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STATUTORY INSTRUMENTS

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**1997 No. 1183**

**The Social Security (Recovery of  
Benefits) (Northern Ireland) Order 1997**

*Reduction of compensation payment*

**Reduction of compensation payment**

**10.**—(1) This Article applies in a case where, in relation to any head of compensation listed in column (1) of Schedule 2—

- (a) any of the compensation payment is attributable to that head, and
- (b) any recoverable benefit is shown against that head in column (2) of that Schedule.

(2) In such a case, any claim of a person to receive the compensation payment is to be treated for all purposes as discharged if—

- (a) he is paid the amount (if any) of the compensation payment calculated in accordance with this Article, and
- (b) if the amount of the compensation payment so calculated is nil, he is given a statement saying so by the person who (apart from this Article) would have paid the gross amount of the compensation payment.

(3) For each head of compensation listed in column (1) of Schedule 2 for which sub-paragraphs (a) and (b) of paragraph (1) are met, so much of the gross amount of the compensation payment as is attributable to that head is to be reduced (to nil, if necessary) by deducting the amount of the recoverable benefit or, as the case may be, the aggregate amount of the recoverable benefits shown against it.

(4) Paragraph (3) is to have effect as if a requirement to reduce a payment by deducting an amount which exceeds that payment were a requirement to reduce that payment to nil.

(5) The amount of the compensation payment calculated in accordance with this Article is—

- (a) the gross amount of the compensation payment,
- less
- (b) the sum of the reductions made under paragraph (3),
- (and, accordingly, the amount may be nil).