
STATUTORY INSTRUMENTS

1997 No. 1183

The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997

Reviews and appeals

Reviews and appeals: supplementary

16.—(1) This Article applies in cases where a fresh certificate of recoverable benefits is issued as a result of a review under Article 12 or an appeal under Article 13.

(2) If—

- (a) a person has made one or more payments to the Department under Article 8, and
- (b) in consequence of the review or appeal, it appears that the total amount paid is more than the amount that ought to have been paid,

regulations may provide for the Department to pay the difference to that person, or to the person to whom the compensation payment is made, or partly to one and partly to the other.

(3) If—

- (a) a person has made one or more payments to the Department under Article 8, and
- (b) in consequence of the review or appeal, it appears that the total amount paid is less than the amount that ought to have been paid,

regulations may provide for that person to pay the difference to the Department.

(4) Regulations under this Article may provide—

- (a) for the recalculation in accordance with Article 10^{F1} or 10A] of the amount of any compensation payment,
- (b) for giving credit for amounts already paid, and
- (c) for the payment by any person of any balance or the recovery from any person of any excess,

and may provide for any matter by modifying this Order.

F1 Words in art. 16(4)(a) inserted (31.3.2014) by Mesothelioma Act 2014 (c. 1), s. 19(1), Sch. 1 para. 16; S.I. 2014/459, art. 3(c)

Changes to legislation:

The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997, Section 16 is up to date with all changes known to be in force on or before 24 August 2023. 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 :

- power to am. (prosp.) by [1998 c. 47 s.87](#)