

STATUTORY INSTRUMENTS

1985 No. 1604

The Statutory Sick Pay (Medical Evidence) Regulations 1985

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Statutory Sick Pay (Medical Evidence) Regulations 1985 and shall come into operation on 6th April 1986.

(2) In these regulations, unless the context otherwise requires—

[^{F1}“the 1992 Act” means the Social Security Administration Act 1992;]

[^{F2}“healthcare professional” means a person, not being the patient, who is—

- (a) a registered medical practitioner;
- (b) a registered nurse;
- (c) a registered occupational therapist or registered physiotherapist;
- (d) a registered pharmacist within the meaning of article 3 of the Pharmacy Order 2010;]

“signature” means, in relation to a statement given in accordance with these regulations, the name by which the person giving that statement is usually known (any name other than the surname being either in full or otherwise indicated) written by that person in his own handwriting;^{F3} ...

^{F4}(3)

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|-----------|--|
| F1 | Words in reg. 1(2) substituted (6.4.2010) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2010 (S.I. 2010/137) , regs. 1(2), 3(2) |
| F2 | Words in reg. 1(2) inserted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630) , regs. 1(2), 3(2) |
| F3 | Words in reg. 1(2) omitted (6.4.2022) by virtue of The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2022 (S.I. 2022/298) , regs. 1(2), 3(2) |
| F4 | Reg. 1(3) revoked (9.3.1992) by The Social Security (Miscellaneous Provisions) Amendment Regulations 1992 (S.I. 1992/247) , regs. 1(1), 6(2) |

Medical information

2.—[^{F5}(1) Medical information required under section 14(1) of the 1992 Act relating to incapacity for work shall be provided either—

- (a) in the form of a statement given by a [^{F6}“healthcare professional”] in accordance with the rules set out in Part 1 of Schedule 1 to these Regulations; or
- (b) by such other means as may be sufficient in the circumstances of any particular case.]

(2) An employee shall not be required under [^{F7}section 14(1) of the 1992 Act] to provide medical information in respect of the first 7 days in any spell of incapacity for work; and for this purpose “spell of incapacity” means a continuous period of incapacity for work which is immediately preceded by a day on which the claimant either worked or was not incapable of work.

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- F5** Reg. 2(1) substituted (6.4.2010) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2010 (S.I. 2010/137), regs. 1(2), **3(3)(a)**
- F6** Words in reg. 2(1)(a) substituted (1.7.2022) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) (No. 2) Regulations 2022 (S.I. 2022/630), regs. 1(2), **3(3)**
- F7** Words in reg. 2(2) substituted (6.4.2010) by The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2010 (S.I. 2010/137), regs. 1(2), **3(3)(b)**

Modifications etc. (not altering text)

- C1** Reg. 2(2) modified (17.12.2021) by The Statutory Sick Pay (Medical Evidence) Regulations 2021 (S.I. 2021/1453), regs. 1(2), **2**

Signed by authority of the Secretary of State for Social Services.

Tony Newton
Minister of State
Department of Health and Social Security

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Changes and effects yet to be applied to :

- Sch. para. 3 words inserted by [S.I. 1998/646 reg. 7](#)