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## STATUTORY INSTRUMENTS

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# 1987 No. 1968

## The Social Security (Claims and Payments) Regulations 1987

### PART VI **E+W+S**

#### [<sup>F1</sup>MOBILITY COMPONENT OF DISABILITY LIVING ALLOWANCE AND DISABILITY LIVING ALLOWANCE FOR CHILDREN]

##### [<sup>F1</sup>Recovery of expenses **E+W+S**]

44A.—(1) Paragraph (2) applies where—

- (a) an agreement referred to in regulation 44(1) has been entered into; and
- (b) a relevant provider is receiving payments of disability living allowance in settlement of liability for payments due under that agreement.

(2) The Secretary of State may require the relevant provider to make payments to meet the reasonable expenses of the Secretary of State in administering the making of the payments of disability living allowance to the relevant provider.

(3) The method by which the expenses under paragraph (2) are to be met is for the Secretary of State to issue an invoice to the relevant provider setting out the expenses that have been incurred and for the relevant provider to pay the sum stated to the Secretary of State.

(4) The first invoice issued by the Secretary of State may recover expenses incurred between 21st July 2016 and the date of the invoice.

(5) Subsequently the Secretary of State may issue invoices no more frequently than annually and only in respect of expenses incurred since the period covered by the previous invoice.

(6) The expenses that the Secretary of State may take into account for the purposes of paragraph (2) include—

- (a) the salaries and other costs relating to the employment of staff wholly engaged in the administering of the payments of disability living allowance and where staff have other responsibilities, an apportioned amount of those costs; and
- (b) overheads, including rent and other shared costs, relating to those staff.

(7) In determining what expenses were reasonably incurred in administering the making of payments of disability living allowance to a relevant provider, the Secretary of State must have regard to any agreement between the Secretary of State and the relevant provider concerning the level of service to be provided by the Secretary of State in the making of such payments to that relevant provider.]

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#### Textual Amendments

- F1** [Reg. 44A](#) inserted (21.7.2016) by [The Social Security \(Expenses of Paying Sums in Relation to Vehicle Hire\) Regulations 2016 \(S.I. 2016/674\)](#), regs. 1, 3

**Status:**

Point in time view as at 26/07/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Claims and Payments) Regulations 1987, Section 44A.