

**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<sup>(a)</sup> 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<sup>(b)</sup> and now vested in it<sup>(c)</sup>.

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<sup>(d)</sup> 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<sup>(e)</sup>;

“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;

“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;

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(a) Formerly the Department of Higher and Further Education, Training and Employment: see 2001 c. 15 (N.I.).

(b) S.I. 1988/1087 (N.I. 10).

(c) S.R. 1999 No. 481: see Article 4(b) and Part II of Schedule 2.

(d) 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.

(e) S.R. 1996 No.198. Regulation 75(1)(a)(vi) is inserted by S.R. 2009 No. 141.

“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<sup>(a)</sup>;
- (b) the Jobseekers (Northern Ireland) Order 1995<sup>(b)</sup>; 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.



*Sir Reg Empey*  
Minister for Employment and Learning

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<sup>(a)</sup> 1992 c. 7.  
<sup>(b)</sup> S.I. 1995/2705 (N.I. 15).

## SCHEDULE

Article 2(1)

### Statutory Provisions

- The Social Security (Credits) Regulations (Northern Ireland) 1975**(a)**  
The Social Security (Overlapping Benefits) Regulations (Northern Ireland) 1979**(b)**  
The Income Support (General) Regulations (Northern Ireland) 1987**(c)**  
The Income Support (Transitional) Regulations (Northern Ireland) 1987**(d)**  
The Social Security (Claims and Payments) Regulations (Northern Ireland) 1987**(e)**  
The Child Support (Maintenance Assessment Procedure) Regulations (Northern Ireland) 1992**(f)**  
The Child Support (Maintenance Assessment and Special Cases) Regulations (Northern Ireland) 1992**(g)**  
The Fire Services (Factory, Office and Shop Premises) Order (Northern Ireland) 1993**(h)**  
The Jobseeker's Allowance Regulations (Northern Ireland) 1996**(i)**  
The Jobseeker's Allowance (Transitional Provisions) Regulations (Northern Ireland) 1996**(j)**  
The Child Support (Maintenance Calculation Procedure) Regulations (Northern Ireland) 2001**(k)**  
Students Awards Regulations (Northern Ireland) 2003**(l)**  
The Housing Benefit Regulations (Northern Ireland) 2006**(m)**  
The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006**(n)**  
The Employment and Support Allowance Regulations (Northern Ireland) 2008 **(o)**  
The Education (Student Support) Regulations (Northern Ireland) 2009**(p)**

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- (a)** S.R. 1975 No. 113  
**(b)** S.R. 1979 No. 242  
**(c)** S.R. 1987 No. 459  
**(d)** S.R. 1987 No. 460  
**(e)** S.R. 1987 No. 465  
**(f)** S.R. 1992 No. 340  
**(g)** S.R. 1992 No. 341  
**(h)** S.R. 1993 No. 319  
**(i)** S.R. 1996 No. 198  
**(j)** S.R. 1996 No. 200  
**(k)** S.R. 2001 No. 17  
**(l)** S.R. 2003 No. 459  
**(m)** S.R. 2006 No. 405  
**(n)** S.R. 2006 No. 406  
**(o)** S.R. 2008 No. 280  
**(p)** S.R. 2009 No. 37

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order provides that a person using facilities provided in pursuance of the employment programme known as “Steps to Work” as defined in regulation 75(1)(a)(vi) of the Jobseeker’s Allowance Regulations (Northern Ireland) 1996 and receiving or entitled to receive from the Department a training allowance in connection with the use of those facilities (which include the provision of services) shall be treated for certain purposes as participating in arrangements for training under section 1 of the Employment and Training Act (Northern Ireland) 1950.

This Order provides that any payment made to such a person in connection with that person’s use of those facilities, except a trading payment, shall be treated as a payment of training allowance made in respect of such training.

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