

## 1984 No. 2037

## TERMS AND CONDITIONS OF EMPLOYMENT

**The Statutory Sick Pay Up-rating Order 1984***Laid before Parliament in draft**Made - - - - 28th December 1984**Coming into Operation 6th April 1985*

Whereas, the Secretary of State for Social Services having made a review under section 7 of the Social Security and Housing Benefits Act 1982(a), a draft of the following Order was laid before Parliament in accordance with the provisions of section 7(5) of that Act and approved by resolution of each House of Parliament:

Now, therefore, the Secretary of State for Social Services, in exercise of the powers conferred upon him by section 7(5), (6) and (10) of the above-mentioned Act, and of all other powers enabling him in that behalf, hereby makes the following Order:—

*Citation and commencement*

1. This Order may be cited as the Statutory Sick Pay Up-rating Order 1984 and shall come into operation on 6th April 1985.

*Increase of specified sums*

2.—(1) The sums specified in section 7(1) of the Social Security and Housing Benefits Act 1982(b) (relationship between rates of payment of statutory sick pay and employees' normal weekly earnings) shall be increased in accordance with the provisions of this article with effect from 6th April 1985.

(2) The sums specified in section 7(1)(a) shall be increased from £42.25 and £68 to £44.35 and £71 respectively.

(3) The sums specified in section 7(1)(b) shall be increased from £35.45, £68 and £50.50 to £37.20, £71 and £53 respectively.

(4) The sum specified in section 7(1)(c) shall be increased from £28.55 to £30.

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(a) 1982 c. 24.

(b) The sums specified in section 7(1), as enacted, were increased by the Statutory Sick Pay Up-rating Order 1983 (S.I. 1983/123), and the Statutory Sick Pay Up-rating (No. 2) Order 1983 (S.I. 1983/1947).

*Transitional provision*

3. Where a period of entitlement as between an employer and an employee is running at 6th April 1985—

- (a) in a case where the employee's normal weekly earnings under his contract of service with that employer are not less than £68 they shall be treated as not less than £71 for the remainder of that period;
- (b) in a case where the employee's normal weekly earnings under his contract of service with that employer are less than £68 but not less than £50.50 they shall be treated as less than £71 but not less than £53 for the remainder of that period.

*Revocation*

4. The Statutory Sick Pay Up-rating (No. 2) Order 1983(a) is hereby revoked.

*Norman Fowler,*  
Secretary of State for Social Services.

28th December 1984.

**EXPLANATORY NOTE**

*(This Note is not part of the Order.)*

A draft of this Order has been laid before Parliament and approved by resolution of each House. The Order is made in consequence of a review carried out by the Secretary of State under section 7 of the Social Security and Housing Benefits Act 1982 ("the 1982 Act") for the purpose of determining whether the sums payable in respect of statutory sick pay and the weekly earnings limits have retained their value in relation to the general level of prices obtaining in Great Britain. For the purposes of the review the Secretary of State estimated the general level of prices by reference to the movement in the Retail Price Index in the year to the end of October 1984, during which the index rose by 5 per cent.

The Order increases further the sums specified in section 7(1) of the 1982 Act so that with effect from 6th April 1985 statutory sick pay payable by an employer will be at the weekly rate of £44.35 where the employee's normal weekly earnings under his contract of service with that employer are not less than £71, at the weekly rate of £37.20, where those earnings are less than £71 but not less than £53, or at the weekly rate of £30 in any other case. The Order contains a transitional provision for cases where a period of entitlement is running at 6th April 1985.

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(a) S.I. 1983/1947.



SI 1984/2037  
ISBN 0-11-048037-6



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