
STATUTORY INSTRUMENTS

2008 No. 2365

**The Social Security (Miscellaneous
Amendments) (No. 3) Regulations 2008**

Amendment of the Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations 2008

6.—(1) The Social Security (Recovery of Benefits) (Lump Sum Payments) Regulations 2008(1) are amended as follows.

(2) In regulation 9(5) (information contained in certificates) for “paragraph (3)” substitute “paragraph (4)”.

(3) For paragraph 6 of Schedule 1 (modification of the Social Security (Recovery of Benefits) Act 1997) substitute—

“6. Where this Schedule applies, section 13 (appeal to Social Security Commissioner) is to apply as if in—

- (a) subsection (2)(b) there were omitted “of recoverable benefits” ;
- (b) subsection (2)(bb) for “section 7(2)(a)” there were substituted “regulation 11(2) (a) of the Lump Sum Payment Regulations”; and
- (c) subsection (2)(c) for “section 8) the injured person” there were substituted “regulation 12 of the Lump Sum Payments Regulations.”.

(4) In paragraph 1(b) of Schedule 2 (amendment of the Social Security and Child Support (Decisions and Appeals) Regulations 1999), in the inserted regulation 9ZA (Review of certificates) for paragraph 2(b) substitute—

““certificate” means a certificate of recoverable lump sum payments, including where any of the amounts is nil;”.

(5) In paragraph 1(2)(c)(ii) of Schedule 2 for “regulation 14” substitute “regulation 13”.

(6) For paragraph 1(2)(e) of Schedule 2 substitute—

- “(e) in regulation 33 (making of appeals and applications)—
 - (i) in paragraph (1)(d) after “recoverable benefits” insert “, recoverable lump sum payments”;
 - (ii) in paragraph (2)(a) after “recoverable benefits” insert “or, as the case maybe, recoverable lump sum payments”.”.