



National Assistance Act 1948

1948 CHAPTER 29

PART IV

GENERAL AND SUPPLEMENTARY.

Recovery of Expenses.

45 Recovery in cases of misrepresentation or non-disclosure.

- (1) If, whether fraudulently or otherwise, any person misrepresents or fails to disclose any material fact, and in consequence of the misrepresentation or failure—
 - (a) the Board or a local authority incur any expenditure under Part II or Part III of this Act, or
 - (b) any sum recoverable under this Act by the Board or a local authority is not recovered,the Board or authority shall be entitled to recover the amount thereof from the said person.
- (2) If any question arises, whether in or in connection with any legal proceedings or otherwise, as to the amount which the Board are entitled in any case to recover under the last foregoing subsection, the question shall be referred to the Appeal Tribunal.
- (3) On any reference under the last foregoing subsection a certificate signed by the clerk of the Appeal Tribunal setting forth the decision of the Tribunal upon the question referred shall be conclusive evidence of the amount recoverable under subsection (1) of this section.
- (4) For the purposes of this section, any certificate purporting to be signed by the clerk of the Appeal Tribunal shall be deemed to be so signed unless the contrary is proved.