
STATUTORY INSTRUMENTS

1998 No. 217

SOCIAL SECURITY

The New Deal (Miscellaneous Provisions) Order 1998

Made - - - - *6th February 1998*
Laid before Parliament *9th February 1998*
Coming into force - - *2nd March 1998*

Whereas arrangements known as “the New Deal” have been made by the Secretary of State under section 2 of the Employment and Training Act 1973^{M1} (“the 1973 Act”):

And whereas the New Deal includes a number of programmes of employment or employment related training known individually as “the Full-time Education and Training Option”, “the Voluntary Sector Option” and “the Environment Task Force Option”:

And whereas it appears to the Secretary of State that these arrangements make provision for persons using facilities provided in pursuance of them to receive payments in connection with their use of those facilities:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 26(1) (a), (c) and (d) and (2) of the Employment Act 1988^{M2} and all other powers enabling him in that behalf, hereby makes the following Order:—

Marginal Citations

M1 1973 c.50: section 2 was substituted by section 25(1) of the [Employment Act 1988 \(c.19\)](#).

M2 1988 c.19.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the New Deal (Miscellaneous Provisions) Order 1998 and shall come into force on 2nd March 1998.

(2) In this Order, unless the context otherwise requires—

[^{F1}“facilities” means facilities provided for the participant in pursuance of one or more of the New Deal Components;]

“the New Deal” means the arrangements known by that name and made under section 2 of the 1973 Act for which only persons who are aged 18 years or over and less than 26 years immediately prior to entry are eligible and which are designed to help New Deal Participants to obtain work or to improve their prospects of obtaining work;

“the New Deal Components” means any of the following, that is to say, the programmes of employment or employment-related training under the New Deal known individually as “the Full-time Education and Training Option”, “the Voluntary Sector Option” [^{F2}“the Employment Option”] and “the Environment Task Force Option”;

[^{F3}“trading receipt” means, in relation to a New Deal Participant under the Employment Option, any payment made to him in consideration of goods or services supplied by him in the course of his participation under that option;]

“training allowance” means a payment made directly by the Secretary of State to a New Deal Participant in connection with his participation in one or more of the New Deal components;

and a person is, or, as the case may be, was, at any material time, a “New Deal Participant” if he is, or, as the case may be, was, at that time, using facilities^{F4}

Textual Amendments

- F1** Words in art. 1(2) inserted (3.7.1998) by [The New Deal \(Miscellaneous Provisions\) \(Amendment\) Order 1998 \(S.I. 1998/1425\)](#), arts. 1, **2(2)(a)**
- F2** Words in art. 1(2) inserted (3.7.1998) by [The New Deal \(Miscellaneous Provisions\) \(Amendment\) Order 1998 \(S.I. 1998/1425\)](#), arts. 1, **2(2)(b)**
- F3** Words in art. 1(2) inserted (3.7.1998) by [The New Deal \(Miscellaneous Provisions\) \(Amendment\) Order 1998 \(S.I. 1998/1425\)](#), arts. 1, **2(2)(c)**
- F4** Words in art. 1(2) revoked (3.7.1998) by [The New Deal \(Miscellaneous Provisions\) \(Amendment\) Order 1998 \(S.I. 1998/1425\)](#), arts. 1, **2(2)(d)**

Treatment of persons and payments for the purposes of the Social Security Contributions and Benefits Act 1992, the Jobseekers Act 1995 and specified subordinate legislation

[^{F5}2.—(1) The provisions of this article apply for the purposes of—

- (a) Part I of the Social Security Contributions and Benefits Act 1992,
- (b) the Jobseekers Act 1995 and
- (c) the subordinate legislation specified in the Schedule to this Order.

(2) If, for any period or periods commencing with or falling after the date on which this Order comes into force, during which a person is a New Deal Participant and is participating in either the Full-time Education and Training Option, the Voluntary Sector Option or the Environment Task Force Option, that person receives, or is eligible to receive, a training allowance, he is to be treated for that period or those periods and in respect of his participation as not being employed but as participating in arrangements for training under section 2 of the 1973 Act; and accordingly any payment made to such a person during that period or those periods in connection with his use of facilities shall be treated in the same manner as a payment of training allowance made in respect of such training.

