
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 159

SOCIAL SECURITY

**The Statutory Sick Pay and Statutory Maternity Pay
(Decisions) Regulations (Northern Ireland) 1999**

Made - - - - *26th March 1999*
Coming into operation *1st April 1999*

The Department of Health and Social Services for Northern Ireland, in exercise of the powers conferred on it by section 18(3) of the Social Security Administration (Northern Ireland) Act 1992⁽¹⁾ and Articles 7(1)(f) and 23(5) of the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999⁽²⁾ and of all other powers enabling it in that behalf, and with the concurrence of the Commissioners of Inland Revenue in so far as their concurrence is required⁽³⁾, by this statutory rule, which contains only regulations made by virtue of, or consequential upon, the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Statutory Sick Pay and Statutory Maternity Pay (Decisions) Regulations (Northern Ireland) 1999 and shall come into operation on 1st April 1999.

(2) In these Regulations “employee” and “employer”, in relation to—

- (a) statutory sick pay, have the meanings given by section 159(1) of the Contributions and Benefits Act;
- (b) statutory maternity pay, have the meanings given by section 167(1) of that Act.

Application for the determination of any issue arising as to, or in connection with, entitlement to statutory sick pay or statutory maternity pay

2.—(1) An application for the determination of any issue arising as to, or in connection with, entitlement to statutory sick pay or statutory maternity pay may be submitted to an officer of the Board by—

- (a) the Department; or
- (b) the employee concerned.

(1) 1992 c. 8

(2) S.I.1999/671

(3) See Article 7(1)(f) of the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999

(2) Such an issue shall be decided by an officer of the Board only on the basis of such an application or on his own initiative.

Applications in connection with statutory sick pay or statutory maternity pay

3.—(1) An application for the determination of any issue referred to in regulation 2 shall be made only in writing, in a form approved for the purpose by the Board, or in such other manner, being in writing, as an officer of the Board may accept as sufficient in the circumstances.

(2) Where such an application is made by an employee, it shall—

- (a) be delivered or sent to an office of the Board within 6 months of the earliest day in respect of which entitlement to statutory sick pay or statutory maternity pay is in issue;
- (b) state the period in respect of which entitlement to statutory sick pay or statutory maternity pay is in issue; and
- (c) state the grounds (if any) on which the applicant's employer has denied liability for statutory sick pay or statutory maternity pay in respect of the period specified in the application.

Revocation of regulation 20 of the Social Security (Adjudication) Regulations

4. Regulation 20 of the Social Security (Adjudication) Regulations (Northern Ireland) 1995(4) is hereby revoked.

Sealed with the Official Seal of the Department of Health and Social Services for Northern Ireland
on

L.S.

25th March 1999.

John O'Neill
Assistant Secretary

The Commissioners of Inland Revenue hereby concur.

26th March 1999

S. C. T. Matheson
G. H. Bush
Two of the Commissioners of Inland Revenue

(4) [S.R. 1995 No. 293](#); to which there are amendments not relevant to these regulations

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations provide for the determination of issues arising as to, or in connection with, statutory sick pay and statutory maternity pay.

Regulation 2 provides for such issues to be submitted to an officer of the Board of Inland Revenue for decision.

Regulation 3 provides for the manner in which such an application is to be submitted.

Regulation 4 revokes regulation 20 of the Social Security (Adjudication) Regulations (Northern Ireland) 1995.

Article 7(1)(f) of the Social Security Contributions (Transfer of Functions, etc.) (Northern Ireland) Order 1999, one of the enabling provisions under which these Regulations are made, was brought into operation on 24th March 1999 by virtue of Article 1(2)(c) of that Order. Since the Regulations are made before the end of the period of 6 months from the commencement of that enabling provision, they are, accordingly, exempt, by virtue of section 150(5)(b) of the Social Security Administration (Northern Ireland) Act 1992 from reference to the Social Security Advisory Committee.