

## 1983 No. 1919

## HEALTH AND SAFETY

**The Health and Safety (Youth Training Scheme) Regulations  
1983**

<i>Made - - - -</i>	<i>21st December 1983</i>
<i>Laid before Parliament</i>	<i>21st December 1983</i>
<i>Coming into Operation</i>	<i>11th January 1984</i>

The Secretary of State, in exercise of the powers conferred on him by section 52(2) of the Health and Safety at Work etc. Act 1974 (a) (“the 1974 Act”), and of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act, after the carrying out by the Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:—

*Citation and commencement*

1. These Regulations may be cited as the Health and Safety (Youth Training Scheme) Regulations 1983 and shall come into operation on 11th January 1984.

*Interpretation*

2. In these Regulations, unless the context otherwise requires—

“the 1974 Act” means the Health and Safety at Work etc. Act 1974;

“relevant statutory provisions” has the meaning assigned to that expression by section 53 of the 1974 Act;

“training” includes work experience received as part of a training programme; it does not include training on a course at a university, polytechnic, college, school or similar educational or technical institute, but it does include training at a skillcentre, training centre or other training establishment run by the Manpower Services Commission;

“Youth Training Scheme” means the youth training scheme administered by the Manpower Services Commission under section 2(1) of the Employment and Training Act 1973 (b).

*Meaning of “work” and “at work”*

3. For the purposes of Part I of the 1974 Act—

(a) the meaning of the word “work” shall be extended to include training under the Youth Training Scheme;

(a) 1974 c.37.

(b) 1973 c.50.

(b) a trainee under the Scheme is at work throughout the time when he would be in the course of his employment were such training or work experience being provided under a contract of employment, but not otherwise, and the meaning of "at work" shall be so extended;

and in that connection, in the other relevant statutory provisions, "work" and "at work" shall be construed accordingly.

*Meaning of "employee", "employer" etc.*

4. For the purposes of the relevant statutory provisions a trainee under the Youth Training Scheme, who is not employed under a contract of employment, shall be treated as being the employee of the person whose undertaking (whether carried on by him for profit or not) is for the time being the immediate provider to that trainee of training under the Scheme; and "employee", "worker", "employer" and related expressions in those provisions shall be construed accordingly.

Signed by order of the Secretary of State.

*John Selwyn Gummer,*  
Minister of State,  
Department of Employment.

21st December 1983.

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#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations give to those trainees under the Youth Training Scheme who are not employees the protection for and duties of employees under the relevant statutory provisions as defined in the Health and Safety at Work etc. Act 1974.

For the purposes of those provisions, Regulation 3 extends the meaning of "work" and "at work" to include training as defined in Regulation 2 and Regulation 4 provides that such trainees shall be treated as if they were employees of the person whose undertaking is the provider of training at the relevant time.

The Regulations do not apply in relation to training under the Scheme on a course at an educational establishment or technical institute unless it is a skillcentre, training centre or other training establishment run by the Manpower Services Commission.



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