



Social Security Administration (Northern Ireland) Act 1992

1992 CHAPTER 8

PART VII

[^{F1}INFORMATION]

Statutory sick pay and other benefits

121 Disclosure by the Department for purpose of determination of period of entitlement to statutory sick pay.

Where the Department considers that it is reasonable for information held by the Department to be disclosed to an employer, for the purpose of enabling that employer to determine the duration of a period of entitlement under Part XI of the Contributions and Benefits Act in respect of an employee, or whether such a period exists, the Department may disclose the information to that employer.

122 Duties of employers - statutory sick pay and claims for other benefits.

(1) Regulations may make provision requiring an employer, in a case falling within subsection (3) below to furnish information in connection with the making, by a person who is, or has been, an employee of that employer, of a claim for—

- [^{F1}(za) universal credit;]
- [^{F2}(a) short-term incapacity benefit;]
- (b) a maternity allowance;
- [^{F3}(c) long-term incapacity benefit;]
- (d) industrial injuries benefit; ^{F4} . . .
- ^{F4}(e)
- [^{F5}(f) an employment and support allowance.]

(2) Regulations under this section shall prescribe—

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- (a) the kind of information to be furnished in accordance with the regulations;
 - (b) the person to whom information of the prescribed kind is to be furnished; and
 - (c) the manner in which, and period within which, it is to be furnished.
- (3) The cases are—
- (a) where, by virtue of paragraph 2 of Schedule 11 to the Contributions and Benefits Act or of regulations made under paragraph 1 of that Schedule, a period of entitlement does not arise in relation to a period of incapacity for work;
 - (b) where a period of entitlement has come to an end but the period of incapacity for work which was running immediately before the period of entitlement came to an end continues; and
 - (c) where a period of entitlement has not come to an end but, on the assumption that—
 - (i) the period of incapacity for work in question continues to run for a prescribed period; and
 - (ii) there is no material change in circumstances,
 the period of entitlement will have ended on or before the end of the prescribed period.
- (4) Regulations [^{F6}made with the concurrence of the Inland Revenue]—
- (a) may require employers to maintain such records in connection with statutory sick pay as may be prescribed;
 - (b) may provide for—
 - (i) any person claiming to be entitled to statutory sick pay; or
 - (ii) any other person who is a party to proceedings arising under Part XI of the Contributions and Benefits Act,
 to furnish to the Department [^{F7}or the Inland Revenue (as the regulations may require)], within a prescribed period, any information required for the determination of any question arising in connection therewith; and
 - (c) may require employers who have made payments of statutory sick pay to furnish to the Department [^{F7}or the Inland Revenue (as the regulations may require)] such documents and information, at such times, as may be prescribed.
- [^{F8}(5) Regulations made with the concurrence of the Inland Revenue may require employers to produce wages sheets and other documents and records to officers of the Inland Revenue, within a prescribed period, for the purpose of enabling them to satisfy themselves that statutory sick pay has been paid, and is being paid, in accordance with regulations under section 5 above, to employees or former employees who are entitled to it.]

Textual Amendments

- F1** S. 122(1)(za) inserted (27.9.2017) by [The Welfare Reform \(Northern Ireland\) Order 2015](#) (S.I. 2015/2006), art. 2(2), [Sch. 2 para. 17](#); S.R. 2017/190, art. 4(1)(2)(g)(ii)
- F2** S. 122(1)(a) substituted (13.4.1995) by S.I. 1994/1898 (N.I. 12), art. 13(1), [Sch. 1 Pt. II para. 48\(a\)](#); S.R. 1994/450, art. 2, [Sch. 1 Pt. IV](#)
- F3** S. 122(1)(c) substituted (13.4.1995) by S.I. 1994/1898 (N.I. 12), art. 13(1), [Sch. 1 Pt. II para. 48\(b\)](#); S.R. 1994/450, art. 2, [Sch. 1 Pt. IV](#)

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- F4** S. 122(1)(e) and preceding word repealed (3.11.2000 for certain purposes, otherwise 6.4.2001) by S.I. 1999/3147 (N.I. 11), art. 67, **Sch. 10 Pt. IV** (with art. 75); S.R. 2000/332, **art. 2(3)(g)-(5)** (subject to art. 3 of the said S.R. 2000/332 (as amended by S.R. 2001/114, **art. 3**) and to art. 4 of the said S.R. 2000/332)
- F5** S. 122(1)(f) added (27.10.2008) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), s. 60(1), **Sch. 3 para. 4(17)**; S.R. 2008/276, art. 2(2)(d), Sch. Pt. 2
- F6** Words in s. 122(4) inserted (24.3.1999 for certain purposes, otherwise 1.4.1999) by S.I. 1999/671, arts. 1(2), 3(1), **Sch. 1 para. 29(a)**; S.R. 1999/149, art. 2(c), **Sch. 2** (subject to arts. 3-6 of the said S.R.)
- F7** Words in s. 122(4)(b)(c) inserted (24.3.1999 for certain purposes, otherwise 1.4.1999) by S.I. 1999/671, arts. 1(2), 3(1), **Sch. 1 para. 29(b)**; S.R. 1999/149, art. 2(c), **Sch. 2** (subject to arts. 3-6 of the said S.R.)
- F8** S. 122(5) inserted (1.1.2005) by National Insurance Contributions and Statutory Payments Act 2004 (c. 3), **ss. 10(2)**, 13; S.I. 2004/1943, art. 3(b)

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

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to legislation.gov.uk. [S.I. 2018/1125, reg. 8](#) omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))
- Act modified by [S.R. 2019/211 art. 2\(2\)\(a\)](#) (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. 101(1)(4)(5)s. 101(6)(a)(b) words repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 2A(9) added by [2010 c. 13 \(N.I.\) Sch. 1 para. 24](#)
- s. 2G(1)(d) inserted by [S.I. 2015/2006 \(N.I.\) art. 65\(5\)](#)
- s. 5(1A)-(1C) inserted by [2010 c. 13 \(N.I.\) s. 18\(2\)\(c\)](#)
- s. 31A(1A) words substituted by [S.I. 2015/2006 \(N.I.\) Sch. 4 para. 11\(a\)\(ii\)](#)
- s. 104A(1A)-(1C) inserted by [2007 c. 2 \(N.I.\) s. 42\(3\)](#)
- s. 110A inserted by [2007 c. 2 \(N.I.\) s. 43](#)
- s. 110A repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 110A heading word inserted by [S.I. 2015/2006 \(N.I.\) art. 114\(4\)](#)
- s. 110A(2) words substituted by [S.I. 2015/2006 \(N.I.\) art. 114\(5\)\(a\)](#)
- s. 110A(4)(b) words substituted by [S.I. 2015/2006 \(N.I.\) art. 114\(5\)\(b\)](#)
- s. 110A(4)(b) words substituted by [S.I. 2015/2006 \(N.I.\) art. 114\(6\)](#)
- s. 110ZA inserted by [S.I. 2015/2006 \(N.I.\) art. 114\(2\)](#)
- s. 110ZA repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- s. 116E and cross-heading inserted by [2010 c. 13 \(N.I.\) s. 16\(3\)](#)
- s. 126(2)-(2B) substituted for s. 126(2) by [2007 c. 2 \(N.I.\) s. 35](#)
- s. 130AB inserted by [2008 c. 13 \(N.I.\) Sch. 3 para. 14](#)
- s. 140C inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 20](#)
- s. 166(2)(ac) inserted by [2010 c. 13 \(N.I.\) s. 17](#)