



# Social Security (Recovery of Benefits) Act 1997

## 1997 CHAPTER 27

### *Reviews and appeals*

#### **10 Review of certificates of recoverable benefits.**

- [<sup>F1</sup>(1) Any certificate of recoverable benefits may be reviewed by the Secretary of State—
- (a) either within the prescribed period or in prescribed cases or circumstances; and
  - (b) either on an application made for the purpose or on his own initiative.]
- (2) On a review under this section the Secretary of State may either—
- (a) confirm the certificate, or
  - (b) (subject to subsection (3)) issue a fresh certificate containing such variations as he considers appropriate [<sup>F2</sup>or.
  - (c) revoke the certificate.]
- (3) The Secretary of State may not vary the certificate so as to increase the total amount of the recoverable benefits unless it appears to him that the variation is required as a result of the person who applied for the certificate supplying him with incorrect or insufficient information.
- [<sup>F3</sup>(4) The scheme administrator of the Diffuse Mesothelioma Payment Scheme may not apply for a review under this section.]

#### **Textual Amendments**

- F1** S. 10(1) substituted (4.3.1999) by 1998 c. 14, ss. 86(1), **Sch. 7 para. 149(1)**; S.I. 1999/528, art. 2(1) (a), **Sch.**
- F2** S. 10(2)(c) and preceding word inserted (29.11.1999) by 1998 c. 14, ss. 86(1), **Sch. 7 para. 149(2)**; S.I. 1999/3178, art. 2(1)(a), **Sch. 1** (subject to transitional provisions in Schs. 21-23)
- F3** S. 10(4) inserted (31.3.2014) by **Mesothelioma Act 2014 (c. 1)**, s. 19(1), **Sch. 1 para. 4**; S.I. 2014/459, art. 3(c)

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**Changes to legislation:** There are currently no known outstanding effects for the Social Security (Recovery of Benefits) Act 1997, Section 10. (See end of Document for details)

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**Modifications etc. (not altering text)**

- C1** S. 10 extended (29.11.1999) by [S.I. 1999/991](#), **reg. 29(6)**
- C2** Ss. 10-14 applied (with modifications) (1.10.2008) by [Social Security \(Recovery of Benefits\) \(Lump Sum Payments\) Regulations 2008](#) (S.I. 2008/1596), regs. 1(1), 2, **Sch. 1** (with reg. 6)

**Changes to legislation:**

There are currently no known outstanding effects for the Social Security (Recovery of Benefits) Act 1997, Section 10.