1985 No. 17

STATUTORY SICK PAY

The Statutory Sick Pay (General) (Amendment) Regulations (Northern Ireland) 1985

Made . . . . . *5th February 1985*

Coming into operation . . . *5th March 1985*

The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 2(2) and 6(2) of the Social Security (Northern Ireland) Order 1982(**a**) and of all other powers enabling it in that behalf, hereby makes the following regulations which correspond to provision contained in regulations made by the Secretary of State for Social Services in relation to Great Britain and which accordingly, by virtue of section 10(2) of, and paragraph 21 of Schedule 3 to, the Social Security Act 1980(**b**) are not subject to the requirement of section 10(1) of that Act for prior reference to the Social Security Advisory Committee:

Citation, commencement and interpretation

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

(2) In these regulations "the principal regulations" means the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982(**c**).

Amendment of regulation 5 of the principal regulations

2.—(1) Regulation 5 of the principal regulations (qualifying days) shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (2), after "or were qualifying days" there shall be inserted "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 added 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.".

Sealed with the Official Seal of the Department of Health and Social Services on 5th February 1985.

(L.S.) *A. N. Burns*

Assistant Secretary

(**a**) S.I. 1982/1084 (N.I. 16); *see* definition of "regulations" in Article 2(2). Article 6(2) was amended by paragraph 7 of Schedule 5 to the Health and Social Security (Northern Ireland) Order 1984 (S.I. 1984/1158 (N.I. 8))

(**b**) 1980 c. 30

(**c**) S.R. 1982 No. 263, to which there are amendments not relevant to the subject matter of these regulations

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations amend the Statutory Sick Pay (General) Regulations (Northern Ireland) 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.