
STATUTORY INSTRUMENTS

2020 No. 1030

The Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) (Amendment) Regulations and the Statutory Sick Pay (Coronavirus) (Funding of Employers' Liabilities) (Northern Ireland) (Amendment) Regulations 2020

Amendment to the meaning of “in difficulty”

3.—(1) Regulation 4 is amended as follows.

(2) For paragraph (2), substitute—

“An employer is “in difficulty” if—

- (a) in the case of an employer who is not an SME, it is reasonable to assume that the employer would be regarded as an undertaking in difficulty under Article 2(18) of the General Block Exemption Regulation; or
- (b) in the case of an employer who is an SME, it is reasonable to assume that the employer would be regarded as an undertaking in difficulty under Article 2(18)(c) of the General Block Exemption Regulation, as if the words after “collective insolvency proceedings”, in the first place it appears, to the end were omitted, or under Article 2(18)(d) of the General Block Exemption Regulation.”.

(3) In paragraph (5), at the end insert—

““General Block Exemption Regulation” means [Commission Regulation \(EU\) No. 651/2014](#) of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty⁽¹⁾;

“SME” means an employer who is within the category of micro, small and medium-sized enterprises in paragraph 1 of Annex 1 of the General Block Exemption Regulation.”

(1) OJ No. L 187, 26.6.2014, p. 1, to which there are amendments not relevant to these Regulations.