
STATUTORY INSTRUMENTS

2013 No. 384

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

PART 1

General

Interpretation

2. In these Regulations—

“the Act” means the Social Security Administration Act 1992;

“the 1995 Act” means the Jobseekers Act 1995(1);

“the 2007 Act” means the Welfare Reform Act 2007(2);

“the 2012 Act” means the Welfare Reform Act 2012(3);

“the UC Regulations” means the Universal Credit Regulations 2013(4);

“the UC etc. Claims and Payments Regulations” means the Universal Credit, Personal Independence Payment, Jobseeker’s Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013(5);

“assessment period” has the same meaning as in the UC Regulations;

“claimant” means the person who has claimed the benefit concerned;

“couple” has the same meaning as in Part 1 of the 2012 Act(6);

“employment and support allowance” means an allowance under Part 1 of the 2007 Act as amended by the provisions of Schedule 3, and Part 1 of Schedule 14, to the 2012 Act that remove references to an income-related allowance;

“housing costs” means any amount included in an award of universal credit in respect of rent payments as defined in paragraph 2 of Schedule 1 to the UC Regulations;

“jobseeker’s allowance” means an allowance under the 1995 Act as amended by the provisions of Part 1 of Schedule 14 to the 2012 Act that remove references to an income-based allowance;

“liable person” means the person from whom a recoverable amount is recoverable;

“overpayment” means an amount of—

- (a) universal credit, jobseeker’s allowance or employment and support allowance which may be recovered by the Secretary of State by virtue of section 71ZB(1) of the Act;

(1) 1995 c.18.

(2) 2007 c.5.

(3) 2012 c.5.

(4) S.I.2013/376.

(5) S.I.2013/380.

(6) See section 39 of that Act.

(b) working tax credit or child tax credit which may be recovered under section 29 of the Tax Credits Act 2002⁽⁷⁾ as modified by paragraph 10 of the Schedule to the Universal Credit (Transitional Provisions) Regulations 2013⁽⁸⁾;

“overpayment period” means the period over which an overpayment accrues;

“partner” means, where the person being referred to is a member of a couple, the other member of the couple;

“recoverable amount” is to be construed in accordance with regulation 3;

“universal credit” means universal credit under Part 1 of the 2012 Act.

(7) 2002 c.21.
(8) S.I.2013/386.