



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 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
 - 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—
- 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,^{F1}...
 - in pursuance of a compensation scheme for motor accidents^{F2}, or
 - under the Diffuse Mesothelioma Payment Scheme (established under the Mesothelioma Act 2014);]
- but does not include a payment mentioned in Part I of Schedule 1.
- (3) Subsection (1)(a) applies to a payment made—
- voluntarily, or in pursuance of a court order or an agreement, or otherwise, and
 - in the United Kingdom or elsewhere.
- (4) In a case where this Act applies—
- the “injured person” is the person who suffered the accident, injury or disease,
 - the “compensation payment” is the payment within subsection (1)(a), and
 - “recoverable benefit” is any listed benefit which has been or is likely to be paid as mentioned in subsection (1)(b).

Changes to legislation: There are currently no known outstanding effects for the Social Security (Recovery of Benefits) Act 1997, Section 1. (See end of Document for details)

Textual Amendments

- F1** Word in s. 1(2)(a) omitted (31.3.2014) by virtue of Mesothelioma Act 2014 (c. 1), s. 19(1), **Sch. 1 para. 2(a)**; S.I. 2014/459, art. 3(c)
- F2** S. 1(2)(c) inserted (31.3.2014) by Mesothelioma Act 2014 (c. 1), s. 19(1), **Sch. 1 para. 2(b)**; S.I. 2014/459, art. 3(c)
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Modifications etc. (not altering text)

- C1** S. 1(3) applied (with modifications) (1.10.2008) by Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations 2008 (S.I. 2008/1596), regs. 1(1), 2, **Sch. 1** (with reg. 6)
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Commencement Information

- I1** 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**

Changes to legislation:

There are currently no known outstanding effects for the Social Security (Recovery of Benefits) Act 1997, Section 1.