STATUTORY RULES OF NORTHERN IRELAND

2020 No. 134

SOCIAL SECURITY
TERMS AND CONDITIONS OF EMPLOYMENT

The Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) (No.2) Regulations (Northern Ireland) 2020

Made - - - -	*2nd July 2020*
Laid before Parliament	*3rd July 2020*
Coming into operation-	*6th July 2020*

The Secretary of State makes the following Regulations in exercise of the powers conferred by conferred sections 147(4) and (4A) and 171(3), (4) and (5A) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**1**) and section 43(1) to (3) of the Coronavirus Act 2020(**2**).

Those powers are exercisable by the Secretary of State by virtue of Article 4(1) of the Welfare Reform (Northern Ireland) Order 2015(**3**)

Citation and commencement

1. These Regulations may be cited as the Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) (No.2) Regulations (Northern Ireland) 2020 and come into operation on 6th July 2020.

Amendment of the Statutory Sick Pay (General) Regulations (Northern Ireland) 1982

2.—(1) The Statutory Sick Pay (General) Regulations (Northern Ireland) 1982(**4**) are amended as follows.

(2) In regulation 2(1) (persons deemed incapable of work)—

(a) at the end of sub-paragraph (b) omit "or";

(**1**) 1992 c. 7. Section 147(4) was amended by S.R.1994 No.1898. 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).. See section 159(1) for the definition of "prescribed".

(**2**) 2020 c.7.

(**3**) Article 4(1) was amended by Article 4(2)(a) of the Welfare Reform and Work (Northern Ireland) Order 2016 (S.I.2016/999 (N.I. 1)).

(**4**) S.R. 1982 No. 263; relevant amending Regulations are S.R. 2020 Nos. 32, 54, 66 and 89.

(b) in sub-paragraph (c)—

(i) in head (i), for "the Schedule" substitute "Schedule 1";

(ii) at the end insert "; or";

(c) after sub-paragraph (c) insert—

"(d) he is—

(i) shielding himself in such a manner as to prevent infection or contamination with coronavirus in accordance with Schedule 2; and

(ii) by reason of that shielding is unable to work.".

(3) In regulation 2(3), after "paragraph (1)(c)" insert "and (d) and Schedules 1 and 2".

(4) The Schedule (isolation due to coronavirus) is renumbered Schedule 1.

(5) The renumbered Schedule 1 is amended in accordance with paragraphs (6) to (9).

(6) At the end of paragraphs 2 and 4 insert "or, if earlier, until the end of the isolation period".

(7) Paragraph 3 is renumbered paragraph 3(1) and—

(a) in the renumbered paragraph 3(1)—

(i) after "someone" insert ", or is in an extended household with someone,";

(ii) at the end insert "or, if earlier, until the end of the isolation period";

(b) after the renumbered paragraph 3(1) insert—

"(2) For the purposes of sub-paragraph (1), the person (P) is in an extended household with the person isolating himself in accordance with paragraph 2 (S) where—

(a) P, and where applicable, the members of P's household; and

(b) S and where applicable, the members of S's household,

have formed an extended household.".

(8) Omit paragraph 5A.

(9) In paragraph 6—

(a) insert in the appropriate places—

""extended household" means two households where the adults in those households have agreed to be part of a single household in accordance with public health guidance;";

""isolation period" means the period ending on the day on which a relevant notification is received advising that the person with the symptoms of coronavirus is not in fact infected or contaminated with coronavirus;";

(b) for ""public heath guidance"" substitute ""public health guidance"".

(10) After the renumbered Schedule 1 the Schedule to these Regulations is inserted as Schedule 2.

Amendment of the Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations (Northern Ireland) 2020

3. In regulation 2 of the Statutory Sick Pay (Coronavirus) (Suspension of Waiting Days and General Amendment) Regulations (Northern Ireland) 2020(**5**) (suspension of waiting days), in both paragraph (3)(b)(ii) and (4), after "regulation 2(1)(c)" insert "or (d)".

(**5**) S.R. 2020 No. 54.