

Status: Point in time view as at 01/07/2007.

Changes to legislation: *Social Security Administration (Northern Ireland) Act 1992, Cross Heading:*

Jobseeker's Allowance is up to date with all changes known to be in force on or before 25 July 2024. 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)



Social Security Administration (Northern Ireland) Act 1992

1992 CHAPTER 8

PART III

OVERPAYMENTS AND ADJUSTMENTS OF BENEFIT

[^{F1} Jobseeker's Allowance]

Textual Amendments

F1 [S. 69A](#) and the preceding cross-heading inserted (7.10.1996) by [S.I. 1995/2705 \(N.I. 15\)](#), [art. 20](#); [S.R. 1996/401](#), [art. 2](#)

69A [^{F2} Recovery of jobseeker's allowance: severe hardship cases.]

(1) Where—

- (a) a severe hardship direction is revoked; and
- (b) it is determined by [^{F3}the Department] that—
 - (i) whether fraudulently or otherwise, any person has misrepresented, or failed to disclose, any material fact; and
 - (ii) in consequence of the failure of misrepresentation, payment of a jobseeker's allowance has been made during the relevant period to the person to whom the direction related, [^{F3}the Department] may determine that [^{F4}it] is entitled to recover the amount of the payment.

(2) In this section—

“severe hardship direction” means a direction given under Article 18 of the Jobseekers (Northern Ireland) Order 1995; and

“the relevant period” means—

Status: Point in time view as at 01/07/2007.

Changes to legislation: *Social Security Administration (Northern Ireland) Act 1992, Cross Heading: Jobseeker’s Allowance is up to date with all changes known to be in force on or before 25 July 2024. 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)*

- (a) if the revocation is under Article 18(3)(a) of that Order, the period beginning with the date of the change of circumstances and ending with the date of the revocation; and
 - (b) if the revocation is under Article 18(3)(b) or (c) of that Order, the period during which the direction was in force.
- (3) Where a severe hardship direction is revoked, the Department may certify whether there has been misrepresentation of a material fact or failure to disclose a material fact.
- (4) If the Department certifies that there has been such misrepresentation or failure to disclose, it may certify—
- (a) who made the misrepresentation or failed to make the disclosure; and
 - (b) whether or not a payment of jobseeker’s allowance has been made in consequence of the misrepresentation or failure.
- (5) If the Department certifies that a payment has been made, it may certify the period during which a jobseeker’s allowance would not have been paid but for the misrepresentation or failure to disclose.
- (6) A certificate under this section shall be conclusive as to any matter certified.
- (7) Subsections (3) and (6) to (10) of section 69 above apply to a jobseeker’s allowance recoverable under subsection (1) above as they apply to a jobseeker’s allowance recoverable under section 69(1) above.
- (8) The other provisions of section 69 above do not apply to a jobseeker’s allowance recoverable under subsection (1) above.

Textual Amendments

F2 S. 69A and the preceding cross-heading inserted (7.10.1996) by S.I. 1995/2705 (N.I. 15), **art. 20**; S.R. 1996/401, **art. 2**

F3 Words in s. 69A(1) substituted (18.10.1999 for certain purposes, otherwise *prosp.*) by S.I. 1998/1506 (N.I. 10), arts. 1(2), 78(1), **Sch. 6 para. 63(a)**; S.R. 1999/428, art. 2(b), **Sch. 1** (with arts. 4, 16)

F4 Word in s. 69A(1) substituted (18.10.1999 for certain purposes, otherwise *prosp.*) by S.I. 1998/1506 (N.I. 10), arts. 1, 78(1), **Sch. 6 para. 63(b)**; S.R. 1999/428, art. 2(b), **Sch. 1** (with arts. 4, 16)

F570

Textual Amendments

F5 S. 70 repealed (7.10.1996) by S.I. 1995/2705, art. 40(2), **Sch. 3**; S.R. 1996/401, **art. 2(b)**

Status:

Point in time view as at 01/07/2007.

Changes to legislation:

Social Security Administration (Northern Ireland) Act 1992, Cross Heading: Jobseeker's Allowance is up to date with all changes known to be in force on or before 25 July 2024. 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.