
STATUTORY INSTRUMENTS

2000 No. 704

The Asylum Support Regulations 2000

Recovery of sums by Secretary of State

Recovery where assets become realisable

17.—(1) This regulation applies where it appears to the Secretary of State at any time (the relevant time)—

- (a) that a supported person had, at the time when he applied for asylum support, assets of any kind in the United Kingdom or elsewhere which were not capable of being realised; but
- (b) that those assets have subsequently become, and remain, capable of being realised.

(2) The Secretary of State may recover from that person a sum not exceeding the recoverable sum.

(3) Subject to paragraph (5), the recoverable sum is a sum equal to whichever is the less of—

- (a) the monetary value of all the asylum support provided to the person up to the relevant time; and
- (b) the monetary value of the assets concerned.

(4) As well as being recoverable as mentioned in paragraph 11(2)(a) of Schedule 8 to the Act, an amount recoverable under this regulation may be recovered by deduction from asylum support.

(5) The recoverable sum shall be treated as reduced by any amount which the Secretary of State has by virtue of this regulation already recovered from the person concerned (whether by deduction or otherwise) with regard to the assets concerned.

Overpayments: method of recovery

18. As well as being recoverable as mentioned in subsection (3) of section 114 of the Act, an amount recoverable under subsection (2) of that section may be recovered by deduction from asylum support.