

2006 No. 142

STATUTORY SICK PAY

**The Statutory Sick Pay (General) (Amendment) Regulations
(Northern Ireland) 2006**

Made - - - - - *16th March 2006*

Coming into operation - - - - - *10th April 2006*

The Department for Social Development makes the following Regulations in exercise of the powers conferred by section 147(4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(a) and now vested in it(b):

Citation and commencement

1. These Regulations may be cited as the Statutory Sick Pay (General) (Amendment) Regulations (Northern Ireland) 2006 and shall come into operation on 10th April 2006.

Amendment of the Statutory Sick Pay (General) Regulations

2. In regulation 2(1) of the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982(c) (persons deemed incapable of work), for sub-paragraph (b) there shall be substituted the following sub-paragraph—

“(b) he is—

- (i) excluded or abstains from work, or from work of such a kind, pursuant to a request or notice in writing lawfully made under a statutory provision, or
 - (ii) otherwise prevented from working pursuant to a statutory provision,
- by reason of his being a carrier, or having been in contact with a case, of an infectious disease to which—

- (aa) section 15(1) of the Public Health Act (Northern Ireland) 1967(d) (power to require person in contact with infectious disease to discontinue employment and compensation therefor) applies,

(a) 1992 c. 7; section 147(4) was amended by paragraph 34 of Schedule 1 to the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I. 1994/1898 (N.I. 12))
(b) See Article 8(b) of S.R. 1999 No. 481
(c) S.R. 1982 No. 263
(d) 1967 c. 36; section 15(1) was amended by paragraph 75(c) of Schedule 16 to the Health and Personal Social Services (Northern Ireland) Order 1972 (S.I. 1972/1265 (N.I. 14)) and Article 32(1) and (2)(c) of the Health and Personal Social Services (Northern Ireland) Order 1991 (S.I. 1991/194 (N.I. 1))

- (bb) regulations 8 and 9 of the Public Health (Aircraft) Regulations (Northern Ireland) 1971(a) (examination, etc., of persons on aircraft and powers in respect of persons leaving aircraft) apply, or
- (cc) regulations 9 and 10 of the Public Health (Ships) Regulations (Northern Ireland) 1971(b) (examination, etc., of persons on ships and powers in respect of certain persons on ships) apply.”.

Sealed with the Official Seal of the Department for Social Development on 16th March 2006.



John O'Neill

A senior officer of the Department for Social Development

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982 to provide that a person is deemed incapable of work if he is excluded or abstains from work or is otherwise prevented from working pursuant to public health legislation, in order to prevent the spread of an infectious disease.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.

(a) S.R. & O. (N.I.) 1971 No. 182
(b) S.R. & O. (N.I.) 1971 No. 183

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