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## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order is made only for purposes corresponding to those of the Social Security (Recovery of Benefits) Act 1997. It replaces Part IV of the Social Security Administration (Northern Ireland) Act 1992. The principal changes are—

- (a) the person who makes the compensation payment (“the compensator”) is liable to repay to the Department of Health and Social Services the total amount of the recoverable benefits (Article 8);
- (b) benefits are deductible by the compensator only from damages awarded for analogous reasons (Article 10);
- (c) damages for pain and suffering are to be protected from benefit recovery (Article 10).