
STATUTORY INSTRUMENTS

2012 No. 645

The Social Security (Recovery) (Amendment) Regulations 2012

Sums to be deducted in calculating recoverable amounts

2.—(1) In regulation 13(1)(b) of the 1988 Regulations⁽¹⁾(sums to be deducted in calculating recoverable amounts)—

- (a) after “which was not payable” insert “to the person from whom the amount is recoverable or their partner”;
- (b) after “to be payable” insert “to that person or their partner”;
- (c) at the end of paragraph (ii) add “or” and after that paragraph insert—
 - “(iii) on the basis of the determination if any change of circumstances had been notified at the time that change occurred;”.

(2) In both regulation 104(1) of the Housing Benefit Regulations⁽²⁾ and regulation 85(1) of the Housing Benefit (SPC) Regulations⁽³⁾(sums to be deducted in calculating recoverable overpayments) after “determined to be payable” insert “to the person from whom the overpayment is recoverable or their partner”.

(3) In both regulation 89(1) of the Council Tax Benefit Regulations⁽⁴⁾ and regulation 74(1) of the Council Tax Benefit (SPC) Regulations⁽⁵⁾(sums to be deducted in calculating recoverable excess benefit), after “determined to be payable” insert “to the person from whom the excess benefit is recoverable or their partner”.

(1) Regulation 13 is amended by [S.I.1996/1345](#), [1999/2571](#) and [2002/3019](#).

(2) Regulation 104(1) is amended but that amendment is not relevant to these Regulations.

(3) Regulation 85(1) is amended but that amendment is not relevant to these Regulations.

(4) There are no relevant amendments to regulation 89.

(5) There are no relevant amendments to regulation 74.