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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 SOCIAL SECURITY (OVERPAYMENTS  
AND RECOVERY) REGULATIONS 2013**

**PART 1**

**General**

1. Citation and commencement
2. Interpretation

**PART 2**

**Recoverability**

3. Recoverable amounts
4. Persons from whom an overpayment may be recovered
5. Circumstances in which a determination need not be reversed, varied, revised or superseded prior to recovery

**PART 3**

**Prevention of duplication of payments**

6. Duplication and prescribed income

**PART 4**

**Calculation of recoverable amount of an overpayment**

7. Diminution of capital
8. Sums to be deducted
9. Sums to be deducted: change of dwelling

**Changes to legislation:** There are currently no known outstanding effects for the The Social Security (Overpayments and Recovery) Regulations 2013. (See end of Document for details)

## PART 5

### The process of recovery

10. Recovery by deduction from benefits
11. Recovery by deduction from universal credit
12. Recovery by deduction from jobseeker's allowance
13. Recovery by deduction from employment and support allowance
14. Recovery by deduction from state pension credit
15. Restrictions on recovery of rent and consequent notifications
16. Offsetting

## PART 6

### Recovery by deduction from earnings

17. Interpretation of Part 6
18. Exemption from this Part
19. Notices
20. Amount to be deducted by employer
21. Employer to notify liable person of deduction
22. Payment by employer to the appropriate authority
23. Information to be provided by the liable person
24. Duty of employers and others to notify appropriate authority
25. Power to vary notices
26. Discharge of notices
27. Lapse of notices
28. Crown employment
29. Priority as between notices and orders requiring deduction from earnings
30. Offences

## PART 7

### Amendments to associated legislation

31. Amendments to the Social Security (Payments on account, Overpayments and Recovery) Regulations 1988
32. Amendment of the Social Fund (Recovery by Deductions from Benefits) Regulations 1988

## PART 8

### Amendment of provisions relating to recovery of overpaid housing benefit

33. Amendment of the Housing Benefit Regulations 2006
  34. Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006
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## SCHEDULE 1 — EXEMPTION FOR EXISTING MICRO-BUSINESSES AND NEW BUSINESSES

1. Micro-businesses
2. Existing micro-businesses
3. New businesses

**Changes to legislation:** There are currently no known outstanding effects for the The Social Security (Overpayments and Recovery) Regulations 2013. (See end of Document for details)

4. The exemption period: existing micro-businesses
5. Grace periods in which business grows
6. Number of employees of a business
7. Employees of a business
8. Employees
9. Franchises

## SCHEDULE 2 — AMOUNTS TO BE DEDUCTED BY EMPLOYERS

### Explanatory Note

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Overpayments and Recovery) Regulations 2013.