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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 569**

**STATUTORY SICK PAY**

**The Statutory Sick Pay (General) (Amendment)  
Regulations (Northern Ireland) 1996**

*Made - - - - 10th December 1996*

*Coming into operation 6th April 1997*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by sections 122(4)(a) and 165(1) of the Social Security Administration (Northern Ireland) Act 1992(1) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Statutory Sick Pay (General) (Amendment) Regulations (Northern Ireland) 1996 and shall come into operation on 6th April 1997.

(2) The Interpretation Act (Northern Ireland) 1954(2) shall apply to these Regulations as it applies to a Measure of the Assembly.

**Amendment of the Statutory Sick Pay (General) Regulations**

2. In regulation 13 of the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982(3) (records to be maintained by employers)—

- (a) the existing provision shall be numbered as paragraph (1);
- (b) after paragraph (1) there shall be added the following paragraph—

“(1A) For the purposes of paragraph (1)(b) only, the employer is not to be regarded as having made a payment of statutory sick pay where, in respect of any day recorded under paragraph (1)(a), the employee is entitled to receive, and does in fact receive, a payment or payments by way of contractual remuneration from his employer which, in aggregate, equal or exceed the amount of statutory sick pay payable in respect of that day.”.

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(1) 1992 c. 8  
(2) 1954 c. 33 (N.I.)  
(3) S.R. 1982 No. 263; relevant amending regulations are S.R. 1996 No. 108

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland on 10th December 1996.

L.S.

*John O'Neill*  
Assistant Secretary

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## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations further amend the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982 (“the principal Regulations”).

Regulation 2 amends regulation 13 of the principal Regulations (which relates to records to be maintained by employers) by adding a new paragraph (1A) which provides that any payment, or payments, of contractual remuneration which equal or exceed the amount of statutory sick pay payable in respect of a day of incapacity, shall not be regarded as a payment of statutory sick pay for the purpose of the record keeping requirements of that regulation only.

These Regulations correspond to provision contained in Regulations made by the Secretary of State for Social Security in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.