

1999 No. 779

SOCIAL SECURITY

**The New Deal (25 plus) (Miscellaneous Provisions)
Order 1999**

<i>Made</i> - - - - -	<i>12th March 1999</i>
<i>Laid before Parliament</i>	<i>12th March 1999</i>
<i>Coming into force</i>	<i>2nd April 1999</i>

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(a) (“the 1973 Act”):

And whereas the New Deal includes an employment programme known as “the New Deal Pilot for 25 plus self employment route”:

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(b) hereby makes the following Order:–

Citation, commencement and interpretation

1.—(1) This Order may be cited as the New Deal (25 plus) (Miscellaneous Provisions) Order 1999 and shall come into force on 2nd April 1999.

(2) In this Order–

“the intensive activity period of the New Deal Pilot for 25 plus” means the arrangements known by that name and made under section 2 of the 1973 Act for which only persons who are aged over 25 years immediately prior to entry are eligible and which are designed to help participants to obtain work or to improve their prospects of obtaining work;

“the self-employment route” means receiving assistance in pursuing self-employed earner’s employment whilst participating in the intensive activity period of the New Deal Pilots for 25 plus;

“training allowance” means a payment made directly by the Secretary of State to a New Deal participant in connection with his participation;

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

2.—(1) The provisions of this article apply for the purposes of–

(a) Part I of the Social Security Contributions and Benefits Act 1992(c),

(a) 1973 c. 50: section 2 was substituted by section 25(1) of the Employment Act 1988 (c. 19).

(b) 1988 c. 19.

(c) 1992 c. 4.

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- (b) the Jobseekers Act 1995(a) and
- (c) the subordinate legislation specified in the Schedule to this Order.

(2) If during any period or periods commencing with or falling after the date on which this Order comes into force a person is participating in the New Deal Pilot for 25 plus within the self employment route and that person receives, or is eligible to receive, either a mandatory top-up payment or other payment made to him in order to assist with the expenses of participation, he is to be treated for that period or those periods and in respect of his participation as not being employed and any such payments made to such a person during that period or those periods in connection with his use of facilities shall be treated as a grant and not as a training allowance.

Signed by order of the Secretary of State

Andrew Smith
Minister of State,

12th March 1999

Department for Education and Employment.

SCHEDULE

Article 2

LIST OF SUBORDINATE LEGISLATION

The Social Security (Credits) Regulations 1975(b)

The Social Security (Overlapping Benefits) Regulations 1979(c)

The Income Support (General) Regulations 1987(d)

The Social Security (Claims and Payments) Regulations 1987(e)

The Income Support (Transitional) Regulations 1987(f)

►¹The Housing Benefit Regulations 2006;

The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006;◄

The Family Credit (General) Regulations 1987(g)

The Fire Precautions (Factories, Offices, Shops and Railway Premises) Order 1989(h)

The Income Support (General) Amendment No. 4 Regulations 1991(i)

¹References substituted & inserted in Sch. by para. 14(2)(b) of Sch. 2 to S.I. 2006/217 as from 6.3.06.

(a) 1995 c. 18.

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

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

(d) 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, 1995/1613, 1997/65 and 2863, 1998/563 and 1174 and 2117 and 2825.

(e) S.I. 1987/1968; relevant amending instruments are S.I. 1990/2208 and 1991/387, 1996/1460 and 1997/793.

(f) S.I. 1987/1969; relevant amending instruments are S.I. 1989/1626 and 1991/387.

(g) 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. 1997/65 and 2863, 1998/563 and 1174 and 2117 and 2825.

(h) S.I. 1989/76; the relevant amending instrument is S.I. 1991/387.

(i) S.I. 1991/1559.

The Income Support (General) Amendment No. 6 Regulations 1991(a).

The Disability Working Allowance (General) Regulations 1991(b).

The Child Support (Maintenance Assessment Procedure) Regulations 1992(c).

¹The Council Tax Benefit Regulations 2006;

The Council Tax Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006;◀

The Child Support (Maintenance Assessment and Special Cases) Regulations 1992(d).

The Education Authority Bursaries (Scotland) Regulations 1995(e).

The Jobseeker's Allowance Regulations 1996(f).

The Jobseeker's Allowance (Transitional Provisions) Regulations 1996(g).

The Social Security (Back to Work Bonus) (No. 2) Regulations 1996(h).

The Housing Renewal Grants Regulations 1996(i).

The Education (Mandatory Awards) Regulations 1997(j).

The Social Security (New Deal Pilot) Regulations 1998(k).

²The Child Support (Maintenance Calculations and Special Cases) Regulation 2000
The Child Support Maintenance Calculations Procedure) Regulations 2000(l)◀

¹References substituted & inserted in the Sch. by para. 14(2)(b) of Sch. 2 to S.I. 2006/217 as from 6.3.06.

²Legislation added to list by reg. 9 of S.I. 2001/158 as from date on which S.I. of Child Support, Pensions and Social Security Act 2000 comes into force in relation to that case.

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 legislation specified in the Schedule to the Order, a person using facilities provided in pursuance of the employment programme known as “the intensive activity period of the New Deal Pilot for 25 plus self employment route” and receiving or entitled to receive in connection with the use of those facilities a top-up payment or assistance with the expenses of participation or both shall be treated as not being employed and as being in receipt of a grant rather than a training allowance. The effect of the Order is that receipt of the top-up payment or expenses on the part of those using the facilities does not affect their entitlement to continue to receive jobseeker's allowance nor the conditions on which jobseeker's allowance is paid to them.

This Order does not impose any charge on business.

(a) S.I. 1991/2334.

(b) S.I. 1991/2887; relevant amending instruments are S.I. 1992/2155, 1993/2119, 1994/2139 and 1995/482 and 2303, 1997/65 and 2863, 1998/1174 and 2117 and 2825.

(c) S.I. 1992/1813; relevant amending instruments are S.I. 1993/913 and 1995/1045.

(d) S.I. 1992/1815; relevant amending instruments are S.I. 1993/913 and 1995/1045.

(e) S.I. 1995/1739.

(f) S.I. 1996/207; the relevant amending instruments are S.I. 1997/65 and 827 and 2863, 1998/563 and 1174 and 1274 and 2117 and 2825.

(g) S.I. 1996/2567, to which there are amendments not relevant to this Order.

(h) S.I. 1996/2570, to which there are amendments not relevant to this Order.

(i) S.I. 1996/2890, the relevant amending instrument is 1998/808.

(j) S.I. 1998/1166.

(k) S.I. 1998/2825.

(l) S.I. 2001/157.

