



Social Security (Recovery of Benefits) Act 1997

1997 CHAPTER 27

Miscellaneous

21 Compensation payments to be disregarded.

- (1) If, when a compensation payment is made, the first and second conditions are met, the payment is to be disregarded for the purposes of sections 6 and 8 [^{F1}or 8A].
- (2) The first condition is that the person making the payment—
 - (a) has made an application for a certificate of recoverable benefits which complies with subsection (3), and
 - (b) has in his possession a written acknowledgment of the receipt of his application.
- (3) An application complies with this subsection if it—
 - (a) accurately states the prescribed particulars relating to the injured person and the accident, injury or disease in question, and
 - (b) specifies the name and address of the person to whom the certificate is to be sent.
- (4) The second condition is that the Secretary of State has not sent the certificate to the person, at the address, specified in the application, before the end of the period allowed under section 4.
- (5) In any case where—
 - (a) by virtue of subsection (1), a compensation payment is disregarded for the purposes of sections 6 and 8 [^{F2}or 8A], but
 - (b) the person who made the compensation payment nevertheless makes a payment to the Secretary of State for which (but for subsection (1)) he would be liable under section 6,subsection (1) is to cease to apply in relation to the compensation payment.

Changes to legislation: There are currently no known outstanding effects for the Social Security (Recovery of Benefits) Act 1997, Section 21. (See end of Document for details)

- (6) If, in the opinion of the Secretary of State, circumstances have arisen which adversely affect normal methods of communication—
- (a) he may by order provide that subsection (1) is not to apply during a specified period not exceeding three months, and
 - (b) he may continue any such order in force for further periods not exceeding three months at a time.

Textual Amendments

- F1** Words in s. 21(1) inserted (31.3.2014) by [Mesothelioma Act 2014 \(c. 1\)](#), s. 19(1), [Sch. 1 para. 8](#); S.I. 2014/459, art. 3(c)
- F2** Words in s. 21(5)(a) inserted (31.3.2014) by [Mesothelioma Act 2014 \(c. 1\)](#), s. 19(1), [Sch. 1 para. 8](#); S.I. 2014/459, art. 3(c)
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Modifications etc. (not altering text)

- C1** Ss. 20-23 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. 21 wholly in force at 6.10.1997; s. 21 not in force at Royal Assent see s. 34(2); s. 21(3) in force for specified purposes at 3.9.1997 by [S.I. 1997/2085](#), [art 2\(1\)](#); s. 21 wholly in force at 6.10.1997 insofar as not already in force by [S.I. 1997/2085](#), [art. 2\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Social Security (Recovery of Benefits) Act 1997, Section 21.