

STATUTORY INSTRUMENTS

2020 No. 374

The Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations 2020

Suspension of waiting days

2.—(1) Section 155(1) (limitations on entitlement) of the Social Security Contributions and Benefits Act 1992 (“the 1992 Act”) does not apply in relation to an employee where—

- (a) that employee's period of incapacity for work is related to coronavirus; and
- (b) the first day of incapacity for work in that period arose on or after 13th March 2020.

(2) Paragraph (1) applies in relation to a day of incapacity for work that falls on or after 13th March 2020.

(3) In this regulation—

- (a) “period of incapacity for work” has the meaning given by section 152 of the 1992 Act; and
- (b) a period of incapacity for work is related to coronavirus if the employee is—
 - (i) incapable by reason of infection or contamination with coronavirus, or
 - (ii) deemed, in accordance with regulation 2(1)(c) [^{F1}or (d)] of the Statutory Sick Pay (General) Regulations 1982 ^{M1}, to be incapable by reason of coronavirus, of doing work which the employee can reasonably be expected to do under the employee's contract of service.

(4) The reference to regulation 2(1)(c) [^{F2}or (d)] in paragraph (3)(b) above is a reference to the regulation which was in force on the first day of incapacity for work in question.

Textual Amendments

- F1** Words in reg. 2(3)(b)(ii) inserted (6.7.2020) by [The Statutory Sick Pay \(Coronavirus\) \(Suspension of Waiting Days and General Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/681\)](#), regs. 1, 3 (with savings in [S.I. 2022/381](#), regs. 1(1), 2)
- F2** Words in reg. 2(4) inserted (6.7.2020) by [The Statutory Sick Pay \(Coronavirus\) \(Suspension of Waiting Days and General Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/681\)](#), regs. 1, 3 (with savings in [S.I. 2022/381](#), regs. 1(1), 2)

Modifications etc. (not altering text)

- C1** [Reg. 2](#) savings provision (25.3.2022) by [The Statutory Sick Pay \(Coronavirus\) \(Suspension of Waiting Days\) \(Saving Provision\) Regulations 2022 \(S.I. 2022/381\)](#), regs. 1(1), 2

Commencement Information

- I1** Reg. 2 in force at 28.3.2020, see [reg. 1](#)

Changes to legislation: There are currently no known outstanding effects for the The Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations 2020, Section 2. (See end of Document for details)

Marginal Citations

M1 [S.I. 1982/894](#). Paragraph (1)(c) was inserted by [S.I. 2020/287](#), and amended by [S.I. 2020/304](#) and regulation 3 of these Regulations.

Changes to legislation:

There are currently no known outstanding effects for the The Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations 2020, Section 2.