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STATUTORY INSTRUMENTS

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**2013 No. 384**

**SOCIAL SECURITY**

**The Social Security (Overpayments  
and Recovery) Regulations 2013**

*Made* - - - - *25th February 2013*

*Laid before Parliament* *4th March 2013*

*Coming into force in accordance with regulation 1(2)  
and (3)*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 71(4), (6)(a) and (b), (8) and (9A) to (9C), 71ZA, 71ZB(2)(b) to (5), 71ZC(1) to (3), 71ZD, 71ZF 71ZG(5), 71ZH(5), 74(2), 75(4), (5)(a) and (8) to (10), 78(2) and (3C) to (3E), 115B(4A), 115C(5), 115D(5), 189(1), (4) to (6) and 191 of the Social Security Administration Act 1992(1) (“the Act”) and paragraphs 1(1) and 6(b) of Schedule 6 to the Welfare Reform Act 2012(2).

In accordance with section 173(1)(b) of the Act, the Secretary of State has obtained the agreement of the Social Security Advisory Committee that proposals in respect of these Regulations should not be referred to it.

In relation to provisions in these Regulations relating to housing benefit, in accordance with section 176(1) of the Act(3), consultation has taken place with organisations appearing to the Secretary of State to be representative of the authorities concerned.

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(1) 1992 c.5. Section 71(8) is amended by section 107 of the Welfare Reform Act 2009 (c.24). Section 71ZA is inserted by section 75(1) of the Social Security Act 1998 (c.14) (“the 1998 Act”). Sections 71ZB to 71ZH are inserted by section 105 of the Welfare Reform Act 2012 (c.5) (“the 2012 Act”) and sections 71(9A) to (9C), 71ZA(2A), 75(8) to (10) and 78(3C) to (3E) are inserted by section 106 of that Act. Section 74(2) is amended by paragraph 7 of Schedule 2 to the 2012 Act. Section 75(5) is amended by section 16 of the Social Security Administration (Fraud) Act 1997 (c.47). Section 115B is inserted by section 15 of the Social Security Fraud Act 2001 (c.11) and subsection (4B) of that section is inserted by section 105 of the 2012 Act. Sections 115C and 115D are inserted by section 116 of the 2012 Act. Section 189(1) and (4) to (6) are amended by paragraph 109(a) and (c) to (e) of Schedule 7, and Schedule 8, to the 1998 Act, paragraph 57(1) and (2) of Schedule 3 to the Social Security Contributions (Transfer of Functions etc.) Act 1999 (c.2) and Schedule 6 to the Tax Credits Act 2002 (c.21). Section 191 is cited for the definition of “prescribe”.

(2) 2012 c.5.

(3) Section 176(1) is amended by paragraph 23 of Schedule 9 to the Local Government Finance Act 1992 (c.14), paragraph 3(4) of Schedule 13 to the Housing Act 1996 (c.52) and section 69(6) of the Child Support, Pensions and Social Security Act 2000 (c. 19).