
STATUTORY RULES OF NORTHERN IRELAND

2020 No. 66

SOCIAL SECURITY

TERMS AND CONDITIONS OF EMPLOYMENT

The Statutory Sick Pay (General) (Coronavirus Amendment) (No. 3) Regulations (Northern Ireland) 2020

Made - - - - *15th April 2020*
Coming into operation *16th April 2020*

The Department for Communities⁽¹⁾, makes the following Regulations in exercise of the powers conferred by sections 147(4) and (4A) and 171(1), (3), (4) and (5A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992⁽²⁾, and now vested in it⁽³⁾.

Citation and commencement

1. These Regulations may be cited as the Statutory Sick Pay (General) (Coronavirus Amendment) (No. 3) Regulations (Northern Ireland) 2020 and come into operation on 16th April 2020.

Amendment of the Statutory Sick Pay (General) Regulations

2.—(1) The Schedule (isolation due to coronavirus) to the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982⁽⁴⁾ is amended in accordance with paragraphs (2) to (4).

(2) In paragraph 1 for “5” substitute “5A”.

(3) After paragraph 5 insert—

“5A. The person—

(a) is defined in public health guidance as extremely vulnerable and at very high risk of severe illness from coronavirus because of an underlying health condition; and

(1) The Department for Social Development was renamed the Department for Communities in accordance with section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.))
(2) 1992 c. 7; section 147(4) was amended by paragraph 34 of Schedule 1 to, the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 (S.I. 1994/1898 (N.I. 12)). Section 171(1) was amended by paragraph 5 of Schedule 4 to the Tax Credits Act 2002 (c. 21). Section 147(4A) and section 171(5A) were inserted by section 44 of the Coronavirus Act 2020 (c.7)
(3) Functions previously discharged by the Department of Health and Social Services were transferred to the Department for Social Development in accordance with Article 8(b) of S.R. 1999 No. 481 and section 1(7) of the Departments Act (Northern Ireland) 2016
(4) S.R. 1982 No. 263; the Schedule was inserted by regulation 3(3) of S.R. 2020 No. 54

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(b) has been advised, by notification sent to, or in respect of, that person in accordance with that guidance, to follow rigorously shielding measures for the period specified in the notification.”.

(4) In paragraph 6, after the definition of “Chief Medical Officer” insert—

““public health guidance” means guidance issued by the Regional Agency for Public Health and Social Well Being⁽⁵⁾”.

Sealed with the Official Seal of the Department for Communities on 15th April 2020

(L.S.)

Anne McCleary
A senior officer of the Department for
Communities

(5) The Regional Agency for Public Health and Social Well Being was established under the Health and Social Care (Reform) Act (Northern Ireland) 2009 (c. 1 (N.I.))

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Schedule to the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982. The Schedule sets out categories of persons who are deemed to be incapable of work by reason of coronavirus.

Regulation 2 adds a new category of persons. These are persons defined in guidance issued by the Regional Agency for Public Health and Social Well Being as being extremely vulnerable and at very high risk of severe illness from coronavirus because of an underlying health condition, and who have been advised, in accordance with that guidance, to follow rigorously shielding measures. The guidance is available from the following website:

www.publichealth.hscni.net/news/covid-19-coronavirus(HSC Public Health Agency Northern Ireland).

No regulatory impact assessment has been produced for these Regulations in view of the urgency required to provide additional financial support to those unable to work as a result of coronavirus.

These Regulations make in relation to Northern Ireland only provision corresponding to provision contained in Regulations made by the Secretary of State for Work and Pensions in relation to Great Britain and accordingly, by virtue of section 149(3) of, and paragraph 10 of Schedule 5 to, the Social Security Administration (Northern Ireland) Act 1992 (c. 8), are not subject to the requirement of section 149(2) of that Act for prior reference to the Social Security Advisory Committee.