

---

STATUTORY INSTRUMENTS

---

**1997 No. 1183 (N.I. 12)**

**The Social Security (Recovery of  
Benefits) (Northern Ireland) Order 1997 <sup>F1</sup>**

- - - - 8th April 1997

**THE SOCIAL SECURITY (RECOVERY OF  
BENEFITS) (NORTHERN IRELAND) ORDER 1997**

Title and commencement (1) This Order may be cited as the Social Security...

1. Title and commencement
2. Interpretation

Introductory Cases in which this Order applies (1) This Order applies in cases where—

*Introductory*

3. Cases in which this Order applies
- 3A Lump sum payments: regulation-making power
4. Compensation payments to which this Order applies
5. “The relevant period”

*Certificates of recoverable benefits*

6. Applications for certificates of recoverable benefits
7. Information contained in certificates

*Liability of person paying compensation*

8. Liability to pay Department amount of benefits
9. Recovery of payments due under Article 8

*Reduction of compensation payment*

10. Reduction of compensation payment
- 10A Reduction of payment under Diffuse Mesothelioma Payment Scheme
11. Article 10: supplementary

**Changes to legislation:** *The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997 is up to date with all changes known to be in force on or before 25 July 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*

### *Reviews and appeals*

12. Review of certificates of recoverable benefits
13. Appeals against certificates of recoverable benefits
14. Reference of questions to medical appeal tribunal
15. Appeal to Social Security Commissioner
16. Reviews and appeals: supplementary

### *Courts*

17. Court orders
18. Payments into court
19. Benefits irrelevant to assessment of damages

### *Reduction of compensation: complex cases*

20. Lump sum and periodical payments
21. Payments by more than one person

### *Miscellaneous*

22. Amounts overpaid under Article 8
23. Compensation payments to be disregarded
24. Liability of insurers
25. Provision of information
26. Power to amend Schedule 2

### *General*

27. The Crown
28. Regulations and orders
29. Financial arrangements
30. Power to make transitional, consequential etc. provisions  
Article 31—Amendments and repeals

---

## SCHEDULES

### SCHEDULE 1 — COMPENSATION PAYMENTS

#### PART I — EXEMPTED PAYMENTS

1. Any small payment (defined in Part II of this Schedule).
2. Any payment made to or for the injured person under Article 14 of the Criminal...
3. Any payment made in the exercise of a discretion out of property held subject to...
4. Any payment made out of property held for the purposes of any prescribed trust (whether...
5. (1) Any payment made to the injured person by an insurer under the terms of...
6. Any redundancy payment falling to be taken into account in the assessment of damages in...
7. So much of any payment as is referable to costs.
8. Any prescribed payment.

#### PART II — POWER TO DISREGARD SMALL PAYMENTS

**Changes to legislation:** The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997 is up to date with all changes known to be in force on or before 25 July 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](#)

9. (1) Regulations may make provision for compensation payments to be disregarded for the purposes of...

#### SCHEDULE 2 — CALCULATION OF COMPENSATION PAYMENT

(1) (2) Head of compensation Benefit (1) Compensation for earnings lost during the relevant period...

#### NOTES

2. Any reference to statutory sick pay— (a) includes only 80 per cent. of payments made...

— Schedule 3—Amendments

— Schedule 4—Repeals

**Changes to legislation:**

The Social Security (Recovery of Benefits) (Northern Ireland) Order 1997 is up to date with all changes known to be in force on or before 25 July 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Sch. 2 words repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- Sch. 2 words repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 8](#)
- power to am. (prosp.) by [1998 c. 47 s.87](#)