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STATUTORY INSTRUMENTS

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**1999 No. 776**

**SOCIAL SECURITY  
TERMS AND CONDITIONS OF EMPLOYMENT**

**The Statutory Sick Pay and Statutory  
Maternity Pay (Decisions) Regulations 1999**

*Made - - - - 9th March 1999*

*Laid before Parliament 17th March 1999*

*Coming into force - - 1st April 1999*

The Secretary of State for Social Security, in exercise of powers conferred by section 20(3) of the Social Security Administration Act 1992(1), sections 8(1)(f) and 25(3) of the Social Security Contributions (Transfer of Functions, etc.) Act 1999(2) and of all other powers enabling him in that behalf, with the concurrence of the Commissioners of Inland Revenue(3), hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Statutory Sick Pay and Statutory Maternity Pay (Decisions) Regulations 1999 and shall come into force on 1st April 1999.

(2) In these Regulations—

- (a) “the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992(4);
- (b) “employee” and “employer” have, in relation to—
  - (i) statutory sick pay, the meanings given by section 163(1) of the Contributions and Benefits Act;
  - (ii) statutory maternity pay, the meanings given by section 171(1) of the Contributions and Benefits Act.

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(1) 1992 c. 5.

(2) 1999 c. 2.

(3) See section 8(1)(f) of the Social Security Contributions (Transfer of Functions, etc.) Act 1999.

(4) 1992 c. 4.

**Application for the determination of any issue arising as to, or in connection with, entitlement to statutory sick pay or statutory maternity pay**

2.—(1) An application for the determination of any issue arising as to, or in connection with, entitlement to statutory sick pay or statutory maternity pay may be submitted to an officer of the Board by—

- (a) the Secretary of State; or
- (b) the employee concerned.

(2) Such an issue shall be decided by an officer of the Board only on the basis of such an application or on his own initiative.

**Applications in connection with statutory sick pay or statutory maternity pay**

3.—(1) An application for the determination of any issue referred to in regulation 2 above shall be made only in writing, in a form approved for the purpose by the Board, or in such other manner, being in writing, as an officer of the Board may accept as sufficient in the circumstances.

(2) Where such an application is made by an employee, it shall—

- (a) be delivered or sent to an office of the Board within 6 months of the earliest day in respect of which entitlement to statutory sick pay or statutory maternity pay is in issue;
- (b) state the period in respect of which entitlement to statutory sick pay or statutory maternity pay is in issue; and
- (c) state the grounds (if any) on which the applicant's employer has denied liability for statutory sick pay or statutory maternity pay in respect of the period specified in the application.

**Revocation of regulation 20 of the Social Security (Adjudication) Regulations 1995**

4. Regulation 20 of the Social Security (Adjudication) Regulations 1995(5) is hereby revoked.

Signed by authority of the Secretary of State for Social Security.

9th March 1999

*Hugh Bayley*  
Parliamentary-Under Secretary of State,  
Department of Social Security

We concur in the making of these Regulations

9th March 1999

*S. C. T. Matheson*  
*T. J. Flesher*  
Commissioners of Inland Revenue

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations provide for the determination of issues arising as to or in connection with statutory sick pay and statutory maternity pay.

Regulation 2 provides for such issues to be submitted to an officer of the Board of Inland Revenue for decision.

Regulation 3 provides for the manner in which such an application is to be submitted.

Regulation 4 revokes regulation 20 of the Social Security (Adjudication) Regulations 1995.