
STATUTORY INSTRUMENTS

1993 No. 350

TERMS AND CONDITIONS OF EMPLOYMENT

The Statutory Sick Pay (Rate of Payment) Order 1993

Made - - - - - *17th February 1993*

Coming into force - - - - - *6th April 1993*

Whereas a draft of the following Order was laid before Parliament in accordance with the provisions of section 176(1)(c) of the Social Security Contributions and Benefits Act 1992⁽¹⁾ and approved by resolution of each House of Parliament:

Now, therefore, the Secretary of State for Social Security, in exercise of the powers conferred by sections 157(2) and 175(1), (3) and (4) of the Social Security Contributions and Benefits Act 1992, and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Statutory Sick Pay (Rate of Payment) Order 1993 and shall come into force on 6th April 1993 immediately after the coming into force of article 9 of the Social Security Benefits Up-rating Order 1993⁽²⁾.

(2) In this Order “the 1992 Act” means the Social Security Contributions and Benefits Act 1992.

Substitution of provisions in section 157(1) of the 1992 Act

2. For paragraphs (a) and (b) of subsection (1) of section 157 of the 1992 Act, there shall be substituted the following paragraphs—

“(a) £52.50, in a case where the employee’s normal weekly earnings under his contract of service with that employer are not less than £195.00; or

(b) £46.95, in any other case.”.

Transitional provisions

3. Where in relation to statutory sick pay a period of entitlement as between an employer and an employee is running at 6th April 1993 and the employee’s normal weekly earnings under the contract of service with that employer are not less than, or are treated for the purposes of section 157(1) of the 1992 Act as not less than £190.00, they shall be treated for the purposes of that section as not less than £195.00 for the remainder of that period.

(1) 1992 c. 4.

(2) S.I.1993/349.

Revocation

4. The following provisions are hereby revoked—
- (a) article 2 of the Statutory Sick Pay (Rate of Payment) (No. 2) Order 1991⁽³⁾; and
 - (b) the Statutory Sick Pay (Rate of Payment) Regulations 1990⁽⁴⁾.

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

17th February 1993

Nicholas Scott
Minister of State,
Department of Social Security

⁽³⁾ S.I. 1991/2911.
⁽⁴⁾ S.I. 1990/257.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which comes into force on 6th April 1993, substitutes alternative provisions for the paragraphs of subsection (1) of section 157 of the Social Security Contributions and Benefits Act 1992 (Rates of payment). The new provisions increase the lower rate of statutory sick pay from £45.30 to £46.95 per week. The higher rate remains unchanged at £52.50 per week. In addition the earnings band is altered so that the higher rate becomes payable where the employee's earnings are normally £195.00 or more per week (increased from £190.00 or more per week) (article 2).

Article 3 contains transitional provisions for those employees who are incapable of work at the time of the change and would otherwise move from the higher to the lower rate of statutory sick pay.

Article 4 contains revocations consequential upon the coming into force of this Order.