
Status: Point in time view as at 01/01/2006.

Changes to legislation: The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997, Cross Heading: Certificates of recoverable benefits is up to date with all changes known to be in force on or before 12 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. (See end of Document for details)

STATUTORY INSTRUMENTS

1997 No. 1183

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

Certificates of recoverable benefits

Applications for certificates of recoverable benefits

6.—(1) Before a person (“the compensator”) makes a compensation payment he shall apply to the Department for a certificate of recoverable benefits.

(2) Where the compensator applies for a certificate of recoverable benefits, the Department shall—

- (a) send to him a written acknowledgement of receipt of his application, and
- (b) subject to paragraph (7), issue the certificate before the end of the following period.

(3) The period is—

- (a) the prescribed period, or
- (b) if there is no prescribed period, the period of four weeks,

which begins with the day on which the application is received.

(4) The certificate is to remain in force until the date specified in it for that purpose.

(5) The compensator may apply for fresh certificates from time to time.

(6) Where a certificate of recoverable benefits ceases to be in force, the Department may issue a fresh certificate without an application for one being made.

(7) Where the compensator applies for a fresh certificate while a certificate (“the existing certificate”) remains in force, the Department shall issue the fresh certificate before the end of the following period.

(8) The period is—

- (a) the prescribed period, or
- (b) if there is no prescribed period, the period of four weeks,

which begins with the day on which the existing certificate ceases to be in force.

(9) For the purposes of this Order, regulations may provide for the day on which an application for a certificate of recoverable benefits is to be treated as received.

Information contained in certificates

7.—(1) A certificate of recoverable benefits shall specify, for each recoverable benefit—

- (a) the amount which has been or is likely to have been paid on or before a specified date, and
- (b) if the benefit is paid or likely to be paid after the specified date, the rate and period for which, and the intervals at which, it is or is likely to be so paid.

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(2) In a case where the relevant period has ended before the day on which the Department receives the application for the certificate, the date specified in the certificate for the purposes of paragraph (1) shall be the day on which the relevant period ended.

(3) In any other case, the date specified for those purposes shall not be earlier than the day on which the Department received the application.

(4) The Department may estimate, in such manner as it thinks fit, any of the amounts, rates or periods specified in the certificate.

(5) Where the Department issues a certificate of recoverable benefits, it shall provide the information contained in the certificate to—

- (a) the person who appears to it to be the injured person, or
- (b) any person who it thinks will receive a compensation payment in respect of the injured person.

(6) A person to whom a certificate of recoverable benefits is issued or who is provided with information under paragraph (5) is entitled to particulars of the manner in which any amount, rate or period specified in the certificate has been determined, if he applies to the Department for those particulars.

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