
STATUTORY INSTRUMENTS

2020 No. 512

**The Statutory Sick Pay (Coronavirus) (Funding
of Employers' Liabilities) Regulations 2020**

PART 2

Eligibility for funding

When an employee's incapacity for work is related to coronavirus

- 5.—(1) An employee's incapacity for work is related to coronavirus if the employee is—
- (a) incapable by reason of infection or contamination with coronavirus, or
 - (b) deemed, in accordance with regulation 2(1)(c) of the Statutory Sick Pay (General) Regulations 1982⁽¹⁾, 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, and references in these Regulations to an employee's period of incapacity for work related to coronavirus shall be construed in accordance with this regulation.

(2) The reference to regulation 2(1)(c) of the Statutory Sick Pay (General) Regulations 1982 in paragraph (1)(b) is a reference to the regulation which was in force on the first day of incapacity for work in question.

⁽¹⁾ S.I. 1982/894. Paragraph (1)(c) was inserted by S.I. 2020/287 and amended by S.I. 2020/304, 2020/374.