STATUTORY RULES OF NORTHERN IRELAND

1998 No. 309

EMPLOYMENT AND TRAINING
SOCIAL SECURITY

New Deal (Miscellaneous Provisions) (Amendment) Order (Northern Ireland) 1998

Made - - - -	*1st September 1998*
Coming into operation	*29th September 1998*

Whereas arrangements known as "the New Deal" have been made by the Department of Economic Development under section 1 of the Employment and Training Act (Northern Ireland) 1950 ("the 1950 Act")(**1**):

And whereas the Department of Economic Development, in exercise of the powers conferred on it by Article 4 of the Employment and Training (Amendment) (Northern Ireland) Order 1988(**2**) and of every other power enabling it in that behalf, made the New Deal (Miscellaneous Provisions) Order (Northern Ireland) 1998(**3**) ("the principal Order") affecting the treatment of payments received by participants in the programmes within the New Deal known as "the Full-time Education and Training Option", "the Voluntary Sector Option" and "the Environmental Task Force Option" using facilities under the arrangements:

And whereas the New Deal includes, in addition to "the Full-time Education and Training Option", "the Voluntary Sector Option" and "the Environmental Task Force Option", a programme of employment or employment related training known as "the Employment Option":

And whereas it appears to the Department of Economic Development that the Employment Option makes provision for persons using facilities provided in pursuance of them to receive payments in connection with their use of those facilities:

Now, therefore, the Department of Economic Development, in exercise of the powers conferred on it by Article 4 of the Employment and Training (Amendment) (Northern Ireland) Order 1988(**2**) and of every other power enabling it in that behalf, hereby makes the following Order:

(**1**) 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))
(**2**) S.I. 1988/1087 (N.I. 10)
(**3**) S.R. 1998 No. 127
(**2**) S.I. 1988/1087 (N.I. 10)

Citation and commencement

1.—(1) This Order may be cited as the New Deal (Miscellaneous Provisions) (Amendment) Order (Northern Ireland) 1998 and shall come into operation on 29th September 1998.

Amendment of the principal Order

2.—(1) The principal Order shall have effect subject to the amendments provided for in this Article.

(2) In Article 1(2) (interpretation)—

(a) before the definition of "the New Deal", there shall be inserted the following definition—

> ""facilities" means facilities provided for the participant in pursuance of one or more of the New Deal Components;";

(b) in the definition of "the New Deal Components", after "the Voluntary Sector Option" there shall be inserted ", the Employment Option";

(c) after the definition of "the New Deal Components", there shall be inserted the following definition—

> ""trading receipt" means, in relation to a New Deal Participant under the Employment Option, any payment made to him in consideration of goods or services supplied by him in the course of his participation under that option;" and

(d) in the passage following the definition of "training allowance", the words after "facilities" to the end of the paragraph shall be deleted.

(3) For Article 2 (treatment of persons and payments for the purposes of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**4**), the Jobseekers (Northern Ireland) Order 1995(**5**) and other specified statutory provisions), there shall be substituted the following provision:

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

(a) Part I of the Social Security Contributions and Benefits (Northern Ireland) Act 1992,

(b) the Jobseekers (Northern Ireland) Order 1995, and

(c) the statutory provisions specified in the Schedule.

(2) If, for any period or periods commencing with and including and falling after the date on which this Order comes into operation, during which a person is a New Deal participant, and is participating in either the Full-time Education and Training Option, the Voluntary Sector Option or the Environmental Task Force Option, that person receives, or is eligible to receive, a training allowance, he is to be treated for that period or those periods and in respect of his participation as not being employed but as participating in arrangements for training under section 1 of the 1950 Act; and accordingly, any payment made to such a person during that period or those periods in connection with his use of facilities shall be treated in the same manner as a payment of training allowance made in respect of such training.

(3) If, for any period or periods commencing with or falling after the date on which this paragraph comes into operation, during which a person is a New Deal participant and is participating in the Employment Option in a capacity other than that of employee, that person receives, or is eligible to receive, a training allowance, he is to be treated for that period or periods and in respect of his participation as not being employed but as participating in arrangements for training under section 1 of the 1950 Act; and accordingly

(**4**) 1992 c. 7
(**5**) S.I. 1995/2705 (N.I. 15)