(3) If, for any period or periods commencing with or falling after the date on which this paragraph comes into force, during which a person is a New Deal Participant and is participating in the Employment Option in a capacity other than that of employee, that person receives, or is eligible to receive, a training allowance, he is to be treated for that period or those periods and in respect of his participation as not being employed but as participating in arrangements for training under section 2 of the 1973 Act; and accordingly any payment, other than a trading receipt, made to such a person during that period or those periods in connection with his use of facilities shall be treated in the same manner as a payment of training allowance made in respect of such training.]

Textual Amendments

F5 Art. 2 substituted (3.7.1998) by [The New Deal \(Miscellaneous Provisions\) \(Amendment\) Order 1998 \(S.I. 1998/1425\)](#), arts. 1, **2(3)**

Signed by order of the Secretary of State

Andrew Smith
Minister of State,
Department for Education and Employment

Changes to legislation: There are currently no known outstanding effects for the The New Deal (Miscellaneous Provisions) Order 1998. (See end of Document for details)

SCHEDULE

Article 2

LIST OF SUBORDINATE LEGISLATION

The Social Security (Credits) Regulations 1975 ^{M3}

Marginal Citations

M3 [S.I. 1975/556](#); relevant amending instruments are [S.I. 1987/414](#), 1988/1439 and 1545, 1989/1627, 1991/387 and 1996/2367.

Marginal Citations

M3 [S.I. 1975/556](#); relevant amending instruments are [S.I. 1987/414](#), 1988/1439 and 1545, 1989/1627, 1991/387 and 1996/2367.

The Social Security (Overlapping Benefits) Regulations 1979 ^{M4}

Marginal Citations

M4 [S.I. 1979/597](#); relevant amending instruments are [S.I. 1982/1173](#), 1988/1446 and 1991/387.

Marginal Citations

M4 [S.I. 1979/597](#); relevant amending instruments are [S.I. 1982/1173](#), 1988/1446 and 1991/387.

The Social Security (Unemployment, Sickness and Invalidity Benefit) Regulations 1983 ^{M5}

Marginal Citations

M5 [S.I. 1983/1598](#); relevant amending instruments are [S.I. 1989/872](#) and 1324 and 1991/387.

Marginal Citations

M5 [S.I. 1983/1598](#); relevant amending instruments are [S.I. 1989/872](#) and 1324 and 1991/387.

The Income Support (General) Regulations 1987 ^{M6}

Changes to legislation: There are currently no known outstanding effects for the The New Deal (Miscellaneous Provisions) Order 1998. (See end of Document for details)

Marginal Citations

M6 [S.I. 1987/1967](#); relevant amending instruments are [S.I. 1988/663](#) and 1445, 1989/1678, 1991/387, 1992/468 and 2115, 1993/2119, 1994/2139 and 1995/482 and 1613.

Marginal Citations

M6 [S.I. 1987/1967](#); relevant amending instruments are [S.I. 1988/663](#) and 1445, 1989/1678, 1991/387, 1992/468 and 2115, 1993/2119, 1994/2139 and 1995/482 and 1613.

The Social Security (Claims and Payments) Regulations 1987 ^{M7}

Marginal Citations

M7 [S.I. 1987/1968](#); relevant amending instruments are [S.I. 1990/2208](#) and 1991/387.

Marginal Citations

M7 [S.I. 1987/1968](#); relevant amending instruments are [S.I. 1990/2208](#) and 1991/387.

The Income Support (Transitional) Regulations 1987 ^{M8}

Marginal Citations

M8 [S.I. 1987/1969](#); relevant amending instruments are [S.I. 1989/1626](#) and 1991/387.

Marginal Citations

M8 [S.I. 1987/1969](#); relevant amending instruments are [S.I. 1989/1626](#) and 1991/387.

