STATUTORY INSTRUMENTS

1988 No. 1087 (N.I. 10)

The Employment and Training (Amendment) (Northern Ireland) Order 1988 [F1]

\- - - - - - *22nd June 1988*

Annotations:
F1 functions transf. by SR 1999/481

Title and commencement

1. This Order may be cited as the Employment and Training (Amendment) (Northern Ireland) Order 1988 and shall come into operation on the expiration of two months from the day on which it is made.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954[F2] shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

"the Department" means the **[**[F3]Department for Communities or the Department for the Economy**]** ;

"statutory provision" has the meaning assigned to it by section 1(*f*) of the Interpretation Act (Northern Ireland) 1954.

Annotations:
F2 1954 c. 33 (NI)
F3 Words in art. 2(2) substituted (8.5.2016) by The Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016/76), art. 1(2), **Sch. 6 para. 36** (with art. 9(2))

General functions of the Department as to employment and training for employment

3. In section 1 of the Employment and Training Act (Northern Ireland) 1950[F4] for subsections (1) and (1A) there shall be substituted the following subsections—

> "(1) The Department of Economic Development (in this Act referred to as "the Department") shall make such arrangements as it considers appropriate for the purpose of assisting persons to select, train for, obtain and retain employment suitable for their ages and capacities or of assisting persons to obtain suitable employees (including partners and other business associates).

(1A) Arrangements under this section may—

(a) include arrangements for providing temporary employment for persons in Northern Ireland who are without employment;

(b) include arrangements for encouraging increases in the opportunities for employment and training that are available to women and girls or to disabled persons;

(c) subject to the restriction of paragraph (*a*) to persons in Northern Ireland, be made in respect of employment and training anywhere in the United Kingdom or elsewhere;

(d) include provision for the making of payments by the Department, by way of grant or loan or otherwise, to persons who provide facilities in pursuance of the arrangements, to persons who use those facilities and to other persons specified in or determined under the arrangements;

(e) include provision for the making of payments to the Department by other parties to the arrangements and by persons who use those facilities;

(f) include arrangements for securing that assistance in relation to the matters mentioned in subsection (1) is provided by persons other than the Department.

(1B) The payments for which arrangements under this section may provide—

(a) shall include the payment to a person by the Department of an allowance pending a time when payments will be or may be made to that person in respect of his use of facilities which will be or may be made available to him under any such arrangements;

(b) shall not include the payment of any such allowance to a person—

(i) for any period after that person has attained the age of eighteen years; or

(ii) for any period for which child benefit is payable in respect of that person; and

(c) shall not include any payment by any person to the Department, other than a payment for publications issued in pursuance of the arrangements, in respect of the seeking or obtaining for that person of any employment under a contract of service or apprenticeship.

(1C) No payments shall be made by the Department by virtue of any power conferred by this section unless the Department of Finance and Personnel has approved—

(a) the amounts of the payments or the manner of determining those amounts; and

(b) the terms on which they are made or the manner of determining those terms.” .

Annotations:
F4 1950 c. 29 (NI)

Status of trainees

4.—(1) Where it appears to the Department that provision has been made under section 1 of the Employment and Training Act (Northern Ireland) 1950 for persons using facilities provided in pursuance of arrangements under that section to receive payments from **[**[F5]any person**]** in connection with their use of those facilities, the Department may by order provide—

(a) that those persons are, for the purposes and in the cases specified or described in or determined under the order, to be treated in respect of their use of those facilities as being or as not being employed;