
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 421

**The Social Security (New Deal Pilot)
Regulations (Northern Ireland) 1998**

Part III

Consequential Provisions

Scope of Part III

10.—(1) Regulations 11 and 13 to 16 shall only apply in relation to a person to whom regulation 3 or 4 applies in so far as those regulations relate to that person’s participation in the intensive activity period of the New Deal pilot for 25 plus.

(2) Regulation 12 shall only apply in any week in which a person to whom regulation 3 or 4 applies is participating in the intensive activity period of the New Deal pilot for 25 plus.

Definition of “training allowance”

11.—(1) The definition of “training allowance” in each of the regulations specified in paragraph (2) (which are interpretation provisions) shall be modified in its application to persons to whom this Part applies as if at the end there were added “nor does it include any mandatory top-up payment made to a person pursuant to section 1 of the Employment and Training Act (Northern Ireland) 1950 in respect of that person’s participation in the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998(1) in regulation 2(1) of those Regulations”.

(2) The regulations to which paragraph (1) refers are—

- (a) regulation 2(1) of the Disability Working Allowance Regulations(2);
- (b) regulation 2(1) of the Family Credit Regulations(3);
- (c) regulation 2(1) of the Housing Benefit Regulations(4);
- (d) regulation 2(1) of the Income Support Regulations(5);
- (e) regulation 1(2) of the Jobseeker’s Allowance Regulations.

Remunerative work

12.—(1) Regulation 53 of the Jobseeker’s Allowance Regulations (persons treated as not engaged in remunerative work) shall be modified in its application to persons to whom this Part applies as if after paragraph (h) there was added the following paragraph—

(1) [S.R. 1998 No. 421](#).
(2) Definition inserted by [S.R. 1992 No. 403](#).
(3) Definition inserted by [S.R. 1992 No. 148](#).
(4) Definition inserted by [S.R. 1990 No. 136](#).
(5) Definition amended by [S.R. 1989 No. 326](#) and [S.R. 1990 No. 387](#).

“(i) he is participating in the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations.”.

(2) Regulation 6 of the Income Support Regulations (persons not treated as engaged in remunerative work) shall be modified in its application to persons to whom this Part applies as if after paragraph (j)(6) there was added the following paragraph—

“(k) he is participating in the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations.”.

(3) Regulation 4 of the Housing Benefit Regulations (remunerative work) shall be modified in its application to persons to whom this Part applies as if after paragraph (5)(7) there was inserted the following paragraph—

“(5A) A person shall not, for the purposes of these Regulations, be treated as engaged in remunerative work in any benefit week in which he is participating in the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations.”.

(4) Both regulation 6 of the Disability Working Allowance Regulations and regulation 4 of the Family Credit Regulations (remunerative work) shall be modified in their application to persons to whom this Part applies as if after paragraph (3)(c)(8) there was added the following sub-paragraph—

“(d) he is participating in the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations.”.

Notional income

13.—(1) Regulation 105 of the Jobseeker’s Allowance Regulations (notional income) shall be modified in its application to persons to whom this Part applies as if—

(a) in paragraph (10A)(c)(9), after head (iii), there was added the following head—

“(iv) in the programme known as the intensive activity period of the New Deal Pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations but only to the extent that it is not used for a purpose specified in paragraph (10)(a)(ii).”;

(b) in paragraph (13)(10)—

(i) at the beginning, there were inserted “Subject to paragraph (13A),”;

(ii) the words from “; but this paragraph” to the end of the paragraph were omitted;

(c) after paragraph (13) there were inserted the following paragraph—

“(13A) Paragraph (13) shall not apply—

(a) to a claimant who is engaged by a charitable or voluntary organisation or who is a volunteer if the adjudication officer is satisfied in any of those cases that it is reasonable for him to provide his services free of charge, or

(6) Paragraph (j) was added by regulation 4(3)(c) of S.R. 1992 No. 403.

(7) Paragraph (5) was amended by regulation 3 of S.R. 1996 No. 334.

(8) Paragraph (3) was, in both cases, substituted by S.R. 1994 No. 327.

(9) Paragraph (10A) was inserted by regulation 2(1)(b) of S.R. 1998 No. 326.

(10) Paragraph (13) was amended by regulation 9(b) of S.R. 1997 No. 541.

- (b) in a case where the service is performed in connection with the claimant's participation in—
 - (i) an employment or training programme in accordance with regulation 19(1)(p), or
 - (ii) the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations.”

