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## STATUTORY INSTRUMENTS

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# 1997 No. 1183

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

### Title and commencement

1.—(1) This Order may be cited as the Social Security (Recovery of Benefits) (Northern Ireland) Order 1997.

(2) This Order shall come into operation on such day or days as the Department may by order appoint<sup>F1</sup>.

<b>F1</b> fully exercised by SR 1997/400
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### Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

“the Administration Act” means the Social Security Administration (Northern Ireland) Act 1992;

[<sup>F2</sup>“appeal tribunal” means an appeal tribunal constituted under Chapter I of Part II of the Social Security (Northern Ireland) Order 1998;]

“benefit” means [<sup>F3</sup>universal credit,] any benefit under the Contributions and Benefits Act, a jobseeker's allowance [<sup>F4</sup>, an employment and support allowance][<sup>F5</sup>, personal independence payment] or mobility allowance;

“compensation scheme for motor accidents” means any scheme or arrangement under which funds are available for the payment of compensation in respect of motor accidents caused, or alleged to have been caused, by uninsured or unidentified persons;

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992;

“the Department” means the Department of Health and Social Services;

“listed benefit” means a benefit listed in column (2) of Schedule 2;

“National Insurance Fund” means the Northern Ireland National Insurance Fund;

“payment” means payment in money or money's worth;

“prescribed” means prescribed by regulations;

“regulations” means regulations made by the Department;

[<sup>F6</sup>“scheme administrator”, in relation to the Diffuse Mesothelioma Payment Scheme, has the meaning given by section 18 of the Mesothelioma Act 2014.]

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**Changes to legislation:** *The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997 is up to date with all changes known to be in force on or before 24 August 2023. 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. (See end of Document for details) View outstanding changes*

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“statutory provision” has the meaning assigned to it by section 1(f) of the Interpretation Act (Northern Ireland) 1954.

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| <b>F2</b> | Art. 2(2): definition of "appeal tribunal" inserted (29.11.1999 for certain purposes otherwise prosp.) by <a href="#">Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))</a> , arts. 1(2), 78(1), <b>Sch. 6 para. 119</b> ; S.R. 1999/472, art. 2(1)(a)(2), <b>Sch. 1</b> (with transitional provisions in arts. 20, 21) |
| <b>F3</b> | Words in art. 2 inserted (27.9.2017) by <a href="#">The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006)</a> , art. 2(2), <b>Sch. 2 para. 32</b> ; S.R. 2017/190, art. 4(1)(2)(g)(i)  |
| <b>F4</b> | Words in art. 2(2) in definition of "benefit" inserted (27.10.2008) by <a href="#">Employment and Support Allowance (Consequential Provisions) Regulations (Northern Ireland) 2008 (S.R. 2008/286)</a> , regs. 1(b), <b>3(2)</b>   |
| <b>F5</b> | Words in art. 2(2) inserted (20.6.2016) by <a href="#">The Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006)</a> , art. 2(2), <b>Sch. 9 para. 33</b> ; S.R. 2016/215, art. 3(2)  |
| <b>F6</b> | Words in art. 2(2) inserted (31.3.2014) by <a href="#">Mesothelioma Act 2014 (c. 1)</a> , s. 19(1), <b>Sch. 1 para. 10</b> ; S.I. 2014/459, art. 3(c)  |

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

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