1985 No. 121

HEALTH AND SAFETY

Health and Safety (Youth Training Programme) Regulations (Northern Ireland) 1985

Made	*23rd May 1985*
Coming into operation . . .	*1st July 1985*

The Department of Economic Development being the Department concerned(**a**) in exercise of the powers conferred on it by Article 2(5) of the Health and Safety at Work (Northern Ireland) Order 1978(**b**) and of every other power enabling it in that behalf, and after consultation, in accordance with Article 46(1) of that Order, with the Health and Safety Agency for Northern Ireland and such other bodies as appear to the Department to be appropriate, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Health and Safety (Youth Training Programme) Regulations (Northern Ireland) 1985 and shall come into operation on 1st July 1985.

Interpretation

2. In these Regulations—

"the Order of 1978" means the Health and Safety at Work (Northern Ireland) Order 1978;

"training" includes work experience received as part of a training programme; it does not include training on a course at a university, college, school or similar educational or technical institute, but it does include training at a work preparation unit or a training establishment run or grant-aided by the Department of Economic Development;

"Youth Training Programme" means the Youth Training Programme administered by the Department of Economic Development under Sections 1(1) and 3 of the Employment and Training Act (Northern Ireland) 1950(**c**).

Meaning of "work" and "at work"

3. For the purposes of Parts I and II of the Order of 1978:

  (*a*) the meaning of the word "work" shall be extended to include training under the Youth Training Programme;

  (*b*) a trainee under the Youth Training Programme shall be at work throughout the time when he would be in the course of his employment, were such training being provided under a contract of employment, but not otherwise; and the meaning of "at work" shall be so extended;

and in that connection, in the other relevant statutory provisions "work" and "at work" shall be construed accordingly.

(**a**) *See* Article 2(2) of S.I. 1978/1039 (N.I. 9)
(**b**) S.I. 1978/1039 (N.I. 9)
(**c**) 1950 c. 29 (N.I.)

Meaning of "employee", "employer", etc.

4. For the purposes of the relevant statutory provisions a trainee under the Youth Training Programme, who is not employed under a contract of employment, shall be treated as being the employee of the person whose undertaking (whether carried on by him for profit or not) is for the time being the immediate provider to that trainee of training under the Programme; and "employee", "worker", "employer" and related expressions in those provisions shall be construed accordingly.

Sealed with the Official Seal of the Department of Economic Development on 23rd May 1985.

(L.S.)   *R. Wilson*

                                                   Assistant Secretary

---

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations give to those trainees under the Youth Training Programme who are not employees the protection for and duties of employees under the relevant statutory provisions as defined in the Health and Safety at Work (Northern Ireland) Order 1978.

For the purposes of those provisions, regulation 3 extends the meaning of "work" and "at work" to include training as defined in regulation 2 and regulation 4 provides that such trainees shall be treated as if they were employees of the person whose undertaking is the provider of training at the relevant time.

The Regulations do not apply in relation to training on a course at a university, college, school or similar educational or technical institute, but do apply in relation to training under the Youth Training Programme at a work preparation unit or a training establishment run or grant-aided by the Department of Economic Development.

1985 No. 122

**Road Races (Holywood Hill Climb)
Order (Northern Ireland) 1985**

This Order, being of a temporary character, is not printed at length in this volume.