

Subsidiary Legislation made under s. 36.

Employment (Sick Pay) Order

LN.1974/004

Commencement **1.2.1974**

Amending enactments	Relevant current provisions	Commencement date
LN. 1986/060	Para. 3(c)	12.6.1986
2021/228	Para. 3(c)	1.1.2021

1932-16

Employment

1974/004

Employment (Sick Pay) Order

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Title.
2. Application.
3. Minimum sick pay entitlement.

Title.

1. This Order may be cited as the Employment (Sick Pay) Order.

Application.

2. This Order shall not apply to official employers who are members of the Official Employers Joint Industrial Council and their employees.

Minimum sick pay entitlement.

3.(1) An employer shall, within any period of twelve months, allow an employee sick leave on full pay for a total of not less than two weeks, and thereafter on half pay for a total of not less than four weeks within the same period of twelve months, subject to the following conditions:—

- (a) that the employee has been continuously employed by him for at least three months;
- (b) that the employee reports his illness to his employer within three days of his absence from employment on account of such illness; and
- (c) that the employee supplies to the employer a certificate of illness from any medical practitioner registered in Gibraltar, the United Kingdom or any member state of the European Community.

(2) The employer shall be entitled to deduct from any sick pay payable to the employee under the provisions of subparagraph (1) the amount of any benefit to which the employee may be entitled under the Social Security (Employment Injuries Insurance) Act in respect of the same period.

(3) For the purpose of subparagraph (1) a week shall be construed as the number of days on which an employee is normally employed in any week under his contract of service and in calculating sick pay entitlement no regard shall be had to overtime normally worked by the employee.