

STATUTORY RULES OF NORTHERN IRELAND

2020 No. 37

SOCIAL SECURITY

The Statutory Sick Pay (General) (Coronavirus Amendment) (No. 2) Regulations (Northern Ireland) 2020

Made - - - - *18th March 2020*

Coming into operation *19th March 2020*

The Department for Communities ^{M1} makes the following Regulations in exercise of the powers conferred by sections 147(4), 149(6) and 171(1), (3) and (4) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 ^{M2} and now vested in it ^{M3}.

Marginal Citations

- M1** The Department for Social Development was renamed the Department for Communities in accordance with section 1(7) of the [Departments Act \(Northern Ireland\) 2016 \(c.5 \(N.I.\)\)](#)
- M2** [1992 c. 7; section 171\(1\)](#) was amended by paragraph 5 of Schedule 4 to the [Tax Credits Act 2002 \(c. 21\)](#)
- M3** Functions previously discharged by the Department of Health and Social Services were transferred to the Department for Social Development in accordance with Article 8(b) of S.R. [1999 No. 481](#) and section 1(7) of the [Departments Act \(Northern Ireland\) 2016 \(c.5 \(N.I.\)\)](#)

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Statutory Sick Pay (General) (Coronavirus Amendment) (No. 2) Regulations (Northern Ireland) 2020 and shall come into operation on 19th March 2020.

(2) The Interpretation Act (Northern Ireland) 1954 ^{M4} shall apply to these Regulations as it applies to an Act of the Assembly.

Marginal Citations

- M4** [1954 c. 33 \(N.I.\)](#)

Amendment of the Statutory Sick Pay (General) Regulations

2.—(1) Regulation 2 (persons deemed incapable of work) of the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982 ^{M5} is amended in accordance with paragraphs (2) and (3).

(2) In in paragraph (1)(c)(i) ^{M6} —

- (a) omit “disease”; and
- (b) for “12th” substitute “ 16th ”.

(3) In paragraph (3) ^{M7} for the definition of “coronavirus disease” substitute—
““coronavirus” means severe acute respiratory syndrome coronavirus 2.”.

Marginal Citations

- M5** S.R. 1982 No. 263; relevant amending Regulations are S.R. 2006 No. 142, S.R. 2012 No. 121 and S.R. 2020 No. 32
- M6** Paragraph (1)(c)(i) was inserted by regulation 2(2) of S.R. 2020 No. 32
- M7** Paragraph (3) was inserted by regulation 2(3) of S.R. 2020 No. 32

Expiry

^{F13}

Textual Amendments

- F1** Reg. 3 omitted (28.3.2020) by virtue of *The Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations (Northern Ireland) 2020* (S.R. 2020/54), regs. 1, 5

Sealed with the Official Seal of the Department for Communities on 18th March 2020

L.S.

Anne McCleary
A senior officer of the
Department for Communities

EXPLANATORY NOTE

(This note is not part of the Regulations)

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

Regulation 2(1) of the 1982 Regulations provides for categories of people to be treated as incapable of work for the purposes of claiming statutory sick pay. The Statutory Sick Pay (General) (Coronavirus Amendment) Regulations (Northern Ireland) 2020 (S.R. 2020/32) amend regulation 2(1) to provide that a person who is isolating himself from others in accordance with advice on coronavirus disease effective on 12th March 2020 is deemed to be incapable of work. These Regulations amend that date to 16th March 2020.

That guidance is published in digital form only on www.publichealth.hscni.net/news/covid-19-coronavirus.

There is a requirement for the Department to keep these Regulations under review, and they will cease to have effect eight months after 13th March 2020 (the date the Statutory Sick Pay (General) (Coronavirus Amendment) Regulations (Northern Ireland) 2020 came into operation).

No regulatory impact assessment has been produced for these Regulations in view of the urgency required to ensure that reference is made to the latest guidance in order to encourage self-isolation and to minimise the risks to public health arising from coronavirus disease.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions 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.

Changes to legislation:

There are currently no known outstanding effects for the The Statutory Sick Pay (General) (Coronavirus Amendment) (No. 2) Regulations (Northern Ireland) 2020.