



Social Security (Recovery of Benefits) Act 1997

1997 CHAPTER 27

Introductory

1 Cases in which this Act applies.

- (1) This Act applies in cases where—
 - (a) a person makes a payment (whether on his own behalf or not) to or in respect of any other person in consequence of any accident, injury or disease suffered by the other, and
 - (b) any listed benefits have been, or are likely to be, paid to or for the other during the relevant period in respect of the accident, injury or disease.
- (2) The reference above to a payment in consequence of any accident, injury or disease is to a payment made—
 - (a) by or on behalf of a person who is, or is alleged to be, liable to any extent in respect of the accident, injury or disease, or
 - (b) in pursuance of a compensation scheme for motor accidents;but does not include a payment mentioned in Part I of Schedule 1.
- (3) Subsection (1)(a) applies to a payment made—
 - (a) voluntarily, or in pursuance of a court order or an agreement, or otherwise, and
 - (b) in the United Kingdom or elsewhere.
- (4) In a case where this Act applies—
 - (a) the “injured person” is the person who suffered the accident, injury or disease,
 - (b) the “compensation payment” is the payment within subsection (1)(a), and
 - (c) “recoverable benefit” is any listed benefit which has been or is likely to be paid as mentioned in subsection (1)(b).

Status: Point in time view as at 03/09/1997. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Social Security (Recovery of Benefits) Act 1997, Cross Heading: Introductory. (See end of Document for details)

Commencement Information

- II** S. 1 wholly in force at 6.10.1997; s. 1 not in force at Royal Assent see s. 34(2); s. 1(2) in force for certain purposes at 3.9.1997 by S.I. 1997/2085, art. 2(1); s. 1 force at 6.10.1997 insofar as not already in force by S.I. 1997/2085, art. 2

VALID FROM 06/10/1997

2 Compensation payments to which this Act applies.

This Act applies in relation to compensation payments made on or after the day on which this section comes into force, unless they are made in pursuance of a court order or agreement made before that day.

VALID FROM 06/10/1997

3 “The relevant period”.

- (1) In relation to a person (“the claimant”) who has suffered any accident, injury or disease, “the relevant period” has the meaning given by the following subsections.
- (2) Subject to subsection (4), if it is a case of accident or injury, the relevant period is the period of five years immediately following the day on which the accident or injury in question occurred.
- (3) Subject to subsection (4), if it is a case of disease, the relevant period is the period of five years beginning with the date on which the claimant first claims a listed benefit in consequence of the disease.
- (4) If at any time before the end of the period referred to in subsection (2) or (3)—
 - (a) a person makes a compensation payment in final discharge of any claim made by or in respect of the claimant and arising out of the accident, injury or disease, or
 - (b) an agreement is made under which an earlier compensation payment is treated as having been made in final discharge of any such claim,
 the relevant period ends at that time.

Status:

Point in time view as at 03/09/1997. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation:

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