
STATUTORY INSTRUMENTS

2007 No. 825

**The Employment Equality (Age)
(Consequential Amendments) Regulations 2007**

Amendment of the Social Security Contributions and Benefits Act 1992

2.—(1) The Social Security Contributions and Benefits Act 1992⁽¹⁾ is amended as follows.

(2) Before paragraph 6 of Schedule 11 (circumstances in which periods of entitlement to statutory sick pay do not arise) insert—

“**5A.**—(1) Paragraph 2(d)(i) above does not apply if, at the relevant date, the employee is over pensionable age and is not entitled to incapacity benefit.

(2) Paragraph 2(d)(i) above ceases to apply if, at any time after the relevant date, the employee is over pensionable age and is not entitled to incapacity benefit.

(3) In this paragraph “pensionable age” has the meaning given by the rules in paragraph 1 of Schedule 4 to the Pensions Act 1995.”.

⁽¹⁾ 1992 c. 4. Paragraph 2(d) was substituted by paragraph 43(2) of Schedule 1 to the Social Security (Incapacity for Work) Act 1994. Paragraph 5 was repealed by the Social Security (Incapacity for Work) Act 1994, Section 11, Schedule 1 paragraph 43(3), Schedule 2.