
STATUTORY INSTRUMENTS

1996 No. 2349

The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996

PART I

INTRODUCTORY

Citation and Commencement

1. These Regulations may be cited as the Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996 and shall come into force on 7th October 1996.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

“the 1992 Act” means the Trade Union and Labour Relations (Consolidation) Act 1992(1);

“the 1996 Act” means the Employment Rights Act 1996(2);

“prescribed element” has the meaning assigned to it in Regulation 3 below and the Schedule to these Regulations;

“protected period” has the same meaning as in section 189(5) of the 1992 Act;

“protective award” has the same meaning as in section 189(3) of the 1992 Act;

“recoupable benefit” means any jobseeker's allowance or income support as the case may be, which is recoupable under these Regulations;

“recoupment notice” means a notice under these Regulations;

“Secretary of the Tribunals” means the Secretary of the Central Office of the Industrial Tribunals (England and Wales) or, as the case may require, the Secretary of the Central Office of the Industrial Tribunals (Scotland) for the time being;

(2) In the Schedule to these Regulations references to sections are references to sections of the 1996 Act unless otherwise indicated and references in column 3 of the table to the conclusion of the tribunal proceedings are references to the conclusion of the proceedings mentioned in the corresponding entry in column 2.

(3) For the purposes of these Regulations (and in particular for the purposes of any calculations to be made by an industrial tribunal as respects the prescribed element) the conclusion of the tribunal proceedings shall be taken to occur—

(a) where the industrial tribunal at the hearing announces the effect of its decision to the parties, on the date on which that announcement is made;

(1) 1992 c. 52.

(2) 1996 c. 18.

(b) in any other case, on the date on which the decision of the tribunal is sent to the parties.

(4) References to parties in relevant industrial tribunal proceedings shall be taken to include references to persons appearing on behalf of parties in a representative capacity.

(5) References in these Regulations to anything done, or to be done, in, or in consequence of, any tribunal proceedings include references to anything done, or to be done, in, or in consequence of any such proceedings as are in the nature of a review, or re-hearing or a further hearing consequent on an appeal.