STATUTORY INSTRUMENTS

2013 No. 384

The Social Security (Overpayments and Recovery) Regulations 2013

PART 8

Amendment of provisions relating to recovery of overpaid housing benefit

Amendment of the Housing Benefit Regulations 2006

33.—(1) The Housing Benefit Regulations 2006 [M1] are amended as follows.

(2) In regulation 105 (recovery of overpayments from prescribed benefits—

(a) after paragraph (1)(f) add—

"(g) personal independence payment.";

(b) after paragraph (1)(g) add—

"(h) universal credit.";

(c) after paragraph (1B)(d) add—

"(e) personal independence payment.";

(d) after paragraph (1B)(e) add—

"(f) universal credit.".

(3) After regulation 106 insert—

"**Recovery by deduction from earnings**

106A.—(1) Any overpayment which is recoverable by virtue of regulation 100 may be recovered by a relevant authority by deduction from the earnings of the person from whom it is recoverable.

(2) Part 6 of the Social Security (Overpayments and Recovery) Regulations 2013 applies in relation to the recovery of overpayments by deduction from the earnings of a person specified in paragraph (1) by a relevant authority as it applies to the recovery of recoverable amounts by deduction from the earnings of persons under that Part of those Regulations by an appropriate authority".

Marginal Citations

M1 S.I.2006/213. Regulation 105(1) is amended by S.I.2008/1082 and 2824. Regulation 105(1B) is inserted by S.I.2008/2824.

Amendment of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

34.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 [M2] (recovery of overpayments from prescribed benefits) are amended as follows.

(2) In regulation 86 (recovery of overpayments from prescribed benefits—

(a) after paragraph (1)(f) add—

"(g) personal independence payment.";

(b) after paragraph (1)(g) add—

"(h) universal credit.";

(c) after paragraph (1B)(d) add—

"(e) personal independence payment.";

(d) after paragraph (1B)(e) add—

"(f) universal credit.".

(3) After regulation 87 insert—

"**Recovery by deduction from earnings**

87A.—(1) Any overpayment which is recoverable by virtue of regulation 81 may be recovered by a relevant authority by deduction from the earnings of the person from whom it is recoverable.

(2) Part 6 of the Social Security (Overpayments and Recovery) Regulations 2013 applies in relation to the recovery of overpayments by deduction from the earnings of a person specified in paragraph (1) by a relevant authority as it applies to the recovery of recoverable amounts by deduction from the earnings of persons under that Part of those Regulations by an appropriate authority.".

Marginal Citations

M2 S.I.2006/214. Regulation 86(1) is amended by S.I.2008/1082 and 2824. Regulation 86(1B) is inserted by S.I.2008/2824.

Changes to legislation:
There are currently no known outstanding effects for the The Social Security (Overpayments and Recovery) Regulations 2013, PART 8.