

SCHEDULE
CONSEQUENTIAL AMENDMENTS

PART II
REGULATIONS AND ORDERS

The Statutory Sick Pay (National Health Service Employees) Regulations 1991

2.—(1) The Statutory Sick Pay (National Health Service Employees) Regulations 1991(1) are amended as follows.

(2) In regulation 1 (citation, commencement and interpretation), after paragraph (2) insert—

“(3) In these Regulations, “Primary Care Trust” means a Primary Care Trust established under section 16A of the National Health Service Act 1977(2).”

(3) In regulation 2 (treatment of more than one contract of employment as one contract), after “two or more contracts,” insert “or where an order under paragraph 23(1) of Schedule 5A to the National Health Service Act 1977(3) provides that a person’s contract of employment is so divided.”.

(4) In regulation 5 (treatment of two or more employers as one), for paragraphs (a) and (b) substitute—

“(a) in the case of a person whose contract of employment is treated by a scheme under Part I of the National Health Service and Community Care Act 1990(4) or the National Health Service (Scotland) Act 1978(5) as divided—

(i) the Health Authority or Primary Care Trust from which the employee was transferred, in a case where any one of the employee’s contracts of service is with that Health Authority or Primary Care Trust; or

(ii) the first NHS trust to which a contract of service was transferred in a case where none of the employee’s contracts of service are with the Health Authority or Primary Care Trust from which he was transferred;

or

(b) in the case of a person whose contract of employment is divided as provided by an order under paragraph 23(1) of Schedule 5A to the National Health Service Act 1977—

(i) the Health Authority, NHS trust or Primary Care Trust from which the employee was transferred, in a case where any one of the employee’s contracts of service is with that body; or

(ii) the first Primary Care Trust to which a contract of service was transferred in a case where none of the employee’s contracts of service are with the body from which he was transferred.”.

(1) [S.I. 1991/589](#).

(2) Section 16A was inserted by section 2(1) of the 1999 Act.

(3) Schedule 5A was inserted by Schedule 1 to the 1999 Act.

(4) See sections 6 and 7 of the 1990 Act, as amended by paragraphs 77 and 78 of Schedule 4 to the 1999 Act.

(5) See sections 12B and 12C of the Act, as inserted by section 31 of the 1990 Act.