
STATUTORY INSTRUMENTS

2008 No. 1596

**The Social Security (Recovery of Benefits)
(Lump Sum Payments) Regulations 2008**

PART 2

Certificates

Applications for certificates

8.—(1) Before making a compensation payment the compensator must apply to the Secretary of State for a certificate.

(2) Where the compensator applies for a certificate, the Secretary of State must—

- (a) send to the compensator a written acknowledgment of receipt of the application; and
- (b) issue the certificate before the end of the period of 4 weeks.

(3) An application for a certificate is to be treated for the purposes of the Act as received by the Secretary of State on the day on which it is received by the Compensation Recovery Unit, or if the application is received after normal business hours, or on a day which is not a normal business day at that office, on the next such day.

Information contained in certificates

9.—(1) Subject to paragraph (2), a certificate must specify—

- (a) the amounts;
- (b) which of the type of payments referred to in section 1A(2) of the Act applies; and
- (c) the dates,

of any lump sum payments which have been, or are likely to have been paid.

(2) Where the type of payment is an extra-statutory payment the certificate may specify that type of payment as if it were a payment to which section 1A(2)(a) applies.

[^{F1}(2A) Where a certificate has been applied for by the scheme administrator, the certificate may contain information which would assist the scheme administrator in making a determination in accordance with the Diffuse Mesothelioma Payment Scheme.]

(3) The Secretary of State may estimate, in such manner as the Secretary of State thinks fit the amount of the lump sum payments specified in the certificate.

(4) Where the Secretary of State issues a certificate, the information contained in that certificate must be provided to—

- (a) the person who appears to the Secretary of State to be P; or
- (b) any person who the Secretary of State thinks will receive a compensation payment in respect of P.

(5) A person to whom a certificate is issued or who is provided with information under [^{F2}paragraph (4)] is entitled to particulars of the manner in which any amount, type of payment or date specified in the certificate has been determined, if that person applies to the Secretary of State for those particulars.

Textual Amendments

- F1** Reg. 9(2A) inserted (1.7.2014) by The Social Security (Recovery of Benefits) (Lump Sum Payments) (Amendment) Regulations 2014 (S.I. 2014/1456), reg. 1(2), **Sch. para. 7**
- F2** Words in reg. 9(5) substituted (1.10.2008) by Social Security (Miscellaneous Amendments) (No.3) Regulations 2008 (S.I. 2008/2365), regs. 1, **6(2)**

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations 2008, PART 2.