Social Security Contributions and Benefits (Northern Ireland) Act 1992 (c. 7) 1
SCHEDULE 12 – Relationship of Statutory Sick Pay with Benefits and Other Payments, etc.
Document Generated: 2024-06-28

S C H E D U L E S

SCHEDULE 12

RELATIONSHIP OF STATUTORY SICK PAY WITH BENEFITS AND OTHER PAYMENTS, ETC.

Contractual remuneration

2   (1) Subject to sub-paragraphs (2) and (3) below, any entitlement to statutory sick pay shall not affect any right of an employee in relation to remuneration under any contract of service ("contractual remuneration").

(2) Subject to sub-paragraph (3) below—

   (a)   any contractual remuneration paid to an employee by an employer of his in respect of a day of incapacity for work shall go towards discharging any liability of that employer to pay statutory sick pay to that employee in respect of that day; and

   (b)   any statutory sick pay paid by an employer to an employee of his in respect of a day of incapacity for work shall go towards discharging any liability of that employer to pay contractual remuneration to that employee in respect of that day.

(3) Regulations may make provision as to payments which are, and those which are not, to be treated as contractual remuneration for the purposes of sub-paragraph (1) or (2) above.

Changes to legislation:
Social Security Contributions and Benefits (Northern Ireland) Act 1992, Cross Heading:
Contractual remuneration is up to date with all changes known to be in force on or before 28
June 2024. There are changes that may be brought into force at a future date. Changes that have
been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

– Act modified by S.R. 2019/211 art. 2(2)(b) (This amendment not applied to
legislation.gov.uk. Affecting Order revoked (19.12.2020) without ever being in force
by S.R. 2020/347, arts. 1(1), 2)

Whole provisions yet to be inserted into this Act (including any effects on those
provisions):

– s. 167ZZ10(5) inserted by 2022 c. 5 (N.I.) s. 4 Sch. Pt. 2 para. 38
– s. 4C(5)(i)(j) repealed by 2008 c. 1 (N.I.) Sch. 4 para. 41(3)(c)Sch. 6 Pt. 7
– s. 5A para. 2 sum modified by S.R. 2022/231 art. 4(4)
– s. 11A(1)(eb) inserted by 2021 c. 26 Sch. 27 para. 14 (This amendment not applied
to legislation.gov.uk. The existing section 11A of Act repealed by paragraph 4(2) of
the Schedule to the National Insurance Contributions (Reduction in Rates) Act 2023
(c. 57))
– s. 30B(3)(b) word substituted by S.I. 1995/3213 (N.I.) Sch. 2 Pt. 3 para. 14(b)
– s. 30B(4)(aa) inserted by S.I. 2015/2006 (N.I.) Sch. 9 para. 3
– s. 30B(4)(aa) word repealed by S.I. 2015/2006 (N.I.) Sch. 12 Pt. 8
– s. 35(1)(e) and word inserted by S.I. 2015/2006 (N.I.) art. 68(2)(a)
– s. 35(3)(za) inserted by S.I. 2015/2006 (N.I.) art. 68(2)(b)
– s. 45(2A)(a) words substituted by 2012 c. 3 (N.I.) Sch. 3 para. 1(3)(b)
– s. 45(2A)(b) substituted by 2012 c. 3 (N.I.) Sch. 3 para. 1(3)(c)
– s. 46(5)(6) added by 2008 c. 13 (N.I.) Sch. 3 para. 6(3)
– s. 46(5)(a) words substituted by 2012 c. 3 (N.I.) Sch. 3 para. 2
– s. 47(4A) inserted by 2008 c. 13 (N.I.) s. 81(6)
– s. 83A substituted for ss. 83, 84 by S.I. 1995/3213 (N.I.) Sch. 2 Pt. 2 para. 2
– s. 83A(1) words substituted by 2004 c. 33 Sch. 24 para. 90(a)
– s. 83A(2) words inserted by 2004 c. 33 Sch. 24 para. 90(b)
– s. 83A(3) words inserted by 2004 c. 33 Sch. 24 para. 90(b)
– s. 123(1)(ea) inserted by S.I. 2015/2006 (N.I.) art. 65(2)(a)
– s. 123(1)(ga) inserted by 2010 c. 13 (N.I.) s. 5(1)(a)
– s. 123(1C) inserted by S.I. 2015/2006 (N.I.) art. 65(2)(b)
– s. 123(6A)(6B) inserted by 2010 c. 13 (N.I.) s. 5(1)(b)
– s. 123A inserted by S.I. 2015/2006 (N.I.) art. 65(3)
– s. 123A transfer of functions by S.R. 2016/76 Sch. 4 Pt. 1
– s. 123A(2) words omitted by S.R. 2016/76 Sch. 6 para. 38
– s. 123A(4)(b) words omitted by S.R. 2016/76 Sch. 6 para. 38
– s. 129B-129F inserted (temp. until 31.12.2010) by 2007 c. 2 (N.I.) s. 31(1)
– s. 134(2A) inserted by 2010 c. 13 (N.I.) s. 15(2)
– s. 136(4)(ca) inserted by 2010 c. 13 (N.I.) s. 15(6)
– s. 136(4A) inserted by 2010 c. 13 (N.I.) s. 15(7)
– s. 146(2A) inserted by S.I. 2015/2006 (N.I.) Sch. 3 para. 3(c)
– s. 160(2)(aa) inserted by S.I. 2015/2006 (N.I.) art. 68(3)(a)
– s. 160(9)(da) inserted by S.I. 2015/2006 (N.I.) art. 68(3)(b)
– s. 167ZA(2)(ba) inserted by S.I. 2015/2006 (N.I.) art. 68(4)(a)
– s. 167ZA(3A) inserted by S.I. 2015/2006 (N.I.) art. 68(4)(b)
– s. 167ZB(2)(ba) inserted by S.I. 2015/2006 (N.I.) art. 68(5)(a)
– s. 167ZB(3A) inserted by S.I. 2015/2006 (N.I.) art. 68(5)(b)
– s. 167ZE(2A) inserted by 2015 c. 1 (N.I.) s. 12(3)(b)
– s. 167ZE(2B) inserted by 2015 c. 1 (N.I.) s. 12(3)(c)
– s. 167ZL(2)(ba) inserted by S.I. 2015/2006 (N.I.) art. 68(6)(a)