[^{F6}The Housing Benefit Regulations 2006;]

Textual Amendments

F6 Words in Sch. substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006](#) (S.I. 2006/217), reg. 1(1)Sch. 2 para. 14(1)(a)**Sch. 2 para. 14(2)(a)** (with regs. 2, 3, Sch. 3, Sch. 4)

Textual Amendments

F6 Words in Sch. substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006](#) (S.I. 2006/217), reg. 1(1)Sch. 2 para. 14(1)(a)**Sch. 2 para. 14(2)(a)** (with regs. 2, 3, Sch. 3, Sch. 4)

Changes to legislation: There are currently no known outstanding effects for the The New Deal (Miscellaneous Provisions) Order 1998. (See end of Document for details)

[^{F7}The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006;]

Textual Amendments

F7 Words in Sch. inserted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1)Sch. 2 para. 14(1)(b)**Sch. 2 para. 14(2)(a)** (with regs. 2, 3, Sch. 3, Sch. 4)

The Family Credit (General) Regulations 1987 ^{M9}

Marginal Citations

M9 [S.I. 1987/1973](#); relevant amending instruments are [S.I. 1988/660](#) and 1970, 1991/387, 1992/573, 1993/2119, 1994/2139 and 1995/2303.

Marginal Citations

M9 [S.I. 1987/1973](#); relevant amending instruments are [S.I. 1988/660](#) and 1970, 1991/387, 1992/573, 1993/2119, 1994/2139 and 1995/2303.

The Fire Precautions (Factories, Offices, Shops and Railway Premises) Order 1989 ^{M10}

Marginal Citations

M10 [S.I. 1989/76](#); the relevant amending instrument is [S.I. 1991/387](#).

Marginal Citations

M10 [S.I. 1989/76](#); the relevant amending instrument is [S.I. 1991/387](#).

The Students' Allowances (Scotland) Regulations 1991 ^{M11}

Marginal Citations

M11 [S.I. 1991/1522](#).

Marginal Citations

M11 [S.I. 1991/1522](#).

The Income Support (General) Amendment No. 4 Regulations 1991 ^{M12}

Marginal Citations

M12 [S.I. 1991/1559](#).

Marginal Citations

M12 [S.I. 1991/1559](#).

The Income Support (General) Amendment No. 6 Regulations 1991 ^{M13}

Marginal Citations

M13 [S.I. 1991/2334](#).

Marginal Citations

M13 [S.I. 1991/2334](#).

The Disability Working Allowance (General) Regulations 1991 ^{M14}

Marginal Citations

M14 [S.I. 1991/2887](#); relevant amending instruments are [S.I. 1992/2155](#), 1993/2119, 1994/2139 and 1995/2303.

Marginal Citations

M14 [S.I. 1991/2887](#); relevant amending instruments are [S.I. 1992/2155](#), 1993/2119, 1994/2139 and 1995/2303.

The Child Support (Maintenance Assessment Procedure) Regulations 1992 ^{M15}

Marginal Citations

M15 [S.I. 1992/1813](#); relevant amending instruments are [S.I. 1993/913](#) and 1995/1045.

Marginal Citations

M15 [S.I. 1992/1813](#); relevant amending instruments are [S.I. 1993/913](#) and 1995/1045.

[^{F8} The Council Tax Benefit Regulations 2006;]

Changes to legislation: There are currently no known outstanding effects for the The New Deal (Miscellaneous Provisions) Order 1998. (See end of Document for details)

Textual Amendments

F8 Words in Sch. substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1)Sch. 2 para. 14(1)(c)**Sch. 2 para. 14(2)(a)** (with regs. 2, 3, Sch. 3, Sch. 4)

Textual Amendments

F8 Words in Sch. substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1)Sch. 2 para. 14(1)(c)**Sch. 2 para. 14(2)(a)** (with regs. 2, 3, Sch. 3, Sch. 4)

[^{F9}The Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006;]

Textual Amendments

F9 Words in Sch. inserted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006 \(S.I. 2006/217\)](#), reg. 1(1)Sch. 2 para. 14(1)(d)**Sch. 2 para. 14(2)(a)** (with regs. 2, 3, Sch. 3, Sch. 4)

The Child Support (Maintenance Assessment and Special Cases) Regulations 1992 ^{M16}

Marginal Citations

M16 [S.I. 1992/1815](#); relevant amending instruments are [S.I. 1993/913](#) and 1995/1045.

