

2020 No. 351

SOCIAL SECURITY

TERMS AND CONDITIONS OF EMPLOYMENT

**The Statutory Sick Pay (General) (Coronavirus Amendment)
(No. 7) Regulations (Northern Ireland) 2020**

Made - - - - - *23rd December 2020*

Coming into operation - - - - - *24th December 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. 7) Regulations (Northern Ireland) 2020 and come into operation on 24th December 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) Schedule 1 to the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982(e) is amended in accordance with paragraphs (2) to (5).

(2) In paragraphs 2 and 4 for “10” substitute “11”(f).

(3) In paragraph 3 for “14” substitute “11”.

(4) For paragraph 5C(g) substitute—

“**5C.** The person (P), or someone P 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) 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. Sections 147(4A) and 171(5A) were inserted by section 44 of the Coronavirus Act 2020 (c. 7). Section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21). Section 171(5) was amended by section 11(1) of, and paragraph 34 of Schedule 1 to the 1994 Act.

(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. 54, 89, 134 and 167

(f) Paragraphs 2 and 4 were amended by regulation 2(3) of S.R. 2020 No. 167

(g) Paragraph 5C was inserted by regulation 2(5) of S.R. 2020 No. 167

- (a) for—
 - (i) the period specified in a relevant notification which informs P or S that they had tested positive for coronavirus; or
 - (ii) in any other circumstances, 11 days beginning with the day on which P or S first had the symptoms of coronavirus or, if earlier, the day on which P or S was given the coronavirus test which returned a positive result;
- (b) for—
 - (i) the period specified in a relevant notification which informs P that they have had close contact with a person who has tested positive for coronavirus; or
 - (ii) informs S that they have tested positive for coronavirus; or
- (c) if P still has symptoms of coronavirus at the end of the period mentioned in subparagraph (a)(i) or (ii) (as the case may be), until P no longer has those symptoms.

(5) In paragraph 6, in the definition of “relevant notification”(a), after “means a notification” insert “given orally (either in person or by telephone) or”, and omit “sent”.

Sealed with the Official Seal of the Department for Communities on 23rd December 2020
(L.S.)

Anne McCleary
A senior officer of the Department for Communities

(a) Definition of “relevant notification” was inserted by regulation 2(4) of S.R. 2020 No. 89

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).

Regulation 2(1) to (4) amends Schedule 1 to the 1982 Regulations to reflect changes to the self-isolation requirements where a person has symptoms of coronavirus, tests positive for coronavirus or is a household contact of a person who has coronavirus. These provisions ensure that people who have to self-isolate for these reasons are deemed to be incapable of work for the full period for which they have to isolate.

Regulation 2(5) allows relevant notifications to be given orally.

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.

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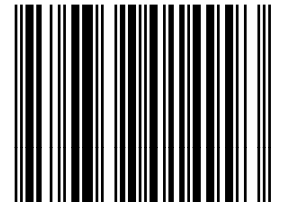
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