
STATUTORY INSTRUMENTS

1988 No. 688

SOCIAL SECURITY

The Social Security (Payments on account, Overpayments and Recovery) Amendment Regulations 1988

<i>Made - - - -</i>	<i>11th April 1988</i>
<i>Laid before Parliament</i>	<i>11th April 1988</i>
<i>Coming into force</i>	<i>11th April 1988</i>

The Secretary of State for Social Services, in exercise of the powers conferred upon him by sections 23A, 27, 53 and 84(1) of the Social Security Act 1986(a) and of all other powers enabling him in that behalf, after agreement by the Social Security Advisory Committee that the proposals to make these Regulations should not be referred to it(b), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Social Security (Payments on account, Overpayments and Recovery) Amendment Regulations 1988 and shall come into force on 11th April 1988.

Amendment of Social Security (Payments on account, Overpayments and Recovery) Regulations 1988

2.—(1) The Social Security (Payments on account, Overpayments and Recovery) Regulations 1988(c) shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 10 (conversion of payments made in a foreign currency), for the words “any bank which is a recognised bank for the purposes of the Banking Act 1979” there shall be substituted the words “any institution which is authorised under the Banking Act 1987(d)”.

(3) In regulation 15(1) (recovery by deduction from prescribed benefits), for the words “it is determined the amount” there shall be substituted the words “the amount is determined”.

(4) In regulation 16(2) (limitations on deductions from prescribed benefits), for the word “specified” there shall be substituted the word “prescribed”.

(5) In regulation 19 (award and protected earnings), for paragraph (3) there shall be substituted the following paragraph—

(a) 1986 c.50; section 23A was inserted by paragraph 25 of Schedule 4 to the Social Security Act 1988 (c.7). Section 84(1) is cited because of the meaning ascribed to the words “prescribed” and “regulations”.

(b) See section 61(1)(b) of the Social Security Act 1986.

(c) S.I. 1988/664.

(d) 1987 c.22.

“(3) The protected earnings of the claimant shall be the sum determined by—

(a) taking the sum specified in paragraph (4),

(b) adding the sum specified in paragraph (5), and

(c) subtracting from the result any child benefit which falls to be taken into account in calculating his income for the purposes of Part V of the Income Support Regulations.”.

(6) In regulation 24(1) (review of determination of protected earnings), for the reference to “regulation 19(1)(a)” there shall be substituted a reference to “regulation 19(1)”.

Signed by authority of the Secretary of State for Social Services.

Michael Portillo

Parliamentary Under-Secretary of State,
Department of Health and Social Security

11th April 1988

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Payments on account, Overpayments and Recovery) Regulations 1988. They correct minor errors in those Regulations and come into force on the same day as those Regulations.

45p net

ISBN 0 11 086688 6

Printed in the United Kingdom for Her Majesty's Stationery Office

880/WO 0654 C50 4/88 452/1 9385/1918/3386 PS 8910371