STATUTORY RULES OF NORTHERN IRELAND

2009 No. 297

EMPLOYMENT AND TRAINING SOCIAL SECURITY

The Steps to Work (Miscellaneous Provisions) Order (Northern Ireland) 2009

Made - - - -	*18th August 2009*
Coming into operation	*5th October 2009*

The Department for Employment and Learning(**1**) makes the following Order in exercise of the powers conferred by Article 4(1)(a), (c) and (d) of the Employment and Training (Amendment) (Northern Ireland) Order 1988(**2**) and now vested in it(**3**).

It appears to the Department for Employment and Learning that provision has been made under section 1 of the Employment and Training Act (Northern Ireland) 1950(**4**) for persons using facilities provided in pursuance of arrangements known as "Steps to Work" made by it under that section to receive payments in connection with their use of those facilities.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Steps to Work (Miscellaneous Provisions) Order (Northern Ireland) 2009 and shall come into operation on 5th October 2009.

(2) In this Order—

"Steps to Work" means the employment programme specified in regulation 75(1)(a)(vi) of the Jobseeker's Allowance Regulations (Northern Ireland) 1996(**5**);

"facilities" includes the provision of services;

"Steps to Work participant", in relation to any time, means a person who is at that time participating in Steps to Work;

(**1**) Formerly the Department of Higher and Further Education, Training and Employment: see 2001 c. 15 (N.I.).
(**2**) S.I. 1988/1087 (N.I. 10).
(**3**) S.R. 1999 No. 481: see Article 4(b) and Part II of Schedule 2.
(**4**) 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)). By virtue of Article 4(b) of, and Part II of Schedule 2 to, the Departments (Transfer and Assignment of Functions) Order (Northern Ireland) 1999 (S.R. 1999 No. 481) functions under the Employment and Training Act (Northern Ireland) 1950 were transferred to the Department of Higher and Further Education, Training and Employment.
(**5**) S.R. 1996 No.198. Regulation 75(1)(a)(vi) is inserted by S.R. 2009 No. 141.

"trading payment" means a payment made to a Steps to Work participant in consideration of goods or services supplied by that person in the course of that person's participation in Steps to Work;

"training allowance" means a payment made by, or on behalf of, the Department to a person in connection with that person's participation in Steps to Work.

Treatment of persons and payments for the purposes of the Social Security Contributions and Benefits (Northern Ireland) Act 1992, the Jobseekers (Northern Ireland) Order 1995 and other specified statutory provisions

2.—(1) The provisions of this Article apply for the purposes of—

(a) Part 1 of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**6**);

(b) the Jobseekers (Northern Ireland) Order 1995(**7**); and

(c) the statutory provisions specified in the Schedule.

(2) If, for any period commencing on or after the day on which this Order comes into operation, a Steps to Work participant receives, or is eligible to receive, a training allowance, that person is to be treated for that period and in respect of that person's participation in Steps to Work as not being employed but as participating in arrangements for training under section 1 of the Employment and Training Act (Northern Ireland) 1950.

(3) Except as mentioned in paragraph (4), any payment made to a Steps to Work participant during that period in connection with that person's use of facilities provided in pursuance of those arrangements is to be treated in the same manner as a payment of training allowance made in respect of such training.

(4) Paragraph (3) does not apply in respect of any trading payment made to a Steps to Work participant who is receiving assistance in pursuing self-employed earner's employment whilst participating in that programme.

Sealed with the Official Seal of the Department for Employment and Learning on 18th August 2009.

L.S.

Sir Reg Empey
Minister for Employment and Learning

(**6**) 1992 c. 7.
(**7**) S.I. 1995/2705 (N.I. 15).