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STATUTORY RULES OF NORTHERN IRELAND

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**1999 No. 474**

**The Social Security (New Deal Pilot)  
Regulations (Northern Ireland) 1999**

**Part III**

**Consequential Provisions**

**Scope of Part III**

**10.**—(1) Regulations 11 and 13 to 17 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 top-up payment made to a person (the participant) pursuant to—

- (i) section 1 of the Employment and Training Act (Northern Ireland) 1950 in respect of the participant’s participation in 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) 1999<sup>(1)</sup> in regulation 2(1) of those Regulations (“the intensive activity period”), or
- (ii) a written arrangement entered into between the Department of Economic Development and the person who has arranged for the participant’s participation in the intensive activity period and which is made in respect of the participant’s participation in that period.”

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

- (a) regulation 2(1) of the Housing Benefit Regulations<sup>(2)</sup>;
- (b) regulation 2(1) of the Income Support Regulations<sup>(3)</sup>;
- (c) regulation 1(2) of the Jobseeker’s Allowance Regulations.

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(1) S.R. 1999 No. 474

(2) Definition inserted by S.R. 1992 No. 136

(3) Definition amended by S.R. 1989 No. 326 and S.R. 1990 No. 387

## 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—

“(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) 1999 in regulation 2(1) of those Regulations.”.

(2) Regulation 6(1) of the Income Support 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 (j)(4) there was added the following paragraph—

“(l) 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) 1999 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)(5) 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) 1999 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)(6), after head (iii), there was added the following head—

“(iv) in the programme know 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) 1999 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)(7)—

(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 Department 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—

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(4) Paragraph (j) was added by regulation 4(3)(c) of S.R. 1992 No. 403. Regulation 6 was re-numbered by regulation 2(3) of S.R. 1999 No. 381

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

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

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

- (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) 1999 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)(8), after head (iii), there was added the following head—
    - “(iv) in the programme know 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) 1999 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) for paragraph (6A)(b)(9) there was substituted the following sub-paragraph—
    - “(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) 1999 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)(10), after head (iii), there was added the following head—
    - “(iv) in the programme know 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) 1999 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)(11)—
    - (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 1996, or

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

(9) Paragraph (6A) was inserted by regulation 2(2)(b) of S.R. 1999 No. 390

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

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

- (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) 1999 in regulation 2(1) of those Regulations.”.

### **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)(**12**), 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) 1999 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) Regulation 43 of the Housing Benefit Regulations (notional capital) shall be modified in its application to persons to whom this Part applies as if in paragraph (3A)(b)(**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) 1999 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).”.

### **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) 1999 in regulation 2(1) of those Regulations.

Any top-up payment made to a person (“the participant”) pursuant to—

- (a) section 1 of the Employment and Training Act (Northern Ireland) 1950 in respect of the participant’s participation in 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) 1999 in regulation 2(1) of those Regulations (“the intensive activity period”), or
- (b) a written arrangement entered into between the Department of Economic Development and the person who has arranged for the participant’s participation in the intensive activity period and which is made in respect of the participant’s participation in that period.”.

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

- (a) paragraphs 70 and 71 of Schedule 4 to the Housing Benefit Regulations(**14**);

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

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

(14) Paragraph 69 was added by regulation 4 of [S.R. 1998 No. 325](#)

- (b) paragraphs 65 and 66 of Schedule 9 to the Income Support Regulations(15);
- (c) paragraphs 63 and 64 of Schedule 6 to the Jobseeker’s Allowance Regulations(16).

### **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) 1999 in regulation 2(1) of those Regulations, but only for a period of 52 weeks from the date of receipt of the payment.

Any top-up payment made to a person (“the participant”) pursuant to—

- (a) section 1 of the Employment and Training Act (Northern Ireland) 1950 in respect of the participant’s participation in 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) 1999 in regulation 2(1) of those Regulations (“the intensive activity period”), or
- (b) a written arrangement entered into between the Department of Economic Development and the person who has arranged for the participant’s participation in the intensive activity period and which is made in respect of the participant’s participation in that period,

but only for the period of 52 weeks beginning on the date of receipt of the payment.”.

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

- (a) paragraphs 55 and 56 of Schedule 5 to the Housing Benefit Regulations(17);
- (b) paragraphs 52 and 53 of Schedule 10 to the Income Support Regulations(18);
- (c) paragraphs 47 and 48 of Schedule 7 to the Jobseeker’s Allowance Regulations(19).

### **Self-employment route of the intensive activity period of the New Deal pilot for 25 plus**

**17.**—(1) Both regulation 102A(20) of the Jobseeker’s Allowance Regulations and regulation 39A(21) of the Income Support Regulations (which relate to participants in the self-employment route of the Employment Option of the New Deal) shall be modified in their application to persons to whom this Part applies as if—

- (a) regulation 102A and regulation 39A were renumbered regulation 102A(1) and regulation 39A(1) respectively;
- (b) for the definition of “self-employment route” in the renumbered paragraph (1) there was substituted the following definition—

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

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

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

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

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

(20) Regulation 102A was inserted by regulation 4(4) of S.R. 1998 No. 182

(21) Regulation 39A was inserted by regulation 3(3) of S.R. 1998 No. 182

““self-employment route” means receiving assistance in pursuing self-employed earner’s employment whilst 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) 1999 in regulation 2(1) of those Regulations;”;

(c) after the renumbered paragraph (1) there was added the following paragraph—

“(2) For the purposes of this Chapter, the last day upon which assistance is received under the self-employment route shall be the day—

- (a) upon which there is at least £2,000 in the participant’s special account;
- (b) which is 26 weeks after the day upon which the participant first received such assistance, or
- (c) which is the last day upon which the participant received such assistance, whichever shall first occur.”.

(2) The provisions specified in paragraph (3) shall be modified in their application to persons to whom this Part applies as if for the references to a person receiving, or having received, assistance under an employment programme specified in regulation 75(1)(a)(i)(bb) of the Jobseeker’s Allowance Regulations(22), there were substituted references to a person receiving or, as the case may be, having received, assistance in pursuing self-employed earner’s employment whilst 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) 1999 in regulation 2(1) of those Regulations.

(3) The provisions to which paragraph (2)(23) refers are—

- (a) in the Housing Benefit Regulations, regulation 40(7), paragraph 68 of Schedule 4 and paragraphs 7 and 53 of Schedule 5;
- (b) in the Income Support Regulations, paragraph 63 of Schedule 9 and paragraphs 6 and 50 of Schedule 10;
- (c) in the Jobseeker’s Allowance Regulations, paragraph 61 of Schedule 6 and paragraphs 11 and 45 of Schedule 7.

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(22) Head (i) was substituted by regulation 4(2) of S.R. 1998 No. 182

(23) The provisions referred to in paragraph (3) were amended or, as the case may be, inserted by S.R. 1998 No. 182