

**2020 No. 186**

**SOCIAL SECURITY**

**TERMS AND CONDITIONS OF EMPLOYMENT**

**The Statutory Sick Pay (General) (Coronavirus Amendment)  
(No. 6) Regulations (Northern Ireland) 2020**

*Made* - - - - - 25th August 2020

*Coming into operation* - 26th 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) and (4) 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. 6) Regulations (Northern Ireland) 2020 and come into operation on 26th 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 (4).

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

(3) After paragraph 5D insert—

“5E. The person-

- (a) has received a pre-surgery notification;
- (b) has been advised to stay at home for a period of up to 14 days before the date on which the person is to be admitted to hospital for the purpose of undergoing the procedure referred to in the pre-surgery notification; and

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(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) was 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

(c) is staying at home in accordance with that advice.”.

(4) In paragraph 6, insert in the appropriate place—

““pre-surgery notification” means a notification in writing, advising a person that they are to undergo a surgical or other hospital procedure, which is sent by or on behalf of—

(a) any person or body who may issue a relevant notification; or

(b) a registered medical practitioner.”.

Sealed with the Official Seal of the Department for Communities on 25th 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 Schedule 1 to the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982 (S.R. 1982 No. 263) to provide that a person is entitled to statutory sick pay if they -

- (a) have been notified that they are to undergo a surgical or other hospital procedure;
- (b) have been advised to stay at home for a period of up to 14 days prior to being admitted to hospital for that procedure; and
- (c) stay at home pursuant to that advice.

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.

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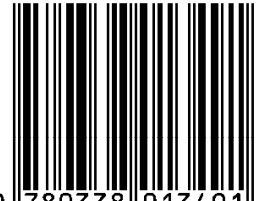
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