
STATUTORY INSTRUMENTS

1982 No. 894

The Statutory Sick Pay (General) Regulations 1982

[^{F1}Liability of the Secretary of State for payments of statutory sick pay

9A.—(1) Notwithstanding the provisions of section 1 of the Act and subject to paragraph (4), where—

- (a) an adjudicating authority has determined that an employer is liable to make payments of statutory sick pay to an employee, and
- (b) the time for appealing against that determination has expired, and
- (c) no appeal against the determination has been lodged or leave to appeal against the determination is required and has been refused,

then for any day of incapacity for work in respect of which it was determined the employer was liable to make those payments, and for any further days of incapacity for work which fall within the same spell of incapacity for work and in respect of which the employer was liable to make payments of statutory sick pay to that employee, the liability to make payments of statutory sick pay in respect of those days shall, to the extent that payment has not been made by the employer, be that of the Secretary of State and not the employer.

(2) For the purposes of this regulation a spell of incapacity for work consists of consecutive days of incapacity for work with no day of the week disregarded.

(3) In paragraph (1) above “adjudicating authority” means, as the case may be, the Chief or other adjudication officer, [^{F2}the First-tier Tribunal or the Upper Tribunal.].

(4) This regulation shall not apply to any liability of an employer to make a payment of statutory sick pay where the day of incapacity for work in respect of which the liability arose falls within a period of entitlement which commenced before 6th April 1987.]

F1 Regs. 9A-9C inserted (6.4.1987) by [The Statutory Sick Pay \(General\) Amendment Regulations 1987 \(S.I. 1987/372\)](#), **reg. 2**

F2 Words in reg. 9A(3) substituted (3.11.2008) by [The Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), art. 1, **Sch. 1 para. 18**

Status:

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