Marginal Citations

M16 [S.I. 1992/1815](#); relevant amending instruments are [S.I. 1993/913](#) and 1995/1045.

The Education Authority Bursaries (Scotland) Regulations 1995 ^{M17}

Marginal Citations

M17 [S.I. 1995/1739](#).

Marginal Citations

M17 [S.I. 1995/1739](#).

The Jobseeker's Allowance Regulations 1996 ^{M18}

Changes to legislation: There are currently no known outstanding effects for the The New Deal (Miscellaneous Provisions) Order 1998. (See end of Document for details)

Marginal Citations

M18 [S.I. 1996/207](#); the relevant amending instrument is [S.I. 1997/827](#).

Marginal Citations

M18 [S.I. 1996/207](#); the relevant amending instrument is [S.I. 1997/827](#).

The Jobseeker's Allowance (Transitional Provisions) Regulations 1996 ^{M19}

Marginal Citations

M19 [S.I. 1996/2567](#), to which there are amendments not relevant to this Order.

Marginal Citations

M19 [S.I. 1996/2567](#), to which there are amendments not relevant to this Order.

The Social Security (Back to Work Bonus) (No. 2) Regulations 1996 ^{M20}

Marginal Citations

M20 [S.I. 1996/2570](#), to which there are amendments not relevant to this Order.

Marginal Citations

M20 [S.I. 1996/2570](#), to which there are amendments not relevant to this Order.

The Housing Renewal Grants Regulations 1996 ^{M21}

Marginal Citations

M21 [S.I. 1996/2890](#), to which there are amendments not relevant to this Order.

Marginal Citations

M21 [S.I. 1996/2890](#), to which there are amendments not relevant to this Order.

The Education (Mandatory Awards) Regulations 1997 ^{M22}

Changes to legislation: There are currently no known outstanding effects for the The New Deal (Miscellaneous Provisions) Order 1998. (See end of Document for details)

Marginal Citations

M22 [S.I. 1997/431](#).

Marginal Citations

M22 [S.I. 1997/431](#).

[^{F10}The Child Support (Maintenance Calculations and Special Cases) Regulations 2000]

Textual Amendments

F10 Sch. 1 added (3.3.2003 for specified purposes) by [The Child Support \(Consequential Amendments and Transitional Provisions\) Regulations 2001 \(S.I. 2001/158\)](#), regs. 1(3), **9**; [S.I. 2003/192](#), art. 3(1), Sch.

[^{F10} The Child Support (Maintenance Calculation Procedure) Regulations 2000]^{M23}

Marginal Citations

M23 [S.I. 2001/157](#).

Textual Amendments

F10 Sch. 1 added (3.3.2003 for specified purposes) by [The Child Support \(Consequential Amendments and Transitional Provisions\) Regulations 2001 \(S.I. 2001/158\)](#), regs. 1(3), **9**; [S.I. 2003/192](#), art. 3(1), Sch.

Marginal Citations

M23 [S.I. 2001/157](#).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides that, for the purposes of Part I of the Social Security Contributions and Benefits Act 1992 (c.4) and the Jobseekers Act 1995 (c.18) and of the subordinate legislations specified in the Schedule to the Order, a person using facilities provided in pursuance of any of the employment or employment-related training programmes known as “the Full-time Education and Training Option”, “the Voluntary Sector Option” and “the Environment Task Force Option” under the arrangements known as the New Deal and receiving or entitled to receive from the Secretary of State a training allowance in connection with the use of those facilities shall be treated as participating in arrangements for training under sections 2 of the Employment and Training Act

Changes to legislation: *There are currently no known outstanding effects for the The New Deal (Miscellaneous Provisions) Order 1998. (See end of Document for details)*

1973 (c.50). Any payment made to such a person in connection with his use of those facilities shall be treated as a payment of training allowance made in respect of such training.

Changes to legislation:

There are currently no known outstanding effects for the The New Deal (Miscellaneous Provisions) Order 1998.