



Social Security (Recovery of Benefits) Act 1997

1997 CHAPTER 27

Miscellaneous

20 Amounts overpaid under section 6.

- (1) Regulations may make provision (including provision modifying this Act) for cases where a person has paid to the Secretary of State under section 6 any amount (“the amount of the overpayment”) which he was not liable to pay.
- (2) The regulations may provide—
 - (a) for the Secretary of State to pay the amount of the overpayment to that person, or to the person to whom the compensation payment is made, or partly to one and partly to the other, or
 - (b) for the receipt by the Secretary of State of the amount of the overpayment to be treated as the recovery of that amount.
- (3) Regulations made by virtue of subsection (2)(b) are to have effect in spite of anything in section 71 of the ^{M1}Social Security Administration Act 1992 (overpayments—general).
- (4) The regulations may also (among other things) provide—
 - (a) for the re-calculation in accordance with section 8 [F¹ or 8A] of the amount of any compensation payment,
 - (b) for giving credit for amounts already paid, and
 - (c) for the payment by any person of any balance or the recovery from any person of any excess.
- (5) This section does not apply in a case where section 14 applies.

Changes to legislation: There are currently no known outstanding effects for the Social Security (Recovery of Benefits) Act 1997, Section 20. (See end of Document for details)

Textual Amendments

- F1** Words in s. 20(4)(a) inserted (31.3.2014) by [Mesothelioma Act 2014 \(c. 1\)](#), s. 19(1), **Sch. 1 para. 8**; [S.I. 2014/459](#), art. 3(c)

Modifications etc. (not altering text)

- C1** Ss. 20-23 applied (with modifications) (1.10.2008) by [Social Security \(Recovery of Benefits\) \(Lump Sum Payments\) Regulations 2008 \(S.I. 2008/1596\)](#), regs. 1(1), 2, **Sch. 1** (with reg. 6)

Marginal Citations

- M1** [1992 c. 5](#).

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