(2) Regulation 42 of the Income Support Regulations (notional income) shall be modified in its application to persons to whom this Part applies as if—

- (a) in paragraph (4ZA)(c)(11), after head (iii), there was added the following head—
 - “(iv) in the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations but only to the extent that it is not used for a purpose specified in paragraph (4)(a)(ii).”;
- (b) in paragraph (6)(12)—
 - (i) at the beginning, there were inserted “Subject to paragraph (6A),”;
 - (ii) the words from “; but this paragraph” to the end of the paragraph were omitted;
- (c) after paragraph (6) there were inserted the following paragraph—
 - “(6A) Paragraph (6) shall not apply—
 - (a) to a claimant who is engaged by a charitable or voluntary organisation or who is a volunteer if the adjudication officer is satisfied in any of those cases that it is reasonable for him to provide his services free of charge; or
 - (b) in a case where the service is performed in connection with the claimant's participation in—
 - (i) an employment or training programme in accordance with regulation 19(1)(p) of the Jobseeker's Allowance Regulations (Northern Ireland) 1996, or
 - (ii) the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations.”

(3) Regulation 35 of the Housing Benefit Regulations (notional income) shall be modified in its application to persons to whom this Part applies as if—

- (a) in paragraph (3A)(c)(13), after head (iii), there was added the following head—
 - “(iv) in the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations but only to the extent that it is not used for a purpose specified in paragraph (3)(a).”;
- (b) in paragraph (5)(14)—

(11) Paragraph (4ZA) was inserted by regulation 2(2)(b) of S.R. 1998 No. 326.

(12) Paragraph (6) was amended by S.R. 1995 No. 86 and S.R. 1997 No. 541.

(13) Paragraph (3A) was inserted by regulation 2(b) of S.R. 1998 No. 325.

(14) Paragraph (5) was amended by S.R. 1991 No. 337, S.R. 1995 No. 89 and S.R. 1997 No. 541.

- (i) at the beginning, there were inserted “Subject to paragraph (5A),”;
- (ii) the words from “; but this paragraph” to the end of the paragraph were omitted;
- (c) after paragraph (5) there were inserted the following paragraph–
 - “(5A) Paragraph (5) shall not apply–
 - (a) to a claimant who is engaged by a charitable or voluntary organisation or who is a volunteer if the appropriate authority is satisfied in any of those cases that it is reasonable for him to provide his services free of charge, or
 - (b) in a case where the service is performed in connection with the claimant’s participation in–
 - (i) an employment or training programme in accordance with regulation 19(1)(p) of the Jobseeker’s Allowance Regulations (Northern Ireland) 1996, or
 - (ii) the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations.”.
- (4) Both regulation 29 of the Disability Working Allowance Regulations and regulation 26 of the Family Credit Regulations (which relate to notional income) shall be modified in their application to persons to whom this Part applies as if–
 - (a) in paragraph (3A)(c)(15), after head (iii), there was added the following head–
 - “(iv) in the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations but only to the extent that it is not used for a purpose specified in paragraph (3)(a).”;
 - (b) in paragraph (4)(16)–
 - (i) at the beginning, there were inserted “Subject to paragraph (4A),”;
 - (ii) the words from “; but this paragraph” to the end of the paragraph were omitted;
 - (c) after paragraph (4) there were inserted the following paragraph–
 - “(4A) Paragraph (4) shall not apply–
 - (a) to a claimant who is engaged by a charitable or voluntary organisation or who is a volunteer if the adjudication officer is satisfied in any of those cases that it is reasonable for him to provide his services free of charge; or
 - (b) in a case where the service is performed in connection with the claimant’s participation in–
 - (i) an employment or training programme in accordance with regulation 19(1)(p) of the Jobseeker’s Allowance Regulations (Northern Ireland) 1996; or
 - (ii) the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations.”.

(15) Paragraph (3A) was inserted, in both cases, by [S.R. 1998 No. 326](#).

(16) Paragraph (4), in both cases, was amended by [S.R. 1995 No. 86](#) and [S.R. 1997 No. 541](#).

Notional capital

14.—(1) Both regulation 51 of the Income Support Regulations and regulation 113 of the Jobseeker’s Allowance Regulations (notional capital) shall be modified in their application to persons to whom this Part applies as if in paragraph (3A)(b)(17), after head (iii), there was added the following head—

“(iv) in the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations but only to the extent that it is not used for a purpose specified in paragraph (3)(a)(ii).”.

(2) Each of the regulations specified in paragraph (3) (which relate to notional capital) shall be modified in their application to persons to whom this Part applies as if in paragraph (3A)(b), after head (iii), there was added the following head—

“(iv) in the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations but only to the extent that it is not used for a purpose specified in paragraph (3)(a).”.

