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## STATUTORY INSTRUMENTS

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# 1996 No. 2349

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

### PART III

#### RECOUPMENT OF BENEFIT

##### **Postponement of Awards**

7.—(1) This Regulation shall have effect for the purpose of postponing relevant awards in order to enable the Secretary of State to initiate recoupment under Regulation 8 below.

(2) Accordingly—

- (a) so much of the monetary award as consists of the prescribed element;
- (b) payment of any remuneration to which an employee would otherwise be entitled under a protective award, shall be treated as stayed (in Scotland, sisted) as respects the relevant employee until—
  - (i) the Secretary of State has served a recoupment notice on the employer; or
  - (ii) the Secretary of State has notified the employer in writing that he does not intend to serve a recoupment notice.

(3) The stay or sist under paragraph (2) above is without prejudice to the right of an employee under section 192 of the 1992 Act to present a complaint to an industrial tribunal of his employer's failure to pay remuneration under a protective award and Regulation 3(2) above has effect as respects any such complaint and as respects any order made under section 192(3) of that Act.

**Changes to legislation:**

The Employment Protection (Recoupment of Jobseeker's Allowance and Income Support) Regulations 1996, Section 7 is up to date with all changes known to be in force on or before 15 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

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

- rev.in pt. and amended by [S.I. 1999/3178 art.3\(1\)\(14\)Sch. 14](#)