STATUTORY INSTRUMENTS

1997 No. 1183

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

Liability of person paying compensation

Liability to pay Department amount of benefits

8.—(1) A person who makes a compensation payment in any case is liable to pay to the Department an amount equal to the total amount of the recoverable benefits.

(2) The liability referred to in paragraph (1) arises immediately before the compensation payment or, if there is more than one, the first of them is made.

(3) No amount becomes payable under this Article before the end of the period of 14 days from the day on which the liability arises.

(4) Subject to paragraph (3), an amount becomes payable under this Article at the end of the period of 14 days beginning with (and including) the day on which a certificate of recoverable benefits is first issued showing that the amount of recoverable benefit to which it relates has been or is likely to have been paid before a specified date.

Recovery of payments due under Article 8

9.—(1) This Article applies where a person has made a compensation payment but—

(a) has not applied for a certificate of recoverable benefits, or

(b) has not made a payment to the Department under Article 8 before the end of the period allowed under that Article.

(2) The Department may—

(a) issue the person who made the compensation payment with a certificate of recoverable benefits, if none has been issued, or

(b) issue him with a copy of the certificate of recoverable benefits or (if more than one has been issued) the most recent one,

and (in either case) issue him with a demand that payment of any amount due under Article 8 be made immediately.

(3) The Department may, in accordance with paragraph (4), recover the amount for which a demand for payment is made under paragraph (2) from the person who made the compensation payment.

(4) Any amount recoverable under paragraph (3) shall, if the county court so orders, be enforceable as if it were payable under an order of that court.

(5) A document bearing a certificate which—

(a) is signed by a person authorised to do so by the Department, and

(b) states that the document, apart from the certificate, is a record of the amount recoverable under paragraph (3),

is conclusive evidence that that amount is so recoverable.

(6) A certificate under paragraph (5) purporting to be signed by a person authorised to do so by the Department is to be treated as so signed unless the contrary is proved.