(3) The regulations to which paragraph (2) refers are—

- (a) regulation 37 of the Disability Working Allowance Regulations(18);
- (b) regulation 34 of the Family Credit Regulations(19);
- (c) regulation 43 of the Housing Benefit Regulations(20).

Income to be disregarded

15.—(1) Each of the Schedules specified in paragraph (2) (which relate to sums to be disregarded in the calculation of income other than earnings), shall be modified in their application to persons to whom this Part applies as if at the end of each of those Schedules there were added the following paragraphs bearing the specified respective paragraph numbers—

“Any child care expenses reimbursed to the claimant in respect of his participation in the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations but this paragraph does not apply to any part of any allowance under section 1(1A)(d) of the Employment and Training Act (Northern Ireland) 1950(21).

Any mandatory top-up payment made to a person pursuant to section 1 of the Employment and Training Act (Northern Ireland) 1950 in respect of that person’s participation in the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations.”.

(2) The respective paragraph numbers and Schedules for the purposes of paragraph (1) are—

- (a) paragraphs 60 and 61 of Schedule 3 to the Disability Working Allowance Regulations(22);
- (b) paragraphs 62 and 63 of Schedule 2 to the Family Credit Regulations(23);

(17) Paragraph (3A) was inserted, in both cases, by S.R. 1998 No. 326.

(18) Paragraph (3A) was inserted by regulation 3(2) and 3(a) of S.R. 1998 No. 326.

(19) Paragraph (3A) was inserted by regulation 3(2) and 3(b) of S.R. 1998 No. 326.

(20) Paragraph (3A) was inserted by regulation 3(b) of S.R. 1998 No. 325.

(21) Sub-section (1A) was inserted by Article 3 of the Employment and Training (Amendment) (Northern Ireland) Order 1988.

(22) Paragraph 59 was added by regulation 4(2) of S.R. 1998 No. 326.

(23) Paragraph 61 was added by regulation 4(3) of S.R. 1998 No. 326.

- (c) paragraphs 70 and 71 of Schedule 4 to the Housing Benefit Regulations(24);
- (d) paragraphs 65 and 66 of Schedule 9 to the Income Support Regulations(25);
- (e) paragraphs 63 and 64 of Schedule 6 to the Jobseeker’s Allowance Regulations(26).

Capital to be disregarded

16.—(1) Each of the Schedules specified in paragraph (2) (which relate to capital to be disregarded), shall be modified in their application to persons to whom this Part applies as if at the end of each of those Schedules, there were added the following paragraphs bearing the respective specified paragraph numbers—

“Any child care expenses reimbursed to the claimant in respect of his participation in the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations but only for a period of 52 weeks from the date of receipt of the payment.

Any mandatory top-up payment made to a person pursuant to section 1 of the Employment and Training Act (Northern Ireland) 1950 in respect of that person’s participation in the programme known as the intensive activity period of the New Deal pilot for 25 plus as defined for the purposes of the Social Security (New Deal Pilot) Regulations (Northern Ireland) 1998 in regulation 2(1) of those Regulations but only for a period of 52 weeks from the date of receipt of the payment.”.

(2) The respective paragraph numbers and Schedules specified for the purposes of paragraph (1) are—

- (a) paragraphs 53 and 54 of Schedule 4 to the Disability Working Allowance Regulations(27);
- (b) paragraphs 54 and 55 of Schedule 3 to the Family Credit Regulations(28);
- (c) paragraphs 55 and 56 of Schedule 5 to the Housing Benefit Regulations(29);
- (d) paragraphs 52 and 53 of Schedule 10 to the Income Support Regulations(30);
- (e) paragraphs 47 and 48 of Schedule 7 to the Jobseeker’s Allowance Regulations(31).

(24) Paragraph 69 was added by regulation 4 of S.R. 1998 No. 325.

(25) Paragraph 64 was added by regulation 4(4) of S.R. 1998 No. 326.

(26) Paragraph 62 was added by regulation 4(1) of S.R. 1998 No. 326.

(27) Paragraph 52 was added by regulation 5(2) and (3)(a) of S.R. 1998 No. 326.

(28) Paragraph 53 was added by regulation 5(2) and (3)(b) of S.R. 1998 No. 326.

(29) Paragraph 54 was added by regulation 5 of S.R. 1998 No. 325.

(30) Paragraph 51 was added by regulation 5(2) and (3)(c) of S.R. 1998 No. 326.

(31) Paragraph 46 was added by regulation 5(1) of S.R. 1998 No. 326.