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STATUTORY INSTRUMENTS

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**1997 No. 1183**

**The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997**

*Reviews and appeals*

**Review of certificates of recoverable benefits**

12.—<sup>F1</sup>(1) The Department may review any certificate of recoverable benefits if it is satisfied—

- (a) that the certificate was issued in ignorance of, or was based on a mistake as to, a material fact, or
- (b) that a mistake (whether in computation or otherwise) has occurred in the preparation of the certificate.

(2) On a review under this Article the Department may either—

- (a) confirm the certificate,<sup>F2</sup> or
- (b) (subject to paragraph (3)) issue a fresh certificate containing such variations as it considers appropriate.

<sup>F3</sup>(3) The Department may not vary the certificate so as to increase the total amount of the recoverable benefits unless it appears to the Department that the variation is required as a result of the person who applied for the certificate supplying the Department with incorrect or insufficient information.

[<sup>F4</sup>(4) The scheme administrator of the Diffuse Mesothelioma Payment Scheme may not apply for a review under this Article.]

**F1** prosp. in pt. subst. by [1998 NI 10](#)

**F2** prosp. in pt. rep. by [1998 NI 10](#)

**F3** prosp. in pt. inserted by [1998 NI 10](#)

**F4** [Art. 12\(4\)](#) inserted (31.3.2014) by [Mesothelioma Act 2014 \(c. 1\)](#), s. 19(1), [Sch. 1 para. 13](#); S.I. 2014/459, art. 3(c)

**Changes to legislation:**

The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997, Section 12 is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- power to am. (prosp.) by [1998 c. 47 s.87](#)