

---

## STATUTORY INSTRUMENTS

---

# 1982 No. 894

## The Statutory Sick Pay (General) Regulations 1982

### Time limits for paying statutory sick pay

9.—(1) In this regulation, “pay day” means a day on which it has been agreed, or it is the normal practice, between an employer and an employee of his, that payments by way of remuneration are to be made, or, where there is no such agreement or normal practice, the last day of a calendar month.

(2) In any case where—

- (a) a decision has been made by an [<sup>F1</sup>adjudication officer], [<sup>F1</sup>social security appeal tribunal] or Commissioner in proceedings under Part I that an employee is entitled to an amount of statutory sick pay; and
- (b) the time for bringing an appeal against the decision has expired and either—
  - (i) no such appeal has been brought; or
  - (ii) such an appeal has been brought and has been finally disposed of,

that amount of statutory sick pay is to be paid within the time specified in paragraph (3).

(3) Subject to paragraphs (4) and (5), the employer is required to pay the amount not later than the first pay day after—

- (a) where an appeal has been brought, the day on which the employer receives notification that it has been finally disposed of;
- (b) where leave to appeal has been refused and there remains no further opportunity to apply for leave, the day on which the employer receives notification of the refusal; and
- (c) in any other case, the day on which the time for bringing an appeal expires.

(4) Subject to paragraph (5), where it is impracticable, in view of the employer's methods of accounting for an paying remuneration, for the requirement of payment referred to in paragraph (3) to be met by the pay day referred to in that paragraph, it shall be met not later than the next following pay day.

(5) Where the employer would not have remunerated the employee for his work on the day of incapacity for work in question (if it had not been a day of incapacity for work) as early as the pay day specified in paragraph (3) or (if it applies) paragraph (4), the requirement of payment shall be met on the first day on which the employee would have been remunerated for his work on that day.

**F1** Words in reg. 9(2) substituted (23.4.1984) by [Health And Social Services And Social Security Adjudications Act 1983 \(c. 41\)](#), ss. 25, 32(2), [Sch. 8 para. 1\(3\)\(a\)](#) (1984/216, art. 2 Sch. 2)

**Status:**

This revised version has been created from an electronic version contributed by Westlaw which was originally derived from the printed publication.

**Read more****Changes to legislation:**

There are currently no known outstanding effects for the The Statutory Sick Pay (General) Regulations 1982, Section 9.