
STATUTORY INSTRUMENTS

1997 No. 1183

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

Introductory

Cases in which this Order applies

3.—(1) This Order applies in cases where—

- (a) a person makes a payment (whether on his own behalf or not) to or in respect of any other person in consequence of any accident, injury or disease suffered by the other, and
- (b) any listed benefits have been, or are likely to be, paid to or for the other during the relevant period in respect of the accident, injury or disease.

(2) The reference in paragraph (1)(a) to a payment in consequence of any accident, injury or disease is to a payment made—

- (a) by or on behalf of a person who is, or is alleged to be, liable to any extent in respect of the accident, injury or disease, ^{F1}...
- (b) in pursuance of a compensation scheme for motor accidents^{F2}, or
- (c) under the Diffuse Mesothelioma Payment Scheme (established under the Mesothelioma Act 2014);]

but does not include a payment mentioned in Part I of Schedule 1.

(3) Paragraph (1)(a) applies to a payment made—

- (a) voluntarily, or in pursuance of a court order or an agreement, or otherwise, and
- (b) in the United Kingdom or elsewhere.

(4) In a case where this Order applies—

- (a) the “injured person” is the person who suffered the accident, injury or, disease,
- (b) the “compensation payment” is the payment within paragraph (1)(a), ad
- (c) “recoverable benefit” is any listed benefit which has been or is likely to be paid as mentioned in paragraph (1)(b).

F1 Word in art. 3(2)(a) omitted (31.3.2014) by virtue of Mesothelioma Act 2014 (c. 1), s. 19(1), Sch. 1 para. 11(a); S.I. 2014/459, art. 3(c)

F2 Art. 3(2)(c) and preceding word inserted (31.3.2014) by Mesothelioma Act 2014 (c. 1), s. 19(1), Sch. 1 para. 11(b); S.I. 2014/459, art. 3(c)

Changes to legislation:

The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997, Section 3 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](#)