

STATUTORY INSTRUMENTS

1988 No. 1087

The Employment and Training (Amendment) (Northern Ireland) Order 1988

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 [^{F1}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;
 - (b) that where those persons are treated as being employed they are to be treated as being the employees of the persons so specified, described or determined and of no others;
 - (c) that where those persons are treated as not being employed they are to be treated as being trained, or are to be treated in such other manner as may be so specified, described or determined; and
 - (d) that those payments are to be treated for the purposes of such statutory provisions as may be so specified, described or determined in such manner as may be so specified, described or determined.
- (2) An order under this Article—
- (a) may modify any statutory provision (including this Order and any such provision passed or made after the making of this Order),
 - (b) may contain such incidental, consequential and transitional provision as appears to the Department to be appropriate; and
 - (c) shall be subject to negative resolution.

F1 Words in art. 4(1) substituted (3.8.2010) by [Employment Act \(Northern Ireland\) 2010 \(c. 12\), ss. 7\(1\), 8\(2\), Sch. 1 para. 3](#)

Modifications etc. (not altering text)

- C1** [Art. 4](#) power extended by [S.I. 1995/2705 \(N.I. 15\), art. 19B\(3\)](#) (as inserted (13.8.2010) by [Welfare Reform Act \(Northern Ireland\) 2010 \(c. 13\), ss. 1\(2\), 36\(1\)\(a\)](#))
- C2** [Art. 4](#): transfer of functions (8.5.2016) by [The Departments \(Transfer of Functions\) Order \(Northern Ireland\) 2016 \(S.R. 2016/76\), art. 1\(2\), Sch. 4 Pt. 2](#) (with art. 9(2))

Changes to legislation:

There are currently no known outstanding effects for the The Employment and Training (Amendment) (Northern Ireland) Order 1988, Section 4.