

2020 No. 89

SOCIAL SECURITY

TERMS AND CONDITIONS OF EMPLOYMENT

**The Statutory Sick Pay (General) (Coronavirus Amendment)
(No. 4) Regulations (Northern Ireland) 2020**

Made - - - - *28th May 2020*

Coming into operation - *1st June 2020*

The Department for Communities(a), makes the following Regulations in exercise of the powers conferred by sections 147(4) 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. 4) Regulations (Northern Ireland) 2020 and come into operation on 1st June 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

2.—(1) The Schedule (isolation due to coronavirus) to the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982(e) is amended in accordance with paragraphs (2) to (4).

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

(3) After paragraph 5A insert—

“**5B.** The person—

- (a) has been advised by a relevant notification that he has had contact with a person who at the time of the contact was infected by coronavirus or has been in contact with a person who has symptoms of coronavirus, however mild, and

(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 paragraph 34 of Schedule 1 to, the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I. 1994/1898 (N.I. 12)). Section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21). 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; the Schedule was inserted by regulation 3(3) of S.R. 2020 No. 54 and paragraph 5A was inserted by regulation 2(3) of S.R. 2020 No.66

(b) is staying at home until the end of the period of 14 days beginning with the latest date on which that contact occurred, or (if sooner) until the date specified in the latest relevant notification.”.

(4) In paragraph 6, after the definition of “public health guidance” insert—

““relevant notification” means a notification in writing sent to, or in respect of, a person by the Regional Agency for Public Health and Social Well Being(a); and”.

Sealed with the Official Seal of the Department for Communities on 28th May 2020

(L.S.)

Anne McCleary

A senior officer of the Department for Communities

(a) The Regional Agency for Public Health and Social Well Being was established under the Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1 (N.I.))

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Schedule to the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982 (“the 1982 Regulations”). Regulation 2 of the 1982 Regulations provides that a person who is self-isolating in accordance with the Schedule is deemed to be incapable of work.

Regulation 2 of these Regulations adds a new category of person to the Schedule. This is a person who has been notified that they have had contact with a person with coronavirus or a person who has symptoms of coronavirus, and who is self-isolating for 14 days from the latest date on which that contact occurred, or a date specified in the latest notification.

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.

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.

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