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**Changes to legislation:** Social Security Act 1989, Cross Heading: Modification of Law Reform (Personal Injuries) Act 1948 is up to date with all changes known to be in force on or before 27 October 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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## SCHEDULES

### SCHEDULE 4

#### RECOVERY OF SUMS EQUIVALENT TO BENEFIT FROM COMPENSATION PAYMENTS IN RESPECT OF ACCIDENTS ETC: SUPPLEMENTARY PROVISION

#### PART IV

#### MISCELLANEOUS

##### *Modification of Law Reform (Personal Injuries) Act 1948*

- 22 (1) In section 2 of the <sup>M1</sup>Law Reform (Personal Injuries) Act 1948, in subsection (1) (which requires that, in assessing damages, half of certain benefits shall be brought into account against loss of profits or earnings)—
- (a) after the word “contract),” there shall be inserted the words “ where this section applies ”;
  - (b) for the words from “against any loss” to “from the injuries” there shall be substituted the words “ against them ”; and
  - (c) for the words from “therefrom” onwards there shall be substituted the words “from the injuries in respect of—
    - (a) any of the relevant benefits, within the meaning of section 22 of the Social Security Act 1989, or
    - (b) any corresponding benefits payable in Northern Ireland,
 for the five years beginning with the time when the cause of action accrued. ”
- (2) After that subsection there shall be inserted—
- “(1A) This section applies in any case where the amount of the damages that would have been awarded apart from any reduction under subsection (1) above is less than the sum for the time being prescribed under paragraph 4(1) of Schedule 4 to the Social Security Act 1989 (recoupment of benefit: exception for small payments).”
- (3) Subsection (2) of that section (disregard of increase for constant attendance) shall cease to have effect.

#### **Modifications etc. (not altering text)**

- C1** The text of Sch. 4 para. 22 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.7.1992

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**Marginal Citations**

**M1** [1948 c. 41.](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 5 para. 5E and cross-heading inserted by [2023 c. 20 Sch. para. 7](#)