
STATUTORY INSTRUMENTS

1985 No. 126

TERMS AND CONDITIONS OF EMPLOYMENT

The Statutory Sick Pay (General) Amendment Regulations 1985

<i>Made</i>	- - - -	<i>3rd February 1985</i>
<i>Laid before Parliament</i>		<i>12th February 1985</i>
<i>Coming into Operation</i>		<i>5th March 1985</i>

The Secretary of State for Social Services, in exercise of the power conferred upon him by section 4(2) of the Social Security and Housing Benefits Act 1982(1), and of all other powers enabling him in that behalf, by this instrument, which satisfies the requirements of section 22(1) (o) of the Health and Social Security Act 1984 in that it contains only regulations made by virtue of the power contained in the words inserted in the before-mentioned section 4 by paragraph 7 of Schedule 7 to the said Act of 1984 and before the expiry of the period of 6 months beginning with the commencement of that paragraph, makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Statutory Sick Pay (General) Amendment Regulations 1985 and shall come into operation on 5th March 1985.

Qualifying days

2.—(1) Regulation 5 of the Statutory Sick Pay (General) Regulations 1982 (qualifying days) shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (2), after the words “or were qualifying days” there shall be inserted the words “or where in any week the only day or days are or were such as are referred to in paragraph (3)”.

(3) After paragraph (2) there shall be inserted the following paragraph:—

“(3) No effect shall be given to any agreement between an employee and his employer to treat as qualifying days—

- (a) any day where the day is identified, whether expressly or otherwise, by reference to that or another day being a day of incapacity for work in relation to the employee's contract of service with an employer;
- (b) any day identified, whether expressly or otherwise, by reference to a period of entitlement or to a period of incapacity for work.”

(1) section 4(2) was amended by the Health and Social Security Act 1984 (c.48), section 21 and Schedule 7, paragraph 7.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more***

Signed by authority of the Secretary of State for Social Services

3rd February 1985

Tony Newton
Minister of State
Department of Health and Social Security

EXPLANATORY NOTE

These regulations are made by virtue of the power contained in the words inserted in section 4 of the Social Security and Housing Benefits Act 1982 by paragraph 7 of Schedule 7 to the Health and Social Security Act 1984. As they are also made earlier than 6 months from the day appointed for the coming into force of paragraph 7 (26th September 1984) they are exempted by section 22(1)(o) of the 1984 Act from the requirement under section 10(1) of the Social Security Act 1980 (c. 30) to refer proposals to the Social Security Advisory Committee and are made without reference to that Committee.

The regulations amend the Statutory Sick Pay (General) Regulations 1982 and provide that no effect is to be given to any agreement between an employee and his employer to treat certain specified days as qualifying days for the purposes of entitlement to statutory sick pay.