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DRAFT STATUTORY RULES OF NORTHERN IRELAND

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**2016 No.**

The Discretionary Support Regulations (Northern Ireland) 2016

PART 7

Recovery

**Recovery of an award**

24.—(1) A discretionary support award that is repayable shall be recoverable by the Department.

(2) A discretionary support award that is not repayable may be recoverable by the Department.

(3) Where it is determined that, whether fraudulently, or otherwise, any person has misrepresented, or failed to disclose, any material fact and in consequence of the misrepresentation or failure, an award of discretionary support has been made, the Department shall be entitled to recover the amount of any payment which the Department would not have made or any sum which the Department would have received but for the misrepresentation or failure to disclose.

(4) Without prejudice to any other method of recovery, the Department may recover an award under paragraph (1), (2) or (3) from benefits.

(5) The Department may recover an award from the person to or for the benefit of whom it was made.

(6) Sections 69ZC to 69ZE of the Social Security Administration (Northern Ireland) Act 1992<sup>(1)</sup> apply to amounts recoverable under this regulation as they apply to amounts recoverable under section 69ZB of that Act.