

**2001 No. 970**

**SOCIAL SECURITY**

**New Deal (Miscellaneous Provisions) Order 2001**

<i>Made</i> - - - -	<i>13th March 2001</i>
<i>Laid before Parliament</i>	<i>15th March 2001</i>
<i>Coming into force</i>	<i>9th April 2001</i>

Whereas arrangements known as “the Intensive Activity Period” and “the Intensive Activity Period for 50 plus” 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 Intensive Activity Period and the Intensive Activity Period for 50 plus include a number of programmes of employment or employment-related training:

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)** and all other powers enabling him in that behalf, hereby makes the following Order:—

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as the New Deal (Miscellaneous Provisions) Order 2001 and shall come into force on 9th April 2001.

(2) In this Order—

“facilities” means facilities provided for the participant in pursuance of the Intensive Activity Period or the Intensive Activity Period for 50 plus;

“the Intensive Activity Period” means the arrangements known by that name and made under section 2 of the 1973 Act for which only persons who are aged 25 years or over and less than 50 years on the day of entry are eligible and which are designed to help participants to obtain work or to improve their prospects of obtaining work;

“the Intensive Activity Period for 50 plus” means the arrangements known by that name and made under section 2 of the 1973 Act for which only persons who are aged 50 years or over

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

**(b)** 1988 c. 19.

on the day of entry are eligible and which are designed to help participants to obtain work or to improve their prospects of obtaining work;

“training allowance” means a payment made directly by the Secretary of State to a participant in the Intensive Activity Period or the Intensive Activity Period for 50 plus 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**(a)**,
- (b) The Jobseekers Act 1995**(b)**, 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 participating in the Intensive Activity Period or the Intensive Activity Period for 50 plus, 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, subject to paragraph (3), any payment made to such a person during that period or these 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) Paragraph (2) shall not apply in respect of any trading payment made to a person receiving assistance in pursuing self-employed earner’s employment whilst participating in the Intensive Activity Period or the Intensive Activity Period for 50 plus.

13th March 2001

*Tessa Jowell*  
Minister of State,  
Department for Education and Employment

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(a) 1992 c. 4.

(b) 1995 c. 18 amended by Schedule 7 to the Welfare Reform and Pensions Act 1999 (c. 30).

## **SCHEDULE**

Article 2

### **LIST OF SUBORDINATE LEGISLATION**

- The Social Security (Credits) Regulations 1975 (S.I. 1975/556)
- The Social Security (Overlapping Benefits) Regulations 1979 (S.I. 1979/597)
- The Income Support (General) Regulations 1987 (S.I. 1987/1967)
- The Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968)
- The Income Support (Transitional) Regulations 1987 (S.I. 1987/1969)
- The Housing Benefit (General) Regulations 1987 (S.I. 1987/1971)
- The Family Credit (General) Regulations 1987 (S.I. 1987/1973)
- The Fire Precautions (Factories, Offices, Shops and Railway Premises) Order 1989 (S.I. 1989/76)
- The Income Support (General) Amendment No. 4 Regulations 1991 (S.I. 1991/1559)
- The Income Support (General) Amendment No. 6 Regulations 1991 (S.I. 1991/2334)
- The Disability Working Allowance (General) Regulations 1991 (S.I. 1991/2887)
- The Child Support (Maintenance Assessment Procedure) Regulations 1992 (S.I. 1992/1813)
- The Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814)
- The Child Support (Maintenance Assessment and Special Cases) Regulations 1992 (S.I. 1992/1815)
- The Education Authority Bursaries (Scotland) Regulations 1995 (S.I. 1995/1739)
- The Jobseeker's Allowance Regulations 1996 (S.I. 1996/207)
- The Jobseeker's Allowance (Transitional Provisions) Regulations 1996 (S.I. 1996/2567)
- The Social Security (Back to Work Bonus) (No. 2) Regulations 1996 (S.I. 1996/2570)
- The Housing Renewal Grants Regulations 1996 (S.I. 1996/2890)
- The Education (Student Support) Regulations 2000 (S.I. 2000/1121)
- The Education (Mandatory Awards) Regulations 2000 (S.I. 2000/2123)
- Child Support (Maintenance Calculation Procedure) Regulations 2000 (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 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” or “the Intensive Activity Period for 50 plus” 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 not as being employed but as participating in arrangements for training under section 2 of the Employment and Training Act 1973 (c. 50). Any payment made to such a person in connection with his use of those facilities, other than a trading payment made to a person receiving assistance in pursuing self-employed earner’s employment, shall be treated as a payment of training allowance made in respect of such training.

**£1.75**

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E 0604 04/01 ON (MFK)