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STATUTORY INSTRUMENTS

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**1997 No. 1183**

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

*Miscellaneous*

**Amounts overpaid under Article 8**

**22.**—(1) Regulations may make provision (including provision modifying this Order) for cases where a person has paid to the Department under Article 8 any amount (“the amount of the overpayment”) which he was not liable to pay.

(2) The regulations may provide—

- (a) for the Department to pay the amount of the overpayment to that person, or to the person to whom the compensation payment is made, or partly to one and partly to the other, or
- (b) for the receipt by the Department of the amount of the overpayment to be treated as the recovery of that amount.

(3) Regulations made by virtue of paragraph (2)(b) are to have effect in spite of anything in section 69 of the Administration Act (overpayments – general).

(4) The regulations may also (among other things) provide—

- (a) for the re-calculation in accordance with Article 10 of the amount of any compensation payment,
- (b) for giving credit for amounts already paid, and
- (c) for the payment by any person of any balance or the recovery from any person of any excess.

(5) This Article does not apply in a case where Article 16 applies.