

2020 No. 167

SOCIAL SECURITY

TERMS AND CONDITIONS OF EMPLOYMENT

**The Statutory Sick Pay (General) (Coronavirus Amendment)
(No. 5) Regulations (Northern Ireland) 2020**

Made - - - -

4th August 2020

Coming into operation -

5th August 2020

The Department for Communities(a), makes the following Regulations in exercise of the powers conferred by sections 147(4) and (4A), and 171(1), (3), (4) and (5A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(b), and now vested in it(c).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Statutory Sick Pay (General) (Coronavirus Amendment) (No. 5) Regulations (Northern Ireland) 2020 and come into operation on 5th August 2020.

(2) The Interpretation Act (Northern Ireland) 1954(d) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment of the Statutory Sick Pay (General) Regulations (Northern Ireland)

2.—(1) Schedule 1 to the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982(e) is amended in accordance with paragraphs (2) to (5).

(2) In paragraph 1, for “5B” substitute “5D”.

(3) In paragraphs 2 and 4, for “7” substitute “10”.

(4) In paragraph 5B, for sub-paragraph (b) substitute—

“(b) is staying at home until the date specified in a relevant notification.”.

(5) After paragraph 5B insert—

-
- (a) The Department for Social Development was renamed the Department for Communities in accordance with section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))
- (b) 1992 c. 7. Section 147(4) was amended by SR.1994/1898. Section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21). Section 147(4A) and section 171(5A) were inserted by section 44 of the Coronavirus Act 2020 (c.7). .
- (c) Functions previously discharged by the Department of Health and Social Services were transferred to the Department for Social Development in accordance with Article 8(b) of S.R. 1999 No. 481 and section 1(7) of the Departments Act (Northern Ireland) 2016
- (d) 1954 c.33 (N.I.).
- (e) S.R. 1982 No. 263; relevant amending Regulations are S.R. 2020 Nos. 32, 54, 66, 89 and 134

“5C. The person (P), or someone the person lives with or is in an extended household or a linked household with (S), has tested positive for coronavirus and P or S is staying at home

-
- (a) for 10 days beginning with the day (“day 1”) P or S first had the symptoms of coronavirus or, if earlier, the day on which P or S were notified that they had tested positive for coronavirus; or
 - (b) if P or S still has symptoms of coronavirus at the end of the period specified in sub-paragraph (a), until P or S no longer has those symptoms.

5D. Where P or S is staying at home pursuant to paragraph 5C—

- (a) paragraphs 2, 4 and 5B no longer apply to P;
- (b) paragraph 3 no longer applies to S.”.

Sealed with the Official Seal of the Department for Communities on 4th August 2020
(L.S.)

Anne McCleary
A senior officer of the Department for Communities

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations amends the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982 (S.R. 1982 No. 263) to ensure that a person is entitled to statutory sick pay for the full period for which they are required to self-isolate and for the period a person is required to stay at home after testing positive for coronavirus.

These Regulations make in relation to Northern Ireland only provision corresponding to provisions 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.

No regulatory impact assessment has been produced for these Regulations in view of the urgency required to provide additional financial support to those unable to work as a result of coronavirus.

© Crown copyright 2020

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office being the Government Printer for Northern Ireland and the Officer appointed to print Acts of the Northern Ireland Assembly.

£4.90

NI202008041014 08/2020 19585

<http://www.legislation.gov.uk/id/nisr/2020/167>

ISBN 978-0-33-801342-2



9 780338 013422