
EXPLANATORY NOTE

(This note is not part of the Regulations)

This instrument contains only Regulations made consequential upon section 2 of the Statutory Sick Pay Act 1991 (c. 3). As it is made before the end of the period of 6 months beginning with the coming into force of that enactment (14th February 1991) it is exempted by section 61(5) of the Social Security Act 1986 (c. 50) (as amended by the Social Security Act 1989 (c. 24), Schedule 8, paragraph 12(3)) from reference to the Social Security Advisory Committee and has not been so referred.

The Statutory Sick Pay Act 1991 (“the 1991 Act”) provides for the amount of statutory sick pay reimbursed to employers to be reduced from 100 per cent to 80 per cent. Certain relief is introduced by section 2 of the 1991 Act for small employers. Regulation 2 of these Regulations assigns a meaning to the term “small employer”. An employer is a small employer where the amount of his contributions payments did not exceed £15,000 in the qualifying tax year.

Regulation 3 prescribes 6 as the number of weeks an employee needs to have been entitled to statutory sick pay in any one period of incapacity for work before the small employer qualifies for relief on payments of statutory sick pay to that employee.