
STATUTORY RULES OF NORTHERN IRELAND

1994 No. 461

**The Social Security (Incapacity Benefit)
Regulations (Northern Ireland) 1994**

Part II

Entitlement to Incapacity Benefit: Supplementary Provisions

Days of statutory sick pay to be included in days of entitlement to incapacity benefit

6. —

(1) For the purposes of section 30D(3) (which provides for days of entitlement to statutory sick pay to be included in calculating the number of days for which a person has been entitled to short-term incapacity benefit) the days which are to be included are any of the days specified in paragraph (2) which—

- (a) fell within a period of entitlement to statutory sick pay as between that person and his employer which ended not later than the 57th day before the first day of the period of incapacity for work to which that calculation relates; and
- (b) fell on or after a day on which the person satisfied the contribution conditions for short-term incapacity benefit.

(2) The specified days referred to in paragraph (1) are—

- (a) in any week in which the employer was liable to pay that person statutory sick pay at the weekly rate specified in section 153(1)(1) (rate of payment), each day of that week; and
- (b) in any week in which the employer was liable to pay that person statutory sick pay at a fraction of that weekly rate, each of the days of that week which would comprise the same fraction of a 7 day week,

and any fractions of days produced by that calculation shall be included in the calculation for the following week; and for any fraction of a day not accounted for at the end of that period of entitlement, one additional day shall be added.

(1) Section 153(1) is amended by Article 10(1) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 with effect from 6th April 1995