
STATUTORY INSTRUMENTS

1997 No. 1183

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

Miscellaneous

Compensation payments to be disregarded

23.—(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 Articles 8 and 10^{F1} or 10A].

(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 paragraph (3), and
- (b) has in his possession a written acknowledgement of the receipt of his application.

(3) An application complies with this paragraph 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 Department has not sent the certificate to the person, at the address, specified in the application, before the end of the period allowed under Article 6.

(5) In any case where—

- (a) by virtue of paragraph (1), a compensation payment is disregarded for the purposes of Articles 8 and 10^{F2} or 10A], but
- (b) the person who made the compensation payment nevertheless makes a payment to the Department for which (but for paragraph (1)) he would be liable under Article 8,

paragraph (1) is to cease to apply in relation to the compensation payment.

(6) If, in the opinion of the Department, circumstances have arisen which adversely affect normal methods of communication—

- (a) the Department may by order provide that paragraph (1) is not to apply during a specified period not exceeding three months, and
- (b) the Department may continue any such order in force for further periods not exceeding three months at a time.

F1 Words in art. 23(1) inserted (31.3.2014) by virtue of [Mesothelioma Act 2014 \(c. 1\), s. 19\(1\), Sch. 1 para. 16](#); S.I. 2014/459, art. 3(c)

F2 Words in art. 23(5)(a) inserted (31.3.2014) by virtue of [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 23 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](#)