

SCHEDULE 6

MATTERS TO BE INCLUDED IN THE NOTICE OF DETERMINATION

PART VII

NOTICE WHERE THERE IS RECOVERABLE EXCESS BENEFIT

16. Except in cases to which paragraphs (a) and (b) of regulation 83 (excess benefit in consequence of a reduction in an appropriate authority's council tax) refer, where the appropriate authority makes a determination that there is recoverable excess benefit within the meaning of regulation 84 (recoverable excess benefit), the notice of determination shall include a statement as to—

- (a) the fact that there is recoverable excess benefit;
- (b) the reason why there is recoverable excess benefit;
- (c) the amount of the recoverable excess benefit;
- (d) how the amount of the recoverable excess benefit was calculated;
- (e) the benefit weeks to which the recoverable excess benefit relates in each benefit period or, where the recoverable excess benefit relates to a past period of entitlement as a result of backdating a claim under regulation 62(16) (back dating of late claims), in that past period; and
- (f) the method or combination of methods by which the authority intends to recover the recoverable excess benefit, including—
 - (i) payment by or on behalf of the person concerned of the amount due by the specified date,
 - (ii) addition of the amount due to any amount in respect of the tax concerned for payment whether by instalments or otherwise by the specified date or dates, or
 - (iii) if recovery cannot be effected in accordance with heads (i) or (ii), requesting the Secretary of State to recover the excess benefits by deduction from the benefit prescribed in regulation 91 (recovery of excess benefit from prescribed benefits).