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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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## SCHEDULES

### SCHEDULE 19

#### SUPPLEMENTARY SCHEMES

##### *Set-off of overpayments*

- 10 (1) Where a person who has received a payment in respect of any period under a supplementary scheme is subsequently found to be entitled in respect of that period to a payment by way of benefit, the entitlement to or payment of which disentitles him to the whole or part of the amount of the payment under the scheme, any payment by way of that benefit may, at the discretion of the Secretary of State, be abated by the amount of the overpayment under the scheme or so much thereof as has not been repaid to the fund out of which it was made.
- (2) In this paragraph and paragraph 11 below, "benefit" means benefit under Part II of this Act or under the former principal Act.
- 11 Where a person has received in respect of any period a payment by way of benefit which disentitles him to a payment which would otherwise be payable to him in respect of that period under a supplementary scheme and he is subsequently found not to have been entitled to the whole or part of the amount of that payment of benefit, any payment under the scheme in respect of that period may, at the discretion of the person by whom the payment falls to be made, be abated by the amount of benefit overpaid or so much thereof as has not been—
- (a) repaid or otherwise recovered, or
  - (b) treated as having been paid on account of any other benefit payable in respect of that period, or on account of an allowance under the Family Allowances Act so payable.
- 12 The amount by which a payment to any person is abated under paragraph 10 or 11 above on account of some other payment to that person shall not be otherwise recoverable from that person and shall be made good out of the fund out of which the abated payment fell to be made to the fund out of which that other payment was made.