constitutes, or participation in which forms part of, a scheme of a description prescribed under Article 19A of the Jobseekers Order(**9**) (schemes for assisting persons to obtain employment: "work for your benefit" schemes etc.);

(c) an employment training scheme or employment training course in which a person participates pursuant to—

(i) a requirement to undertake work-related activity imposed under regulations under section 13 of the 2007 Act(**10**); or

(ii) a work preparation requirement within the meaning of Article 8C of the Jobseekers Order(**11**), section 11C of the 2007 Act(**12**) or Article 21 of the 2015 Order.

Employer

3. The persons prescribed for the purpose of section 95A(2) of the Contributions and Benefits Act are any persons providing an employment training scheme or employment training course of a description prescribed under regulation 2.

Payment of industrial injuries benefit where payments were previously payable under Article 33(1) of the Industrial Training Order

4. Where, before Article 72 of the 2015 Order (trainees) came into operation for all purposes, payments were payable to a person in consequence of an injury or disease under Article 33(1) of the Industrial Training Order(**13**) (other payments for accidents in training) that person is entitled to equivalent payments of industrial injuries benefit.

(**5**) S.I. 1984/1159 (N.I. 9)
(**6**) S.I. 1995/2705 (N.I. 15)
(**7**) 1954 c. 33 (N.I.)
(**8**) 1950 c. 29 (N.I.); section 1 was amended by Article 3 of the Employment and Training (Amendment) (Northern Ireland) Order 1988 (S.I. 1988/1087 (N.I. 10) and Article 5 of the Industrial Training (Northern Ireland) Order 1990 (S.I. 1990/1200 (N.I. 8)
(**9**) Article 19A was inserted by section 1(2) of the Welfare Reform Act (Northern Ireland) 2010 (c. 13 (N.I.))
(**10**) Section 13 was amended by section 3(4) of the Welfare Reform Act (Northern Ireland) 2010 and is amended by Article 61 of the Welfare Reform (Northern Ireland) Order 2015
(**11**) Article 8C is inserted by Article 55(4) of the Welfare Reform (Northern Ireland) Order 2015
(**12**) Section 11C is inserted by Article 63(2) of the Welfare Reform (Northern Ireland) Order 2015
(**13**) Article 33(1) was amended by Part I of Schedule 2 to the Industrial Training (Northern Ireland) Order 1990, paragraph 30(2) of Schedule 2 to the Social Security (Consequential Provisions) (Northern Ireland) Act 1992 (c. 9) and is amended by Article 72(2) of the Welfare Reform (Northern Ireland) Order 2015