



Social Security Administration Act 1992

1992 CHAPTER 5

PART III

OVERPAYMENTS AND ADJUSTMENTS OF BENEFIT

Adjustments of benefits

73 Overlapping benefits - general

- (1) Regulations may provide for adjusting benefit as defined in section 122 of the Contributions and Benefits Act which is payable to or in respect of any person, or the conditions for its receipt, where—
 - (a) there is payable in his case any such pension or allowance as is described in subsection (2) below; or
 - (b) the person is, or is treated under the regulations as, undergoing medical or other treatment as an in-patient in a hospital or similar institution.
- (2) Subsection (1)(a) above applies to any pension, allowance or benefit payable out of public funds (including any other benefit as so defined, whether it is of the same or a different description) which is payable to or in respect of—
 - (a) the person referred to in subsection (1);
 - (b) that person's wife or husband;
 - (c) any child or adult dependant of that person; or
 - (d) the wife or husband of any adult dependant of that person.
- (3) Where but for regulations made by virtue of subsection (1)(a) above two persons would both be entitled to an increase of benefit in respect of a third person, regulations may make provision as to their priority.
- (4) Regulations may provide for adjusting benefit as defined in section 122 of the Contributions and Benefits Act payable to or in respect of any person where there is payable in his case any such benefit as is described in subsection (5) below.

Status: This is the original version (as it was originally enacted).

- (5) Subsection (4) above applies to any benefit payable under the legislation of any member State other than the United Kingdom which is payable to or in respect of—
- (a) the person referred to in that subsection;
 - (b) that person's wife or husband;
 - (c) any child or adult dependant of that person; or
 - (d) the wife or husband of any adult dependant of that person.