STATUTORY INSTRUMENTS

1987 No. 491

Social Security (Payments on account, Overpayments and Recovery) Regulations 1987

PART VIII

PREVOCATIONS, CONSEQUENTIAL AMENDMENTS AND TRANSITIONAL PROVISIONS

Revocations and consequential amendments

19.—(1) The regulations specified in column (1) of Part I of the Schedule to these regulations are revoked to the extent mentioned in column (2) of the Schedule.

(2) The regulations specified in column (1) of Part II of the Schedule to these regulations are each amended by substituting for the passage specified in column (2) of the Schedule the words "he, or any person acting for him has, whether fraudulently or otherwise, misrepresented or failed to disclose any material fact and that the interim payment has been made in consequence of the misrepresentation or failure".

(3) The regulations revoked by paragraph (1) and those amended by paragraph (2) shall nevertheless continue in force in their existing form for the purposes of any review or appeal in relation to any question of repayment or recoverability first determined before the commencement of these regulations.

Transitional provisions

20.—(1) Parts II to VI shall apply to the determination of any questions first determined after the commencement of these regulations, but not to the determination on review or appeal of any question of repayment or recoverability first determined before that date.

(2) Section 53(7) and (9) (recovery by deductions from benefit and recovery through the county court or sheriff court) and Part VII of these regulations (the process of recovery) shall apply to any amount recoverable or repayable under any enactment repealed by the Act or any regulations revoked by these regulations as if it was an amount recoverable under section 53(1).

(3) Section 53(9) shall apply to any amount which was, or would have been, recoverable through the county court or sheriff court under enactments repealed by the Act as if it was an amount recoverable under section 53(1).