



# Employment Tribunals Act 1996

## 1996 CHAPTER 17

### <sup>F1</sup>PART I

#### [<sup>F1</sup>EMPLOYMENT TRIBUNALS]

##### *Recoupment of social security benefits*

#### 17 **Recoupment: further provisions.**

- (1) Where in pursuance of any regulations under section 16 a sum has been recovered by or paid to the Secretary of State by way of total or partial recoupment of [<sup>F1</sup>universal credit,] jobseeker's allowance [<sup>F2</sup>, income support or income-related employment and support allowance ] —
  - (a) no sum shall be recoverable under Part III or V of the <sup>M1</sup>Social Security Administration Act 1992, and
  - (b) no abatement, payment or reduction shall be made by reference to the [<sup>F3</sup>universal credit,] jobseeker's allowance [<sup>F2</sup>, income support or income-related employment and support allowance ] recouped.
- (2) Any amount found to have been duly recovered by or paid to the Secretary of State in pursuance of regulations under section 16 by way of total or partial recoupment of jobseeker's allowance shall be paid into the National Insurance Fund.
- (3) In section 16—

“monetary award” means the amount which is awarded, or ordered to be paid, to the employee by the tribunal or would be so awarded or ordered apart from any provision of regulations under that section, and

“the prescribed element”, in relation to any monetary award, means so much of that award as is attributable to such matters as may be prescribed by regulations under that section.
- (4) In section 16 “income-based jobseeker's allowance” has the same meaning as in the <sup>M2</sup>Jobseekers Act 1995.

---

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Employment Tribunals Act 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

[<sup>F4</sup>(5) In this section and section 16 “income-related employment and support allowance” means an income-related allowance under Part 1 of the Welfare Reform Act 2007 (employment and support allowance).]

#### Textual Amendments

- F1** Words in s. 17(1) inserted (29.4.2013) by [The Universal Credit \(Consequential, Supplementary, Incidental and Miscellaneous Provisions\) Regulations 2013 \(S.I. 2013/630\)](#), regs. 1(2), **11(4)**
- F2** Words in s. 17(1) substituted (18.3.2008 for specified purposes, 27.10.2008 in so far as not already in force) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 70(2), **Sch. 3 para. 15(3)**; S.I. 2008/787, art. 2(1)(4)(f), Sch.
- F3** Words in s. 17(1)(b) inserted (29.4.2013) by [The Universal Credit \(Consequential, Supplementary, Incidental and Miscellaneous Provisions\) Regulations 2013 \(S.I. 2013/630\)](#), regs. 1(2), **11(4)**
- F4** S. 17(5) inserted (18.3.2008 for specified purposes, 27.10.2008 in so far as not already in force) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 70(2), **Sch. 3 para. 15(4)**; S.I. 2008/787, art. 2(1)(4)(f), Sch.

#### Marginal Citations

- M1** 1992 c. 5.
- M2** 1995 c. 18.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Employment Tribunals Act 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 17(1) words repealed by [2009 c. 24 Sch. 7 Pt. 1](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7A(2F) inserted by [2022 c. 35 Sch. 4 para. 1\(2\)](#)
- s. 7B(A1) inserted by [2022 c. 35 Sch. 5 para. 4\(2\)](#)
- s. 9(2ZA) inserted by [2022 c. 35 Sch. 5 para. 5\(5\)](#)
- s. 9(5) inserted by [2022 c. 35 Sch. 5 para. 5\(9\)](#)
- s. 10(10) inserted by [2022 c. 35 Sch. 5 para. 6\(4\)](#)
- s. 29A(11) inserted by [2022 c. 35 Sch. 4 para. 1\(3\)](#)
- s. 30A inserted by [2022 c. 35 Sch. 5 para. 19](#)
- s. 37QA and cross-heading inserted by [2022 c. 35 s. 34\(4\)](#)
- s. 37QB inserted by [2022 c. 35 Sch. 5 para. 24](#)
- Sch. A1 para. 21A inserted by [2022 c. 35 Sch. 4 para. 1\(4\)](#)
- Sch. A1 inserted by [2022 c. 35 Sch. 5 para. 1](#)