–   s. 167ZL(8)(za) inserted by S.I. 2015/2006 (N.I.) art. 68(6)(c)
–   s. 167ZU(2)(ca) inserted by S.I. 2015/2006 (N.I.) art. 69(2)
–   s. 167ZU(4)(da) inserted by S.I. 2015/2006 (N.I.) art. 69(3)
–   s. 167ZW(2)(ca) inserted by S.I. 2015/2006 (N.I.) art. 69(4)
–   s. 167ZW(4)(da) inserted by S.I. 2015/2006 (N.I.) art. 69(5)
–   s. 167ZY(5) words repealed by 2022 c. 18 (N.I.) Sch. 5
–   s. 167ZZ9(2)(ba) inserted by 2022 c. 5 (N.I.) s. 4 Sch. Pt. 2 para. 37
–   s. 169A inserted by S.I. 2015/2006 (N.I.) art. 68(7)
–   s. 172(4B) inserted by 2012 c. 3 (N.I.) Sch. 3 para. 4(4)
–   Sch. 4 Pt. 1 para. 2 repealed by 2007 c. 2 (N.I.) Sch. 8
–   Sch. 4 Pt. 1 para. 2A repealed by 2007 c. 2 (N.I.) Sch. 8
–   Sch. 4 Pt. 4 para. 1A repealed by 2007 c. 2 (N.I.) Sch. 8
–   Sch. 4 Pt. 4 para. 2 repealed by 2007 c. 2 (N.I.) Sch. 8
–   Sch. 4C inserted by 2008 c. 13 (N.I.) Sch. 2
–   Sch. 4C para. 7(2)(c) inserted by 2012 c. 3 (N.I.) Sch. 3 para. 6(7)(b)
–   Sch. 4C para. 7(3) inserted by 2012 c. 3 (N.I.) Sch. 3 para. 6(8)
–   Sch. 4C para. 3 omitted by 2012 c. 3 (N.I.) Sch. 3 para. 6(3)
–   Sch. 4C para. 7(2)(b) word inserted by 2012 c. 3 (N.I.) Sch. 3 para. 6(7)(a)
–   Sch. 4C para. 1 words substituted by 2012 c. 3 (N.I.) Sch. 3 para. 6(2)
–   Sch. 4C para. 2 words substituted by 2012 c. 3 (N.I.) Sch. 3 para. 6(2)
–   Sch. 4C para. 5(b) words substituted by 2012 c. 3 (N.I.) Sch. 3 para. 6(4)
–   Sch. 4C para. 6 words substituted by 2012 c. 3 (N.I.) Sch. 3 para. 6(5)
–   Sch. 4C para. 7(1) words substituted by 2012 c. 3 (N.I.) Sch. 3 para. 6(4)
–   Sch. 4C para. 7(1) words substituted by 2012 c. 3 (N.I.) Sch. 3 para. 6(6)
–   Sch. 5 para. 000A1(4) omitted by 2012 c. 3 (N.I.) Sch. 2 para. 3(2)
–   Sch. 11 para. 2(i) inserted by S.I. 2015/2006 (N.I.) art. 68(8)(a)
–   Sch. 11 para. 9 inserted by S.I. 2015/2006 (N.I.) art. 68(8)(b)